

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Mei Zheng and Xiaoyu Wang

Organisation name:

Agent's full name:

Email address: fishyu12345@hotmail.com

Contact phone number: 02108453925

Postal address:
27 Ranui Road
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Proposed Plan Change 26 related to chapter D18, special character Areas Overlay-Residential And Chapter E38, Subdivision

Property address: 27 Ranui Road, Remuera, Auckland,

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
My house was originally built in later 1940's and we did major renovation, extension and addition during 2012-2016. therefore, our house is morden and it dosen't seem to carry any specific character. Our street dosen't seem to have any specific character houses around. The most of neighbour streets are zoned Mixed Housing Suburban.

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

Submission date: 30 May 2019

| 1.1

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Louise Anne Malone

Organisation name:

Agent's full name: Louise Malone

Email address: louisemalone2882@gmail.com

Contact phone number:

Postal address:
5 Fitzroy Street
Ponsonby
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.4.1

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

We support the proposal to clarify that the Special Character Areas Overlay will prevail over the corresponding provision in the underlying zone. We support efforts to preserve the historic character of our neighbourhood, not only the forms and features of the buildings, but also ensuring sufficient space for privately planted trees and gardens. We are concerned at the extensive land coverage and non-historic styling of some nearby 'renovations'.

I or we seek the following decision by council: Accept the plan modification

| 2.1

Submission date: 31 May 2019

Attend a hearing

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

Declaration

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

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

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

No

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

To: The Auckland Council

I would like to make a submission with regards to the Special Characters Areas Overlay and underlying zone provisions within the Auckland Unitary Plan.

In particular, the following passage which relates to front and side fences.

D18.6.1.7. Fences and walls and other structures Purpose: • To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape. (1) 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.

I do not understand why such a limitation has been placed when we have existing fences higher than the proposed 1.2 metre height that look in keeping with the historic values of Devonport and in no way de-value the heritage features of the area.

3.1

At times, a higher fence is required for a number of reasons including privacy, wind protection and asthetics. Wouldn't common sense prevail.

3.2

I totally agree that we must maintain the heritage values and beautiful landscapes which include building architecture. Having firm fencing restrictions add no value based on many current fence heights that tie in with heritage values, landscapes and practicality reasons.

I look forward to your response.

Kind regards
Glen Marsh

MB: 0211386914

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Eldon Roberts

Organisation name:

Agent's full name:

Email address: Canadians@xtra.co.nz

Contact phone number:

Postal address:

My Albert
Auckland 1025

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 32 Allendale Road, Mt Albert. Auckland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

We have received correspondence from AC which we appreciate but the precise details on how the proposed changes affect our property have not been disclosed in a manner that enables us to be informed on this matter. E.g. What are changes to our existing the height to boundary changes, fencing rules, permeable area etc. Please provide precise detail of the changes to our property so we can make an informed decision and submission on this proposal.

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

Submission date: 31 May 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Camily Sun

Organisation name:

Agent's full name:

Email address: sunzhuoyue888@gmail.com

Contact phone number: 02102663888

Postal address:

Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 72F Ladies Mile, Remuera Auckland

Map or maps: 72F Ladies Mile

Other provisions:

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

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

The reason for my or our views are:
change to freehold is more convenience

I or we seek the following decision by council: Accept the plan modification

| 5.1

Submission date: 31 May 2019

Attend a hearing

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

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

Declaration

Could you gain an advantage in trade competition through this submission? Yes

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Neale Jackson

Organisation name:

Agent's full name:

Email address: mnjackson@xtra.co.nz

Contact phone number:

Postal address:
13 Vincent Rd
Northcote Pt
Auckland 0627

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Changes to the rear yard requirement - removing the 3m yard rule

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

It is appropriate to have a 3m set back to ensure density is restricted. In the heritage area density has been low historically and should remain so

| 6.2

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

| 6.1

Submission date: 1 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

AUCKLAND COUNCIL
06 JUN 2019
CBD - ALBERT ST

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Graham William Arthur Bush & Norma Ann Bush

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

Address for service of Submitter

26 C Alberon St, Parnell, Auckland 1052

Telephone: 09 334 0000 Fax/Email: graham.w.a.bush@outlook.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC ~~23~~ 26

Plan Change/Variation Name Smaies Farm clarifying the relationship between the special character areas overlay & underlying zone provisions.

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) D18.6.1.1; D18.6.1.3.1; D18.6.16.

Or Property Address

Or Map

Or Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

one of I support the specific provisions identified above

one of I oppose the specific provisions identified above

one of I wish to have the provisions identified above amended Yes No

The reasons for my views are:

D18.6.1.1. Building height; Strongly support the proposed change | 7.1
 Table D18.6.1.3.1 yards Reinstated: Rear yard of 3 metres | 7.2
 D18.6.1.6 Impervious area. Concern that revised in table D18.6.1.6.1 | 7.3
 eq. up to 200m² 42% of site area may allow larger (continue on a separate sheet if necessary)
 impervious areas than in original Unitary Plan

I seek the following decision by Council:

- ^{one of} Accept the proposed plan change / variation
- ^{one of} Accept the proposed plan change / variation with amendments as outlined below
- ^{one of} Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

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

1.6.19
 Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Adonis Souloglou

Organisation name:

Agent's full name:

Email address: adonis@souloglou.com

Contact phone number:

Postal address:
201 St Heliers Bay Road
Saint Heliers
Auckland 1071

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.2 - Height to Boundary - I oppose only one part of this - the need for a distinction between sites with frontage less than 15m and those with greater than 15m.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The purpose of PC26 as stated is to "clarify" and in most areas this is the case and I support the changes proposed. However, in the very specific case of height to boundary, the distinction between sites of less than and greater than 15m frontage goes further than clarifying. It sets a new standard not in the original plan. The current plan is simple, clear and therefore should remain the same - i.e 3m height at ground level. The proposal will disadvantage wider frontage sites from the original plan for no obvious reason.

I or we seek the following decision by council: Accept the plan modification with amendments

8.1

Details of amendments: Remove the 15m frontage distinction from D18.6.1.2 in the proposed plan change

8.1

Submission date: 3 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Raymond John Turner and Robin Anne Turner

Organisation name:

Agent's full name:

Email address: rturner@xtra.co.nz

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 43 Wapiti Ave, Epsom

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

We agree that proposed clarifications will make the Special Character Area provisions easier to understand, and should therefore improve compliance.

I or we seek the following decision by council: Accept the plan modification

| 9.1

Submission date: 3 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: John Mark JONES

Organisation name:

Agent's full name:

Email address: mark.jones@ifm.com

Contact phone number: 0272330593

Postal address:

15 Ambury Ave
Royal Oak
Auckland 1023

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

New Building Height limits!

Property address: 2/11 Wapiti

Map or maps:

Other provisions:

I am deeply opposed to allowing developers new rights to build massive structures next top single level homes. Restricting present Sunlight levels, and affecting the quality of life of existing residents. Including damper/colder homes, and added noise from far more crowded living areas.

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

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

The reason for my or our views are:

Leave the planning rules as they are! If you wish to build up, do so in NEW AREAS! Not existing residential areas. What is being proposed will make the area overcrowded by 3-4 times the number of residents. Similar to what is now happening in Royal oak.

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

Submission date: 3 June 2019

10.2

10.1

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sherrie Ann Wallace

Organisation name:

Agent's full name:

Email address: sherrie@xtra.co.nz

Contact phone number:

Postal address:

34 London St
St Mary's Bay
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Proposed plan change 26

Property address:

Map or maps:

Other provisions:

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

| 11.1

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

The reason for my or our views are:

There is insufficient detail as to the proposed plan change. We have been referred to your website which discloses no more than the one page leaflet posted out to us relating to PPC26. There is no detail as to permitted heights as to building, fencing, impervious areas and yard requirements. As you are aware, until these details are released, we cannot make an informed decision as to the merits of this proposed change.

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 11.2

Details of amendments: As above - further information is required before an informed decision can be made.

Submission date: 4 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: yuan cheng

Organisation name:

Agent's full name: yuan cheng

Email address: yuancheng38@hotmail.com

Contact phone number: 0211572571

Postal address:
2/80 Prospect Tce
Mt Eden
Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
N/A

Property address: 2/80 Prospect Tce, Mt Eden, Auckland

Map or maps: N/A

Other provisions:
N/A

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

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

The reason for my or our views are:

The values of the houses in this area will be declined. The new properties will potentially affect the light of many existing houses. The quiet and safe environment will be totally changed which will deteriorate the quality of life in Mt Eden. There will be more vehicles causing a big problem for parking. Lots of traffic will not be safe for children living in the double grammar zone.

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

Submission date: 4 June 2019

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sue Elgar

Organisation name:

Agent's full name:

Email address: suemelgar@gmail.com

Contact phone number:

Postal address:
6C Cecil Road
Epsom
Auckland 1023

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Cecil Road and Marama Ave

Property address: 6C Cecil Road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Marama Avenue and Cecil Road should remain Residential 1- Heritage- Special character as they are unique residential streets, They are also part of the coast to coast walkway a unique tourist attraction

| 13.2

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

| 13.1

Submission date: 4 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Yanping Hu and Zhijian Li

Organisation name:

Agent's full name:

Email address: dimon762k2@gmail.com

Contact phone number:

Postal address:
137 St Andrews Road,
Epsom
Auckland 1023

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 137 St Andrews Road,Epsom,Auckland 1023

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

We believe the St Andrews Road is just a normal street.We don't think there are special characters at the street,and the street can't embody the charaters of Auckland.The street is just the place the people reside.Thanks.

14.2

I or we seek the following decision by council: Accept the plan modification

14.1

Submission date: 5 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Steven Colson

Organisation name:

Agent's full name:

Email address: steve.colson@crc.co.nz

Contact phone number:

Postal address:
34 Normans Hill Road
Onehunga
Auckland 1061

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC 26 Clarifying the relationship between the Special Character Overlay and the underlying zone provisions.

Property address: 34 Normans Hill Road, Onehunga, Auckland 1061

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

On Normans Hill Road we have a large section of land between 32 Normans Hill Rd and 26 Normans Hill Road which we would like assurances will have to follow the same rules as laid out in PC26 and keep the special character of the street should the land ever be sold or used.

15.2

I or we seek the following decision by council: Accept the plan modification with amendments

15.1

Details of amendments: Any vacant land on Normans Hill Road if developed must be done in line with PC26 rules.

Submission date: 5 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: John Brockies

Organisation name: Natomi Family Trust

Agent's full name:

Email address: john@walworth.co.nz

Contact phone number: 021900995

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.1. Building height D18.6.1.7.(d)

Property address: 12 Elizabeth Street

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The plan provisions do not allow flexibility of application for sloping sites or parts of them to achieve privacy and up to date functionality of a modern residential dwelling. Such sites are the norm in the Freemans Bay area. The provisions are silent or ambiguous on normal regular renewal of existing structures which have never been compliant with the new provisions and /or cannot be made to be.

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

Submission date: 5 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kimberley McLean

Organisation name:

Agent's full name: Kimberley McLean

Email address: kimberley.mcl@gmail.com

Contact phone number:

Postal address:
46 Selbourne Street
Grey Lynn
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 46 Selbourne Street, Grey Lynn

Map or maps:

Other provisions:
Yard requirements

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

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

The reason for my or our views are:

Selbourne Street is becoming an incredibly busy street, not only due to school pick ups and drop offs, but also now with the parking regulations/restrictions around surrounding areas. People from outside the area are now parking all day along Selbourne Street. I would like the council to consider, where appropriate, to allow the build of double garages, as long as it does not compete with the heritage factor/home on the street. Council has also recently allowed the build of a 3 story/9 unit build on Surrey Crescent that only has minimal car parking for it's residents. This will also add parking issues for the street. PLEASE, for the sake of it's residents, allow the building of double garages where appropriate, and not a blanket rule of no double garaging. Double garaging would also ease the parking issue on the street.

17.2

I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: as above

Submission date: 5 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Tony Batterton

Organisation name:

Agent's full name: Tony Batterton

Email address: tony@evergreenpartners.co.nz

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

That the Special Character Areas Overlay will take precedence over the Unitary Plan, where applicable.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I am a resident of a street which is covered by the Special Character Areas Overlay. I believe that the character nature of the residential properties in my neighborhood is a major attraction for the residents who choose to live there. I wouldn't wish to see the provisions of the Special Character Areas Overlay diluted by the more general provisions which apply to these streets under the Unitary Plan (which in my opinion does otherwise provide a very useful framework for the future development of Auckland). I am not qualified however to opine on the specific provisions of the Special Character Areas Overlay, and whether they require amendment. As a general rule though I would not wish to see the provisions of the Overlay loosened or diluted.

18.2

I or we seek the following decision by council: Accept the plan modification

18.1

Submission date: 5 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: ZHIMING YANG

Organisation name:

Agent's full name:

Email address: zhmyang@gmail.com

Contact phone number: +61 477745254

Postal address:
89 KING GEORGE AVENUE
EPSOM
AUCKLAND 1023

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 89 KING GEORGE AVENUE, EPSOM, AUCKLAND

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Why does only my house 89 King George Avenue Unitary Plan be the Zone: Residential – Single House Zone, and the Unitary Plan of all the other houses in King George Avenue are the Zone: Residential – Mixed Housing Suburban Zone? Back in 2017, my house, 89 King George Avenue and a few of my neighbour's houses in King George Avenue were in the Residential Zone 2 plan. After 2017 all the house Unitary Plan in King George Avenue have been changed to the Zone: Residential – Mixed Housing Suburban Zone except my house. Only my house Unitary Plan has been changed to Zone: Residential – Single House Zone in King George Avenue. This definitely devalue my house compared to my neighbour's houses. Because we cannot find any other land in Epsom close to my house to build a new house for our son, and also the land are too expensive now, we need to plan to subdivide our house land which is 950m² and it could be enough for two houses.

19.2

I or we seek the following decision by council: Accept the plan modification

Submission date: 5 June 2019

Attend a hearing

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

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

Declaration

Could you gain an advantage in trade competition through this submission? Yes

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Amrit Jagayat

Organisation name:

Agent's full name: Amrit Jagayat

Email address: amrit@tssconsultantsltd.com

Contact phone number: 02102457868

Postal address:

East Tamaki
Auckland 2019

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Residential - Single House Zone 1 dwelling per 600m² is permitted in this zone.

Property address: 22 Hill Road, Hill Park Auckland 2102

Map or maps:

Other provisions:

Zone to be modified or changed to Residential - Mixed housing Suburban Zone

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

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

The reason for my or our views are:

We are very interested in developing the property as a multiple lot subdivision, however it is zoned as a single house zone.

I or we seek the following decision by council: Accept the plan modification with amendments | 20.1

Details of amendments: Zone to be modified to allow for a multiple residential lot subdivision | 20.2

Submission date: 5 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Martin Evans

Organisation name:

Agent's full name:

Email address: maevans@actrix.co.nz

Contact phone number:

Postal address:
74 Kitenui Avenue
Mt Albert,
Auckland 1025

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Refer attached submission

Property address:

Map or maps:

Other provisions:
Refer attached submission

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

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

The reason for my or our views are:
Refer attached submission

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 21.1

Details of amendments: Refer attached submission

Submission date: 6 June 2019

Supporting documents
Plan Change 26 submission.pdf
akl_sunpath.pdf

Attend a hearing

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

Declaration

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

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

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

Yes

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

Auckland Plan Change Operative in part

Plan Change 26 Submission

From Martin Evans

74 Kitenui Avenue, Mt Albert, Auckland 1025

1. Submission on Overall Plan Change

I support the initiative to avoid conflicting requirements between the Special Character Areas and the underlying Zoning requirements. It is imperative that there is full consistency between the provisions in the Unitary Plan. The activity tables also need to be consistent.

However, there are some proposals in the Plan Change detail to which I object and request be declined or amended.

2. Rule changes to be Declined

The following are the proposed plan change provisions to which I object and request that they be declined or amended.

Rules D18.6.1.1 and D18.6.1.2

I am concerned about the loss of sunlight to neighbouring properties.

The use of the words “reasonable level of sunlight” is too open to abuse and argument and a definition and detailed description based on science is needed.

Side yards of 1.2 m seem to be appropriate giving a total wall to wall separation of 2.4 metres, provided fences are retained at 1.8 m maximum height. Height to eaves of a more northern property, as proposed, at 3 m seems reasonable.

The height to boundary ratio and the angle of the neighbouring property need to be directly rated to the winter solstice sun level so that the neighbouring southern property still keeps sunlight in the depths of winter.

The proposed angle of 45 degrees appears to be too much (as the neighbouring property windows will be shaded about 5.5 months of the year- assuming a 0.9 m sill height). The angle needs to reduce to at least 35 degrees and preferably 30 degrees (refer attached sunpath diagram).

There are strong environmental, ambiance and energy conservation issues at risk if the sun is not permitted to enter neighbouring properties. For example, our basement garage has a concrete slab which is heated by the winter sun during the day which then radiates this heat at night keeping electrical costs lower. It also means that one does not have to use lighting during the day.

Refer also rule D18.6.1.7 regarding fences.

Rule D18.6.1.3

The proposed rule completely deletes the rear yard requirement and I object to this proposal. A rear yard is still required for ambiance reasons to be in keeping with the Special Area Character.

Rule D18.6.1.6

I agree with the wording change from “paved” to “impervious”

21.2

21.3

21.4

21.5

I object to the rule change regarding increasing impervious areas and strongly recommend that Council do not proceed with this change for the following reasons.

21.6

There are already major issues with stormwater runoff into people's properties and roads resulting in flooding, causing damage and creating a hazard. With climate change bringing higher intensity rainstorms, stormwater runoff is only going to become worse.

I wonder whether Council's Healthy Waters Department has seen the proposed changes, as this very large increase in impermeable area will result in the need for a substantial increase in stormwater pipe capacity.

There are already many constraints (like infill housing) to the installation of increased piped capacity resulting in the need to undertake expensive tunnelling rather than open cut construction (costs around 10 times as much to tunnel as well as higher H&S risks).

The design basis for the new major sewer infrastructure has not included for such a huge increase from 17% to 77% impermeable areas across large parts of the city as is being proposed here.

The consequential cost of this part of the proposed Plan change on the city is huge.

In addition, it goes against all best environmental practice around the world where permeable paving, stormwater treatment on site and attention of surface flows is now recognised as being the best option. Allowing stormwater to recharge the aquifers is a better option, particularly in light of Auckland's sharp and high intensity rainfall peaks.

Therefore, I propose that 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.

21.7

The existing allowance for impermeable area needs to be further qualified to require on site treatment prior to discharge in order to protect our waterways.

21.8

Rule D18.6.1. 7 – Fencing

I oppose the rule change to restricting the fence height in the front to only 1.2 metres. People erect fences for many reasons but it is mainly privacy and to stop noise. A 1.2 m restriction as proposed is too low and a 1.5 or 1.6 metre height is more appropriate.

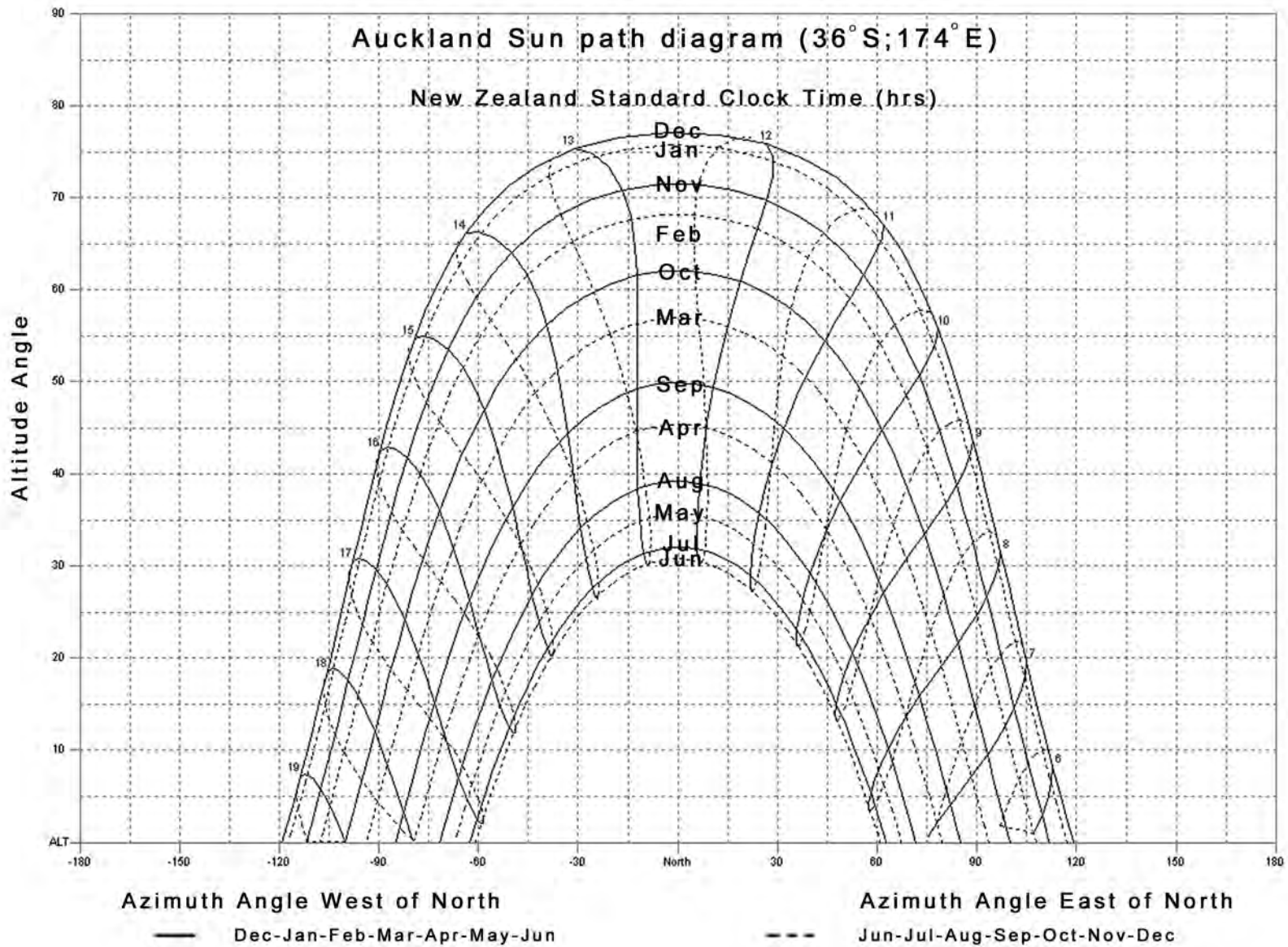
21.9

In addition, I object to a 2-metre height along the sides and rear of properties as it is too high. I suggest an amendment and the fence height scaled back to 1.8 metres to avoid adverse effects on people's sunlight in their gardens.

21.10

Martin Evans

6th June 2019



John Duguid
General Manager
Plans and Places
Auckland Council.

Re the Proposed Plan Change 26.

Firstly I would like to draw the Auckland Council attention to the fact that members must be responsible as to making responsible decisions or The Auditor General may take a very serious view.

The six pages that arrived today are obviously arranged to confuse and mislead in an effort to hide the actual meaning of the proposal.

By the very nature of the name given ; Special Character Areas Overlay, this would be a way of bringing pressure on a ratepayer or land owner by an opinion of an official without specifics.

I object to the changes on the basis that the Proposed Plan Change 26 is a direct invasion of privacy.

| 22.1

Signed,
Rodger Anderson,
Monterey Trust.
P.O.Box 31-484,
Milford,
Auckland 741.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Shuangqian Huang

Organisation name: Bakers Delight New Lynn

Agent's full name:

Email address: kevinye71@gmail.com

Contact phone number:

Postal address:
25 Vermeer Place
West Harbour
Auckland 0612

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Special Character Areas Overlay and the underlying zone provisions

Property address: 74 Owens Road, Epsom, Auckland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The house is not suitable for living and no any cultural value.

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

Submission date: 7 June 2019

Attend a hearing

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

| 23.1

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Steven Lloyd Francis

Organisation name:

Agent's full name:

Email address: stevengeorgie@gmail.com

Contact phone number:

Postal address:
5 Tranmere Road
Sandringham
Auckland 1041

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.2 Height in relation to boundary control

Property address: 5 Tranmere Road, Sandringham

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I believe that the 3m+45 height-to-boundary control is appropriate for all older parts of town, where the original buildings were constructed without any of the modern planning controls, meaning houses were built much closer to (and higher in relation to) boundaries than would be allowed today. The 3m+45 control means it is much more likely that the original house will be able to be extended by projecting the existing wall lines or roof lines. Putting the 15m street boundary limit on the use of the 3m+45 control ignores the fact that the ability to extend the existing house (as it is) is not contingent on the width of the property, but on the proximity of the existing house to the boundary and the relative ground levels along that boundary. I would like to see the plan amended so that the 3m+45 control applied to all additions/extensions of existing buildings, and the 2.5m+45 control applied only to new buildings. I believe that would better meet the council's stated goal to "retain and manage the

special character values of identified residential areas", with the key being that the 3m+45 control is far more likely to allow additions/extensions to retain the character of the existing building.

I or we seek the following decision by council: Accept the plan modification with amendments

| 24.1

Details of amendments: Amend the height-in-relation to boundary control to allow the 3m+45 control to apply to all additions/extensions to existing buildings.

| 24.2

Submission date: 7 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Johan Willem Barend van der Maas

Organisation name:

Agent's full name:

Email address: bvdmaas@me.com

Contact phone number: 021607108

Postal address:
2/1 Owens road
devonport
auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

proposed plan change 26: I oppose to the change that the 'special character area' overlay prevails over corresponding other provisions in the underlying zone.

25.2

Property address: 2/1 Owens road, devonport

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

we own a back section with a property that has been built in 1995 with no specific historic villa facing to the street or historic special character. Any ruling that in the future might make getting consent for renovations more difficult or expensive should be abolished. The current consent procedures and cost in itself are already too complex and costly and should be differentiated for the year the property was built.

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

25.1

Submission date: 8 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Elisabeth Sullivan

Organisation name:

Agent's full name:

Email address: ersullivan@gmail.com

Contact phone number: 02102746430

Postal address:
40 Williamson Avenue
Grey Lynn
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

I agree with: D18.6.1 specifying that the development standards in the overlay overwrite the development standards in the underlying zone - particularly support D18.6.1.2. reinstating max height to boundary of 3m for properties with frontages of less than 15m; and D18.6.1.7 reinstating max fence height of 2m for rear yard
Disagree with: Table D18.6.1.3.1 Yards side yard of 1.2m this should be 1m

| 26.3

| 26.4

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I agree with overall proposal to reinstate the development standards in the Special Character overlay for the special character areas. These are essentially the same or similar to the standards that have been in effect for the last 20 years under the previous Auckland District plan. They help protect the special heritage character by enabling greater development to the rear, and reflect the pattern of existing development on narrow sites. The one rule I disagree with is D18.6.1.3.1 - the retention of the minimum side yard at 1.2m for all properties covered by the overlay. The report to the November 2018 Regulatory Committee notes that this rule reflects the historic pattern of development on the North Shore. This rule is not appropriate for the areas of Grey Lynn and Ponsonby where buildings

were traditionally built on or very close to the boundary. Side yards are often inaccessible as a result. In the case of our property, our existing house is 80 cm from the boundary, and the side yard is inaccessible from the front. This rule has required us to design an extension with a significant instep from our existing building, losing valuable space from our main yard to an unusable side yard. There is no purpose to this - the instep will be invisible to all but our next door neighbour. If the 1.2m side yard is appropriate for the North Shore the rule could be specified as applying to this area, while the Isthmus A area can revert to the underlying zoning with the standard 1m side yard.

I or we seek the following decision by council: Accept the plan modification with amendments

26.1

Details of amendments: D18.6.1.3.1 Remove the requirement for 1.2m minimum side yard for Isthmus A properties, should be 1m

26.2

Submission date: 8 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ross George Stanley

Organisation name:

Agent's full name:

Email address: rossgstanley@gmail.com

Contact phone number:

Postal address:
2 Halston Rd
Balmoral
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 2 Halston Road, Balmoral.

Map or maps:

Other provisions:

The right of the public to receive information about changes in a way that is actually understandable by the public.

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

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

The reason for my or our views are:

I oppose going forward with a change because the change is not explained in any way in the letter I have received or the information online (<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/proposed-plan-changes/Pages/pc-26-clarifying-relationship-special-character-areas-overlay-underlying-zone-provisions.aspx> and <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/proposed-plan-changes/Documents/bit-more-information-proposed-plan-change-26.pdf>) The best explanation I can see is "The proposed plan change seeks changes to the Auckland Unitary Plan to make it clear that certain planning provisions of the Special Character Areas Overlay would prevail over the corresponding provisions of the underlying residential zones. ... The proposed plan change also

refines some of the standards within the Special Character Areas Overlay, including height in relation to boundary, yards, paved areas and fences." So, you're proposing to make a change to make a clarification, but you haven't shared what that clarification IS. Is there some detail that I'm missing? If there's not detail of what the proposed changes ARE, I can't see how anyone can support them. I'm happy to support the idea of making a clarification (if that's what you're asking for), but I can't support a clarification that is not explained (if that's hidden somewhere). I think your communications could be improved (less jargon, greater clarity) to avoid misunderstandings like mine and increase engagement with the public. Also: for your information, in the final step of this submission I'm being asked to declare yes or no to the following question: "Are you directly affected by an effect of the subject matter of this submission that: Adversely affects the environment; and Does not relate to trade competition or the effects of trade competition" Honestly what on Earth does this mean? I'm going to randomly select an answer and hope that it doesn't preclude my submission from being considered. I like to think that I'm an intelligent person but this process makes me feel very ignorant and will definitely deter people from being part of local decision-making. Thanks, Ross Stanley.

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

27.1

Submission date: 9 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Katrina King

Organisation name:

Agent's full name:

Email address: kanddking@xtra.co.nz

Contact phone number:

Postal address:
67 Hinemoa Street
Birkenhead
Auckland 0626

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Not specific, this covers all rule changes

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The proposed changes make sense and we are in agreement.

I or we seek the following decision by council: Accept the plan modification

Submission date: 10 June 2019

Attend a hearing

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

| 28.1

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Liza Roberta Clark

Organisation name:

Agent's full name:

Email address: liza.clark@uprealestate.co.nz

Contact phone number: 021378145

Postal address:
124 Bassett Rd
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 124 Bassett Rd

Map or maps:

Other provisions:

- how high you can build a new dwelling or additions to an existing dwelling in relation to a side or rear boundary -the height of any new fence on the side boundary -how much of your property can be covered by impervious areas & -yard requirements (ie. areas around the side perimeter of your property where you cannot build).

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

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

The reason for my or our views are:

We purchased where we did for our family to enjoy peace and privacy and not to be next door to infill housing. We do not want large multi story dwellings on our boundary blocking our sun and light and peering into our back yard. We love the integrity of the character homes that surround us and would like this to remain and protect the beauty of the past architecture.

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

29.1

Submission date: 10 June 2019

Attend a hearing

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

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

Yes

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Weimin Tan

Organisation name:

Agent's full name:

Email address: tanweimin@vip.sina.com

Contact phone number:

Postal address:
81 St. Leonards road
Mount Eden
Auckland
Mount Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 81, St. Leonards road, Mount Eden

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I don't wish more peoples flock into this area that have more than 100 years history and stable building strycture

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

Submission date: 10 June 2019

Attend a hearing

| 30.1

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

Declaration

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

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

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

Yes

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

MR ROBERT LOUAM BEGE

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

Address for service of Submitter

34 CAROLINE HEIGHTS, ROB. JARROWAY.

Telephone:

0274959815

Fax/Email:

Robert@theboat.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

Or

Property Address

26 HACKETT ST. ST MARYS BAY

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are: I have tried to view to understand the implications that PC 26 will have on my home. Unfortunately we are about to travel overseas until August & I don't wish to incur the expense of solicitors
(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

until I can get a clear understanding of the changes that affect 26 Hackett st without incurring legal costs

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing


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

8-6-2019
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

31.1

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Colin Lucas

Organisation name:

Agent's full name:

Email address: colinl@sellarbone.co.nz

Contact phone number:

Postal address:
191 Sandringham Road,
Sandringham
Auckland 1025

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

I support the plan change and retaining the special character overlays especially as they relate to heritage character protection.

Property address: 191 Sandringham Road, Sandringham, Auckland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I support the plan change as it re-affirms the importance of special character overlays in the Auckland Unitary Plan.

I or we seek the following decision by council: Accept the plan modification

Submission date: 11 June 2019

Attend a hearing

| 32.1

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter Antony Radich

Organisation name:

Agent's full name:

Email address: peter_radich@xtra.co.nz

Contact phone number:

Postal address:
28 Martin Avenue
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC26

Property address: 28 Martin Avenue Remuera Auckland 1050

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

We choose to live in character area and feel the unitary plan is compromising the character of our area. It seems anyone with enough budget to fund lawyers can essentially build anything they want without reference to character of the area.

I or we seek the following decision by council: Accept the plan modification

Submission date: 11 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: william wu

Organisation name:

Agent's full name: william wu

Email address: williamwu01@yahoo.com

Contact phone number:

Postal address:

williamwu01@yahoo.com

BALMORAL AUCKLAND

BALMORAL AUCKLAND 1041

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

H3.6.6,H3.6.7 H3.6.12 H3.6.9 H3.6.8

Property address: Calgary St, Barmoral Auckland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The current provisions are good enough, no need for any changes

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

Submission date: 11 June 2019

Attend a hearing

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

34.2
34.3
34.4
34.5
34.6

34.1

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Amanda McMullin

Organisation name: Heritage Landscapes

Agent's full name: Amanda McMullin

Email address: mandymc@xtra.co.nz

Contact phone number: 0273642877

Postal address:

mandymc@xtra.co.nz

Mt eden

Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

I SUPPORT THE PROPOSED PLAN CHANGE IE THE SPECIAL CHARACTER OVERLAY TAKING PRECEDENCE OVER THE UNDERLYING RESIDENTIAL ZONING IN THE UNITARY PLAN

Property address:

Map or maps:

Other provisions:

D18.6.1.3.1 Yards D18.6.1.6. Maximum paved impervious area

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

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

The reason for my or our views are:

D18.6.1.3.1 Yard may not be visible from the road but the scale and relationship of the dwelling to the landscape is part of heritage character. Buildings that dominate the site have a visual effect and adversely effect character and amenity. D18.6.1.6. support the wording change from paved to impermeable. Oppose the reduction to the maximum paved impervious area. support this being retained at original %. The proposed changes greatly reduce the permeable area of a site - lead to increased stormwater runoff, flooding. greater carbon footprint, adverse effects on heritage character by allowing the dwelling to be out of scale and visually dominant.

I or we seek the following decision by council: Accept the plan modification with amendments

35.1

Details of amendments: Back yard to be kept at 3m minimum. Maximum impermeable area to be kept at existing % of site. D18.6.1.7. Fences and walls and other structures Support proposed changes to wording. Support the existing rules limiting the height of fences and walls.

35.2

35.3

35.4

Submission date: 11 June 2019

Attend a hearing

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

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

Yes

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Romily Properties Mt Eden Limited

Organisation name:

Agent's full name:

Email address: romilyholdings@xtra.co.nz

Contact phone number: 027 4962 901

Postal address:
PO Box 300-088
Albany
AUCKLAND 0752

0752

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Special Character Areas Overlay of the Unitary Plan

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The proposed change seeks to clarify activity rules and development standards

I or we seek the following decision by council: Accept the plan modification

Submission date: 11 June 2019

Attend a hearing

| 36.1

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

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

Declaration

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

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

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

No

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Sheryll Diane Mitchell

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

Address for service of Submitter

1/28 Coronation Road
Epsom 1023 Auckland

Telephone:

(09) 624 3428

Fax/Email:

sheryllm@extra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

Or

Property Address

Unit 1, 28 Coronation Road, Epsom, Auckland

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes No

The reasons for my views are: The above property I own is part of a complex of 11 units constructed in 1966. There is nothing of a "special character" about the complex and the proposed special character area overlay should not apply to my unit or prevail over (continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

The proposed plan change should be modified so that it only applies to dwellings that are in fact of special character within the affected zone.

37.1

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

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

11 June 2019
Date

Notes to person making submission:
If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete the following:
I am / am not directly affected by an effect of the subject matter of the submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

the corresponding provisions of the underlying residential zones within the Auckland Unitary Plan.

The value in my above property is in the land value rather than in the value of the improvements and with time there may be greater value in the land without the existing improvements on it, than there would be if they were to remain on the land.

However, at such time, any potential interest in my site for redevelopment purposes might be reduced significantly and thereby negatively impact on the market value of my property, if the height restrictions etc that the proposed plan change 26 entail, were to become operative and apply to my property and any plans for redevelopment.

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter Lucas

Organisation name:

Agent's full name:

Email address: peterlucas@xtra.co.nz

Contact phone number:

Postal address:

8 Rata Rd
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Fencing Rules

Property address: 8 Rata Rd Devonport

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Allowing 2 meter fences along the boundaries with Cheltenham Beach and 2m fences along the boundaries between properties along the current seaside yard will detract from the public's enjoyment of the beach. Restricting fences between the house and the road to 1.2 meters will detract from the residents enjoyment of there own property without benefiting the public. In effect the beach side of the houses fronting the beach should be defined as the front of the properties and the road side the back

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 38.1

Details of amendments: Define the front of the beach side houses as the front.

| 38.2

Submission date: 11 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Simon Angelo

Organisation name:

Agent's full name:

Email address: simonangelo@gmail.com

Contact phone number:

Postal address:

Stanley Point
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Unitary Plan Change 26

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Stop messing with the heritage overlay and weakening the protections. You should be strengthening heritage protection and protecting the single house zone - not further encroaching on it.

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

Submission date: 11 June 2019

Attend a hearing

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

| 39.1

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Andrew Cox

Organisation name:

Agent's full name:

Email address: arcox@xtra.co.nz

Contact phone number:

Postal address:
37 Kiwi Rd
Stanley Point
Auckland 0624

Submission details

This is a submission to:

Plan modification number: Plan Change 27

Plan modification name: PC 27: Proposed amendments to Chapter L: Schedule 14.1 Historic Heritage

My submission relates to

Rule or rules:
Proposed plan change 26

Property address: 37 Kiwi Rd Stanley Point

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Development needs to be managed to retain the heritage aspects of this area. There is an increasing trend to infringe height and boundary restrictions and fencing is poorly policed. There are many 1.8 metre fences on front boundaries now in Devonport that significantly impact on streetscape.

I or we seek the following decision by council: Accept the plan modification

| 40.1

Submission date: 31 May 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Christine Major

Organisation name:

Agent's full name:

Email address: christinemajor25@gmail.com

Contact phone number:

Postal address:

36 Lincoln St
Ponsonby
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.7

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Clause (1) (d) would allow 2 fences or walls to be built around property backyards than the current 1.2m. I believe this would have significant shading effect in small sections especially in winter and in sections that are down slope of the fence or wall. Therefore the original D18.6.1.7 (1) should be unmodified.

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

| 41.1

Submission date: 12 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ui Young Byun

Organisation name:

Agent's full name:

Email address: brian.byun@aucklandcouncil.govt.nz

Contact phone number: 021523262

Postal address:
171 Victoria Ave
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Proposed Plan Change - Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions within the Auckland Unitary Plan

Property address: 171 Victoria Ave, Remuera, Auckland

Map or maps:

Other provisions:

We also look in to possible sub-division opportunity on our property.

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

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

The reason for my or our views are:

We are seeking a sub-division opportunity for our property since our property is - not a character house (build in 1990s) - residential zone of nearby blocks are all mixed housing zone. - at the rare section from the street

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

Submission date: 12 June 2019

| 42.1

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Frank William Frazer and Mary Catherine Frazer

Organisation name:

Agent's full name:

Email address: ffrazer7@outlook.com

Contact phone number: 021646225

Postal address:

122 Ladies Mile

Ellerslie

Auckland 1051

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

PC 26 Clarifying the relationship between Special Character Overlay and the underlying zone provisions

Property address: 122 Ladies Mile, Ellerslie, Auckland 1051

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Where an individual Agreement relating to a property has been made with Council, this Agreement must prevail over the requirements of the Special Character Overlay.

I or we seek the following decision by council: Accept the plan modification with amendments

| 43.1

Details of amendments: 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.

| 43.2

Submission date: 12 June 2019

Supporting documents
Submission to AC_20190612160352.260.pdf

Attend a hearing

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

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

Declaration

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

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

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

No

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

Submission on Proposed Plan Change – Clarifying the Special Relationship between the Special Character Areas and Underlying Zone Provisions within the Auckland Unitary Plan.

Summary of Submission

We submit that where the Council has entered into a specific Agreement with a property owner on the provisions and requirements of the said property then the Agreement shall prevail over the requirements of the Special Character Overlay.

Background to the Submission

The property 122 Ladies Mile Ellerslie, owned by F W and M C Frazer, was subject to the PC 163 hearings from 2008-2013. The basis of our Appeal was that 122 Ladies Mile did not fulfil the criteria of “architectural value” and “to contribute to the distinctive quality of streetscape character” to be classified as Zone 2b under the old District Plan.

Eventually (April 2013), the Council acceded to our arguments and removed the 2b green zoning of our property. An integral part of this acceptance was the elimination of Council demolition or removal controls of buildings on the property. This is confirmed in a letter to us, dated 27 March 2013, from the Council’s lawyers, (signed W Loutit of Simpson Grierson) which states (paragraph 7):

“The Council will agree not to pursue its position that your property should be subject to the demolition or removal control and advise the Court accordingly”.

We assume the Environment Court was advised accordingly.

Our understanding is that the Special Character Overlay would require any exterior demolition or alteration to be subject to consent from the Council. This is clearly inconsistent with an Agreement with the Council that buildings on the property shall have no removal or demolition controls.

Thus it is our submission that the results of the individual assessment of 122 Ladies Mile, as registered with the Environmental Court, should take precedence over the provisions of the Special Character Overlay which were devised in-house by the Council.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jennifer Anne Clark

Organisation name:

Agent's full name:

Email address: Jennifer.Clark@xtra.co.nz

Contact phone number:

Postal address:

Jennifer.Clark@xtra.co.nz

Northcote Point

Auckland 0627

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.7

Property address: 94 and 96 Queen Street, Northcote Point

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I am opposed to the requirement for front fences to be limited to 1.2m in height. This provides very little privacy in our front gardens, which in today's climate of reduced section size are often residents' only sanctuary of peace. At 94 Queen Street, which is my home, I have a 1.8m white picket fence set in a brick base. It is fully in keeping with the house, while affording me the opportunity to work or sit out in my garden without being observed by passers by. The beauty of the house, which is considerable, can be seen clearly from the street as the house is elevated. At 96 Queen Street, which belonged to my mother and is now rented to tenants who love living in it, there is an ancient acmena hedge which I keep trimmed. The tenants love it because it both gives them privacy and they can watch the native birds (mainly waxeyes) foraging in it. This hedge would not survive being radically trimmed to 1.2m. Again, the house - a rare double brick villa - can be observed from across the street or from the side fence, which is only 1.2m. Overall, I wish the requirement for front fence height to be

| 44.2

up to the discretion of owners, to the previous maximum of 1.8m - and I would support an amendment that says the fence should be in keeping with the style of the house. | 44.3

I or we seek the following decision by council: Accept the plan modification with amendments | 44.1

Details of amendments: I find the above confusing - is my objection a proposed amendment or not?

Submission date: 14 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter Stone

Organisation name: N/A

Agent's full name: N/A

Email address: p.stone@auckland.ac.nz

Contact phone number:

Postal address:
19 Woodley Avenue
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.5. This needs to be strengthened in terms of retaining significant trees which would need to be identified in the relevant areas. Also, as with much of the proposals, there are concerns regarding implementation, oversight and enforcement and the Proposed Plan does not detail if there are any moves to strengthen oversight and so on. D18.7 It is stated in the Proposal that there are "no controlled activities" yet surely one of the purposes of the Special Character Areas is to define what activities are deemed appropriate. It is submitted that work needs to be done to clarify this. E38.8.2.6 Many sections are in the 600 to 850sqm range. It would be against the spirit and concept of the Special Areas concerned to permit smaller subdivisions certainly <600 sqm because this effectively alters that whole concept and appearances of the areas concerned. In PC26 Attachment 2 there are a number of open spaces which are to be removed. The submitter opposes this as no reasons are given for the loss of this land to recreational use.

| | | |
|--|--|------|
| | | 45.2 |
| | | 45.3 |
| | | 45.4 |
| | | 45.5 |
| | | 45.6 |

Property address: N/A

Map or maps: N/a

Other provisions:

Whilst the aim of the proposal is clear and generally good, there are aspects that are unclear and not supported in the current form as presented and it is on those points that clarification is needed

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

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

The reason for my or our views are:
Detailed in the submission

I or we seek the following decision by council: Accept the plan modification with amendments

| 45.1

Details of amendments: As detailed above

Submission date: 15 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Vinod Vyas

Organisation name:

Agent's full name:

Email address: vinodvyas@gmail.com

Contact phone number: 0223275211

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.7

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

1. The residential properties marked as heritage should also be reviewed from Safety and Security perspective as well. To make families secure, fence on all sides should be considered high enough to keep intruders away e.g. 2m on ALL sides. There is no point considering front fence differently and making it smaller in height. In fact, council should encourage people to make stronger and higher fence on all sides. 2. Most of the chimney in such old houses are posing danger. These should be allowed to demolish by licensed builder WITHOUT consent. Irrespective of type of chimney and pipe inside. 3. Looking at the needs in residential properties, council should allow to add shower and toilet areas WITHOUT need of consent. The number can be restricted to number of bed rooms. Further, specification of outlets etc can be defined by council.

| 46.3

| 46.4

I or we seek the following decision by council: Accept the plan modification with amendments

| 46.1

Details of amendments: Front fence limit of 2m. Plus few additions mentioned above.

| 46.2

Submission date: 15 June 2019

Attend a hearing

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

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jamie Ward

Organisation name:

Agent's full name:

Email address: stormy4720@hotmail.com

Contact phone number:

Postal address:
20 Hackett Street
St Mary's Bay
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
General

Property address: 20 Hackett Street

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

A simplification and clarification of the current system is desirable and supported. At the moment the plan seems to be neither, e.g. there are conflicting rules and it is unclear how to determine which rules should prevail. For the layman this makes planning almost impossible. Even as a 20+ year practising solicitor (in three countries, so I am used to analysing a variety of law), I found the rules were time consuming to analyse and contradictory / confused at times. It seems, therefore, a sensible approach from the Council to attempt to now formally engage the overlay as a more meaningful planning tool, unencumbered by the base zone bulk and location standards. • The only way for residents to develop their properties at present seem to be to engage a number of expert consultants - even for comparatively simple projects. This is costly and time consuming. If this is not what the Council intends for residents going forward, it may be helpful detailed guidance on what is and what is not acceptable, in particular from a heritage perspective, could be provided. I am still uncertain of the

| 47.2

objectives and policies of the Council's heritage team. It can feel like the Council's processing planners may be dictated to by the heritage consultants, as opposed to consulting them (together with the residents/owners experts – whose expert opinions are equally valid) as only one of the relevant aspects of any development proposal. The consequence is a protracted and costly process of assessment, analysis, and the production of expert opinion. • More generally, I commend the Council seeking to retain Auckland's heritage (the monuments to Auckland's lost heritage in Western Park are a reminder of the consequences of unchecked development) but this needs to be balanced with allowing people to modernise and expand their properties, otherwise the city will not grow and progress. Any amendments that provide simplification, clarification and greater certainty to the current process should be welcomed.

I or we seek the following decision by council: Accept the plan modification with amendments

47.1

Details of amendments: TBC

Submission date: 16 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Melissa Anne Brown

Organisation name: Not applicable

Agent's full name: Melissa Brown

Email address: brownma69@gmail.com

Contact phone number:

Postal address:
115 Upland Road Remuera 1050 Auckland
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC 26 Special Character Areas Overlay - Residential and Subdivision - Urban of the Auckland Unitary Plan

Property address: 115 Upland Road Remuera

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Firstly the plan does not include the specific zone it relates to - is it the suburb, the street or a section of the same? It is unclear which zone and land parcels our home belongs to and the nature of the impact on the streetscape. It would have been preferable for this to be explained in clear simple English - the changes proposed are not clear (e.g. current requirements compared to future requirements). Our home is ageing and requires significant resource and investment to maintain the current facade and streetscape. It has been neglected by previous owners, has not been properly maintained and we feel that having these restrictions on our home will penalise and disadvantage us financially in the future, should we wish to sell the property. It would be our intention to demolish and rebuild in the future. What funding and support will the Council provide for owners such as us? The impact of the new buildings currently dispersed throughout the street and neighbourhood is already

being seen. 111 Upland Road (2 doors down from our home) has been demolished and three double story townhouses are being built. The first of which is only a few steps from the footpath to the front door! It blocks light to other houses and will be a significantly different facade to other homes around it. It also has no front or rear yard. I oppose the changes to the plan as they are unclear and would severely penalise us financially in the future.

| 48.2

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

| 48.1

Submission date: 16 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Wing Cheuk Chan

Organisation name:

Agent's full name:

Email address: tohappyfaces@gmail.com

Contact phone number: 0274082268

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

the Special Character Areas Overlay applies to specific local areas, in particular 26 St Andrews Road, Epsom

Property address: 26 St Andrews Road, Epsom, Auckland 1023

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

See attached file for detailed

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 49.1

Details of amendments: Special Character Areas Overlay do not apply to 26 St Andrews Road, Epsom, Auckland 2013

Submission date: 16 June 2019

Supporting documents

Council feedback on special character zone_3.pdf

Attend a hearing

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

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

Declaration

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

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

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

No

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

Feedback on Auckland Unitary Plan Operative in part. PROPOSED PLAN CHANGE 26, the Special Character Areas Overlay

Thank you for the opportunity to feedback on the proposed plan change 26 as part of the consultation. We appreciate the underlying intent of providing better clarify the relationship between the special character area overlap and the underlying zones.

However, we have major concerns that there is limited documented evidence available to the public to demonstrate the impact on specific local areas that have been formally reviewed or actively considered. Indeed, in certain local areas, the current proposal would have virtually no meaningful impact on the overall underlying intent of the special character areas zone. Instead the proposal is likely to result in a substantial increase in unnecessarily administrative burden and inequity to current property owners where sites have significant development potential considering vast majority (if not all) of the nearby properties would not meet current proposed standards in some form. We are concerned that development criteria is inappropriately restrictive in number of areas including height to boundary ratio standards. In some cases, if the proposed rules were to be retrospectively implemented, vast majority of the existing buildings (if not all) in a local neighbourhood would be have significant number of non-complying activities (e.g. properties around 26 St Andrews Road). The proposal would be inequitable to the properties or sites that have not yet newly renovated and fully developed to its full potential, without materially impacting the existing landscape, in particular renovation or redevelopment of smaller run down properties. It would be helpful for the Auckland Council to consider reviewing the special character zone, in particular, the 26 St Andrews road should not be zoned in the special character zone, as the underlying zone already has adequate provision to mitigate any adverse impact of the aesthetic, physical and visual qualities of the area and virtually all nearby properties would not have retrospectively meet the proposed zoning standards. Currently, the property located at 26 St Andrews Road is an ordinary weather board house that can be found in many locations in Auckland not zoned in Special Character Areas. It does not have any meaningful historical or any architecture significance. Any further development at 26 St Andrews Road (without the special character overlap) is likely to have less than minor impact on the aesthetic, physical and visual quality of the local area.

49.2

Selected examples of existing properties that violate the proposed rules

Specifically, we would like to highlight a number of obvious observations in the nearby neighbourhood that would not be consistent with the special character area zone, i.e. the special character zone should not be applied at 26 St Andrews Road. These are only a selected number of examples, a comprehensive review will be required.

49.3

Directly, opposite to the 26 St Andrews road there are 2 subdivided townhouses built in around 1994 (namely, 21 and 21A St Andrews Road, made up of brick and cedar, and brick fence at the front of the property, with limited green garden areas), do not have historical or special character as defined by the council. These properties are unlikely to have met most of the proposed special zone standards if the rules were retrospectively applied, e.g. the new height to boundary ratio, and coverage areas as defined by the proposal. Imposing a proposed new rule that are substantially restrictive on 26 St Andrews Road, appear to be unfair and unjustifiable.

49.4

The next door property 19 and 19A St Andrews Road, and 17 and 17A St Andrews Road, are crossed lease property that would not meet minimum net site area of 600 metres (not consistent rule E38.8.2.6.1). With existing garages at 17 and 19 St Andrews Road, were built right at the front edge.

49.5

The next property of North boundary of 26 St Andrews Road, is 22 St Andrews Road, which is a relatively newly developed property, and at the time of development, there were already a number of non-compiling activities based on the older zoning rules without the current special character zoning restrictions being formally applied. For example, D18.6.1.2 height in relation to boundary. Imposing the special character rules only on a remaining non-developed site with a small property at 26 St Andrews Road which has less than minor impact on the overall of the aesthetic, physical and visual quality of the local area, appears unjustified, and adds unfair burden to the existing owners.

22A is a property that was built in the 1990s that has a plaster external and again do not have any historical special character. This property can be easily seen from road side which makes up part of the street view.

| 49.6

These show that the PROPOSED PLAN CHANGE 26 strongly discriminate against those existing house owners who have not yet the rebuilt/redeveloped of their properties.

We recommend Auckland council to:

1. Consider financial compensation to these current owners while their applications for further development are restricted by these new rules, or

| 49.7

2. Alternatively, remove the special character zone overlap 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.

| 49.8

We eagerly look forward to the Auckland Council prepared summary of decisions requested by submitters soon after 28 June 2019, and hope that it will be adequately summarised the number of reasons explain why specific areas where special character overlap does not appear to be justified. We also keen to see some documented evidence available for the home owners to show that Auckland Council had in fact actively-and adequately considered the prior feedback in a meaningful way. With anticipation, the current consultation process can be better strengthened in that regard.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

AUCKLAND COUNCIL
13 JUN 2019
CBD - ALBERT ST

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Dr Ralf Schnabel

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

Address for service of Submitter

17 Curran St
Horne Bay 1011

Telephone:

[Empty box for telephone number]

Fax/Email:

ralf@schnabel.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

~~Amendments to Schedule 1 of Schedule of Historic Heritage~~
Special Character Areas Overlay, Chapter D18
Residential and Chapter E38

The specific provisions that my submission relates to are:

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

Plan provision(s)

[Empty box for plan provision(s)]

Or

Property Address

17 Curran St

Or

Map

[Empty box for map]

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

The reasons for my views are: I find the current restrictions already significant. I oppose additional restrictions.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

no additional restrictions be imposed.

50.1

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

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

10/6/19

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

You not a person, who has gain/advantage.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Janet Digby

Organisation name:

Agent's full name:

Email address: login@levare.co.nz

Contact phone number:

Postal address:
PO Box 32 374
Devonport
Auckland New Zealand
Devonport
Auckland New Zealand 0744

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Height in relation to boundary and the rear yard set back.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Height to boundary - I propose sticking with the current stricter rule that buildings cannot be built higher with great bulk and visual impact. This proposed change would allow Devonport buildings to have far more imposing buildings than the standard rule of the SHZ for all of Auckland, and could diminish the heritage values of our area. Rear Yard set back - I am against changing the 3m boundary to just 1m. This could have significant negative impact in areas of Devonport where sections near corner junctions have rear yards adjacent to side yards.

51.2

51.3

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

51.1

Submission date: 17 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Christina Chua

Organisation name:

Agent's full name:

Email address: christina@firstcomm.tech

Contact phone number:

Postal address:
47 Huka Road
Birkenhead
Auckland 0626

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.7. Fences and walls and other structures Purpose: • To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape. (1) 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.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

1.2 m fence does not give my property much privacy. If possible, property which are nearer to the road have the option of higher fences for better privacy.

I or we seek the following decision by council: Accept the plan modification with amendments

| 52.1

Details of amendments: Higher fence if possible for property nearer to the road.

| 52.2

Submission date: 17 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



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Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

GERARD ROBERT MURPHY

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

Address for service of Submitter

43 WOOD STREET, FREEMANS BAY, AUCKLAND 1011

Telephone:

021-2704181

Fax/Email:

gerardmurphy@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D18 - SPECIAL CHARACTER OVERLAY / E38 - SUB-DIVISION URBAN

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I TOTALLY AGREE WITH THE CLARIFICATION BEING SOUGHT BY THE PLAN CHANGE. THE SPECIAL CHARACTER OVERLAY RULES MUST, UNDER ALL CIRCUMSTANCES, REPLACE THOSE OF ANY CONFLICTING UNDERLYING ZONE RULES.

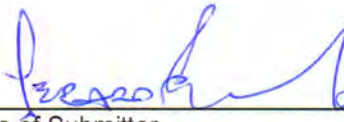
(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

53.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing


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

16-06-19
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

DAVID ALEXANDER ALISON

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

* FREEMANS BAY RESIDENTS ASSOCIATION *

Address for service of Submitter

43 WOOD ST, FREEMANS BAY, AUCKLAND 1011

Telephone:

09 376 2978

Fax/Email:

DAVIDALISON@XTRA.CO.NZ

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

54.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



17 JUNE, 2019.

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

Date

Notes to person making submission:

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I could /could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Hi all,

Here are my comments for the above proposed plan on Freeman's Bay area.

I have been sent the work that the Freeman's Bay Residents Association (FBRA) has done in this area. I understand it will be sent to you. I would like to make the following comments.

1. The reason for the FBRA is to make clear that the special character of Freeman's Bay remains, especially as there is potential development 'creep' as demands for high rise buildings and commercial development to enter this area.

55.1

2. There is considerable clarity in the FBRA in clarifying the renovation and building of new places in the area. Recently it is noted how developers have pushed the boundaries between houses, and as land become more and more scarce, extra guidelines need to be clear.

55.2

3. The work of the FBRA also includes the control of boundaries so the quality of life and access to sunlight and air is ensured.

55.3

There is a time in the future where I hope that Freeman's Bay will be seen and celebrated as somewhere different, as seen in all the cities around the world I have visited..... Going to the 'old' places of those cities is something I love wandering around. I wish to say 'Keep Freeman's Bay as it always has been.'

Thanks,

Wong Liu Shueng
47 Hepburn Street
Freeman's Bay
Auckland 1011

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Charles Laurence Digby

Organisation name: N/A

Agent's full name: N/A

Email address: chas@levare.co.nz

Contact phone number:

Postal address:
4 Rattray Street
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Plan modification number PC 26

Property address:

Map or maps:

Other provisions:

Height to Boundary - I propose staying with the current rules that the buildings cannot be built higher with great bulk and visual impact. This proposed change would allow Devonport buildings have a greater imposing buildings than the standard rule of the SHZ for all of Auckland and could diminish the heritage values of our area Rear Yard set back - I'm very much against changing the 3m boundary to just 1m. This would have a large negative impact in areas of Devonport where sections near corner junctions, of which there are many, have rear yards adjacent to side yards.

| 56.2

| 56.3

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

| 56.1

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

The reason for my or our views are:

Already in my street we have a renovated and hugely expanded building that blocks off the morning and evening sunlight from the neighboring buildings, and whose section is virtually 100% concreted, thus putting huge pressure on the storm water system

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

Submission date: 18 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jae Ellis

Organisation name:

Agent's full name:

Email address: jaeartist98@gmail.com

Contact phone number:

Postal address:
54 New Street
Saint Marys Bay
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Special Character Areas Overlay and infrastructure changes.

Property address: 54 New Street, Saint Marys Bay

Map or maps:

Other provisions:
THE ST MARYS BAY - MASEFIELD BEACH WATER QUALITY IMPROVEMENT PROJECT

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

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

The reason for my or our views are:

I believe if you are going to prioritise the character overlay for residential planning it should also apply to all planning. I specifically bought into an area which had a heritage overlay expecting that any developments or changes would be clearly sympathetic to the area and the character protected. To find that Watercare easily obtained approval to build a pumping plant with 10m high vents in local parks, tunnel over 1km under heritage homes and also install four 10m high vents directly outside my house in a heritage area was shocking. The character and heritage overlay obviously afforded no protection at all to the streetscape, built environment, visual or air quality of the oldest suburb in Auckland. I believe it is only logical that the overlay should also be prioritised over infrastructure developments to ensure Auckland's heritage and character areas are afforded more protection from proposed development or changes from infrastructure companies that do not appear to currently have

to take into consideration the impact on the overall character of an area. Council has revisited previous residential planning decisions in light of the discrepancies this change seeks to remove, and I believe this should also include the decision for the St Marys Bay - Masefield Beach Water Quality Improvement Project.

57.3

I or we seek the following decision by council: Accept the plan modification with amendments

57.1

Details of amendments: You should backdate and clarify that the Overlay priorities also apply to all recent and future infrastructure development planning submissions in the same way you have done for residential.

57.2

Submission date: 18 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Peter Ronald Harrison

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

Address for service of Submitter

129 Wellington Street

Telephone:

021 22 55 915

Fax/Email:

peterh129@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

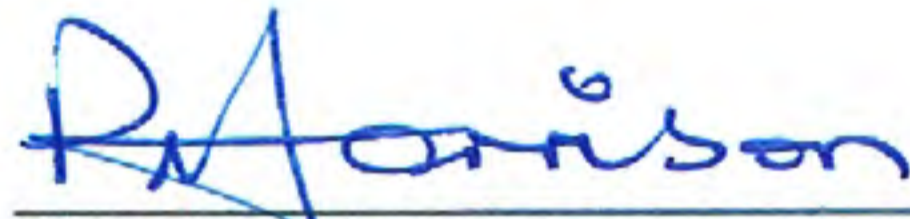
(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

58.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



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

18.6.2019

Date

Notes to person making submission:

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- (b) does not relate to trade competition or the effects of trade competition.

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142



| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Wayne Alexander Edward KNIGHT

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

Address for service of Submitter

5 Ireland Street, Freemans Bay, Auckland 1011

Telephone: 021523747 Email: knightcentaurus@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 26

Plan Change/Variation Name Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or
Property Address

Or
Map

Or
Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

not be open for interpretation, depending on a sites underlying zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

59.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Nanweil P. King

16.06.2019

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

Date

Notes to person making submission:

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If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

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Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



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Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

William Andrew Tipping

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

Address for service of Submitter

30 WOOD ST, FREEMANS BAY, AUCKLAND

Telephone:

029 921 6074

Fax/Email:

willt@mw.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

| 60.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

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

19 June 2019

Date

Notes to person making submission:
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If you could gain an advantage in trade competition through this submission please complete the following:

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|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Ms/Miss/Ms (Full Name)

MARY PETER

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

N/A

Address for service of Submitter

P.O. BOX 3757, SHORTLAND ST,
AUCKLAND 1140

Telephone:

0275659325

Fax/Email:

mary.peter@aucklandcouncil.govt.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

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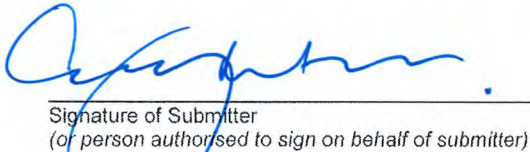
(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

61.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing


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

19/06/19
Date

Notes to person making submission:

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If you could gain an advantage in trade competition through this submission please complete the following:

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- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: HUI CHEN

Organisation name:

Agent's full name:

Email address: huichen0228@hotmail.com

Contact phone number:

Postal address:
136 ST ANDREWS RD
EPSOM
AUCKLAND 1023

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
UNITARY PLAN - SCHOOL ZONE AND SINGLE-HOUSE ZONE

Property address: 136 ST ANDREWS RD, EPSOM, AUCKLAND,1023

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

OUR HOUSE IS LOCATED IN A SINGLE-HOUSE ZONE, WE JUST BOUGHT IN 2017. SO PLEASE DONT MAKE ANY CHANGE TO OUR AREA ABOUT SCHOOL ZONE(AUCKLAND GRAMMAR AND EPSOM GIRLS GRAAMMAR SCHOOL) AND THE SINGLE-HOUSE ZONE. WE WILL APPRECIATE YOUR WORK, THANK YOU VERY MUCH!

62.2

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

62.1

Submission date: 19 June 2019

Attend a hearing

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

Declaration

Could you gain an advantage in trade competition through this submission? Yes

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Teresa Lyndsay Marene Davis

Organisation name:

Agent's full name:

Email address: teresa.davis@fisherpaykel.com

Contact phone number:

Postal address:

1 Station Road
Papatoetoe
Auckland 2025

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 1 Station Road Papatoetoe 2025

Map or maps:

Other provisions:

Retaining the Special Character of the 7 Railway Houses on Station Road Papatoetoe of which mine is one . I believe the Plan Changes should incorporate a provision to assist home owners to maintain their houses and preserve their character. I have long felt that the SCA overlay did not protect these homes enough . I am concerned that they may be demolished rather than preserved

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

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

The reason for my or our views are:

the community is very pleased with the relocated and preserved old Train Station building and outbuildings and the wind vane , they are within sight of my home at 1 Station Road . The Railway houses where designed by an Old Papatoetoe Identity and his son Gray Troup is a long time resident of Papatoetoe . I would be very distressed to see the Railway homes demolished and replaced by apartments and that is my fear with the proposed changes to the Unitary Plan . Also of concern if the density of housing on the land currently occupied by the 7 Railway houses is access to the properties which is already difficult if requiring to make a right hand turn across traffic into our properties, as the opposing traffic wishing to make a right hand turn into Wylie Road uses the flush median as an extra

63.3

lane and prevents legitimate use of the flush median as a stopping place while waiting to turn into our properties . Therefore any extra traffic as a result of high density housing would make this situation unworkable , the properties would in effect be inaccessible for most of the day and night unless we make a long detour around through Middlemore Hospital up to Massey Road , down through Greys Ave and up to Station Road , at least 15 minutes at peak times

I or we seek the following decision by council: Accept the plan modification with amendments | 63.1

Details of amendments: 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 | 63.2

Submission date: 20 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



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Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Mr Ross Thorby

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

Address for service of Submitter

33 Franklin Road Freemans Bay 1011

Telephone: (0274) 769690 Fax/Email: rathorby@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PPC25

Plan Change/Variation Name ~~PPC25~~ Clarifying the relationship between special character overlay

The specific provisions that my submission relates to are:

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

Plan provision(s) D 18- Special Character Overlay/S38-Subdivision Urban

Or
Property Address

Or
Map

Or
Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

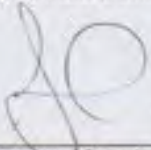
The reasons for my views are: I support the Plan Change which should provide better clarity for development in our area. I am particularly concerned to help protect the heritage of my suburb and to stop developers over-riding the rules and changing the fabric of our area. The rules should not be open to interpretation. (continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

64.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



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

19/6/19

Date

Notes to person making submission:
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I could / could not gain an advantage in trade competition through this submission.
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Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



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Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Lesley Christensen-Yule

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

Address for service of Submitter

6 Arthur St. Freemans Bay, Auckland 1011

Telephone:

02102295335

Fax/Email:

les@trenzchef.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

I support Auckland City's initiative to preserve heritage areas for Anclades and NZ.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

65.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

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

20/6/19
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Philip Yule.

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

Address for service of Submitter

6 Arthur St. Freemans Bay, Auckland 1011.

Telephone:

021 681 344

Fax/Email:

phil@voicebox.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

Please stop developers who ignore the Unitary Plan.

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation



Accept the proposed plan change / variation with amendments as outlined below



Decline the proposed plan change / variation



If the proposed plan change / variation is not declined, then amend it as outlined below.



I wish to be heard in support of my submission



I do not wish to be heard in support of my submission



If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter

(or person authorised to sign on behalf of submitter)

Date

20/06/19

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

66.1

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Brendan Christopher Kell

Organisation name:

Agent's full name:

Email address: oliverschristmas@orcon.net.nz

Contact phone number: 021 166 1075

Postal address:
163 Balmoral Road
Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.7 - Fences and Walls

Property address: 163 Balmoral Road, Mt Eden

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

In relation to being on a corner site in our situation at least, with two road frontages - the one on Tenterden Avenue being the majority of the length of our property - in the event of current hedges being replaced the proposed 1.2 meter height allowance for fencing would destroy any privacy and security to our side and back yard outdoor living areas.

67.2

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

67.1

Submission date: 20 June 2019

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Darren Pang

Organisation name:

Agent's full name:

Email address: pang_darren@yahoo.co.nz

Contact phone number: 0272492833

Postal address:
1/46 Wairiki Road
Mount Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.3. Yards D18.6.1.5. Landscaped area D18.6.1.7. Fences and walls

68.4

Property address: 46 Wairiki Road, Mt Eden

Map or maps:

Other provisions:
Rules applying to site boundaries should be eased. Special Character Areas Overlay provides no flexible density requirements, which is contradictory to housing affordability. Fencing and walls 1.2m in height - unreasonable requirement as that height provides no privacy and no security, especially families with young children and dogs. Why do property owners have to build low fence/wall and allow other unknown nosy people look at their premises? What is the cost and benefit to the property owners?

68.2

68.3

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

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

The reason for my or our views are:
Auckland needs to grow, it needs to develop more affordable housing. We need policies be put in place that encourage some very flexible density requirements. There is a necessity to reduce character protection. Defining Wairiki Road with Special Character Area Overlay was not right. Auckland can keep certain areas as historic sites, such as Grafton, which is within a short walking distance to the central city and close to bus/train stations, where tourists can jump on the public

68.5

transportation means very easily to go wherever they like in greater Auckland. However, places like Wairiki Road are by no means ideal for sightseeing or display any special character. We do not need dozens of overly prescriptive rules across Auckland.

68.5

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

68.1

Submission date: 20 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ying Chen

Organisation name:

Agent's full name:

Email address: winonashchina@hotmail.com

Contact phone number:

Postal address:

Parnell
Auckland 1052

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.3. Yards D18.6.1.5. Landscaped area D18.6.1.7. Fences and walls

Property address: 2-55 St Stephens Avenue

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Fencing and walls 1.2m in height - unreasonable requirement as that height provides no privacy and no security. Special Character Areas Overlay provides no flexible density requirements, which is contradictory to housing affordability.

| 69.2

| 69.3

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

| 69.1

Submission date: 20 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

Submission to; **Proposed Plan Change 26 - Auckland Unitary Plan.**

From; Lyndsay and Lianne Brock, 10 Bulwer Street, Devonport, Auckland 0624. Ph. 094456404.

We do not support the provisions of Plan Change 26 regarding changes to the Special Character (SC) overlay as it applies to the following, due to potential negative effects;

Yards,

Building coverage,

Height in relation to boundary including the 15m plus 'trigger'.

Maximum impervious area,

Landscaped area or landscaping,

As life-long residents of Devonport the focus of our submission will address the effects of Proposed Plan Change 26 as it relates to our suburb. However, as the plan change will have city-wide effect, we ask that our comments be considered in regard to all Special Character areas.

General comments; In the past we supported the planning rule changes which culminated in the Residential 3 Built Heritage Zone in the North Shore District Plan. These requirements took decades to refine and were, for the most part, successful in preserving the special nature of heritage areas. The one disappointment was that, in some instances, the rules only preserved the front façade of buildings.

The Devonport peninsula has benefitted enormously from the above plan guidelines, and the area is now widely recognised for its heritage qualities. Local people are aware it is special, but overseas visitors find it extraordinary. For example; they tell us that in Australia there are some beautiful Victorian homes, sometimes a handful, sometimes a whole street, but they have never seen an entire community of well-preserved vintage homes. These comments are echoed by visitors from many countries, with praise for the protection council has provided.

Concern regarding the way Plan Change 26 has been presented for submission;

We vehemently feel statements in the notice to residents which describe changes to the overlay as 'refinements' minimise potential outcomes and are not a true reflection of effects. The notice sent to residents in Special Character Areas states Plan Change 26 has 'refined' rules in a number of categories, including height in relation to boundary, yards, paved areas and fences. This terminology appears, we have to say, disingenuous, and implies the amendments are minor. However, when examined, it is clear the cumulative effects are significant and, in our view, do not fulfil the statement of intent, which is to preserve heritage features and streetscapes.

70.1

Further, information in *Attachment 6 - Proposed Plan Change 26: Amendments to Chapter D18 & Chapter E38* include no tables showing comparisons with the requirements of the previously operational North Shore City Plan. This makes it difficult, if not impossible, for people without a planning background to understand how much the proposed plan change could impact character areas of the city. It is extremely disappointing that such an important proposal has not included sufficient factual data for the public to consider.

There is also the issue of a 4 week submission period. In our view this is far too short a time for the public to assimilate the necessary data, or for education and/or information meetings to be arranged. The latter are necessary to ensure people are aware of likely effects of the plan change.

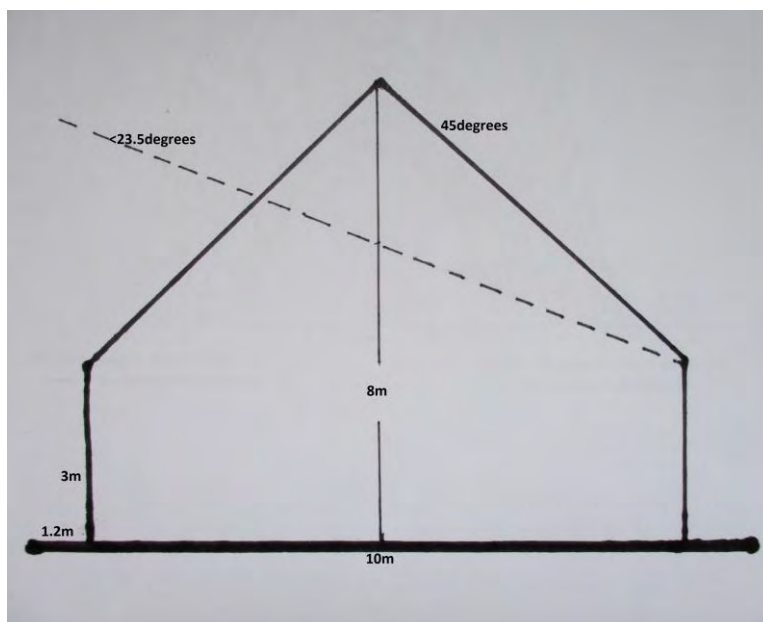
The Unitary Plan policy statement re SC Areas *'seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.'*

The proposed refinements in Plan Change 26 **will NOT ensure special character values are 'maintained and advanced' as required in the Objectives (D.18.2.)**. Most critically, they will also create cumulative major effects which we will address after commenting on the individual policy changes.

D18.6.1.2(a); Height in relation to boundary;

Figure D18.6.1.2.1 shows a height limit at the side of 3metres, which differs from the previous 2.75metres. It also shows a 45degree recession plane.

A 45degree recession plane is remarkably steep, especially when compared to the Auckland June 21st official sun angle of 23.5 degrees. This is illustrated in the image below, showing a front wall of 10m in length and the Auckland sun angle shown as a dotted line.



As the diagram demonstrates, the proposed 45degree recession plane produces a profile which markedly differs from that of existing character homes. Proponents would say the steep plane is merely a mechanism for calculating a building envelope and is not intended to be filled to capacity. However, when planning policy specifically permits a measurement it is inevitable that it will be used where possible.

Raising the side height limit to 3m, combined with the proposed recession plane, immediately increases building bulk and gives a potential for pre 1944 houses to be overshadowed by their neighbours. This will detrimentally affect the collective and cohesive value of streetscapes, have a negative visual aspect and degrade the special nature of the area.

D18.6.1.2(a); The underlying zone height in relation to boundary standard applies where the site has a frontage length of 15m or greater or (b) where the site is a rear site.

The over 15m frontage 'trigger' which brings the underlying zone to dominance will have widespread effects in Special Character Areas. For example; In Devonport's Stanley Point Road approximately one third of property frontages exceed 15metres, as do a good percentage of those in Grove and Wairoa Roads, also Jubilee Avenue. In most streets, they are more scattered, but the potential for dominance of one property over those adjacent will not retain the character of the streetscape, as required.

Applying the 15m 'trigger' to some properties means two totally different set of rules will be used, detrimentally impacting the cohesion of streetscapes and producing the appearance of intermittent planning anomalies. It will also, in our view, produce real risk of legal challenge. **Therefore we do not support the proposed 15m frontage 'trigger' and ask that it be deleted.**

70.2

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D18.6.1.3; Yards;

Attachment 6 states the proposed changes to yards has the purpose; *'to retain the historical built character of the streetscape by managing the setback and the relationship of the building to the street.'* We contend **the proposed changes to front and rear yards will NOT achieve this stated purpose,** will encourage increases in bulk and have unexpected, detrimental effects on streetscapes.

Table D18.6.1.3.1. requires side yards at a minimum depth of 1.2 metres. It deletes the existing rear yard depth of 3m, then applies an averaging equation to front yards. The latter no longer retains the qualifying text for this averaging which exists in current controls. This text reads; **'Control Flexibility may only be utilised where one neighbour is set further back than other nearby houses or where the road configuration does not produce consistent setbacks or for corner sites.'** The lack of this control flexibility will produce unexpected results where one or more of the adjacent buildings is set further back than their neighbours. We therefore **request that the current flexibility control of front yards be retained to ensure consistency of streetscapes.**

70.3

The most concerning of the proposed changes is deletion of the 3m rear yard requirement. While council may consider construction on rear yards could be constrained by maximum coverage and/or maximum impervious area controls included in the plan change, they will actually add pressure for buildings to go to the maximum permitted height and bulk. This cannot fail to have major effects, and will detrimentally affect cohesion of streetscapes and the historical built character of the area. **We therefore request that the 3m rear yard measurement be retained.**

70.4

D18.6.1.4; Building coverage;

Plan change 26 increases maximum building coverage for properties with areas of 300 to 500sq.m. from 35% to 40%, without the constraints provided in control flexibility provisions contained in the Special Character overlay. These provisions are a vital component in retaining historic character and preserving design features

The Auckland Unitary Plan North Shore Section, Residential 3 Built heritage, contained the following explanation and control flexibility statement;

'Older houses in this zone should be able to take advantage of greater coverage by way of Control Flexibility if they can remain single storey houses. The flexibility will only be exercised in relation to existing houses as at 22 March 2007 in the zone, where it will allow additions that: protect the form of the existing roof, and protect other aspects of historic character generally.'

This text showed understanding of the reality in heritage areas, and demonstrated how extensions could be added to homes while maintaining character. 35% coverage was permitted on 300sq.m. sites, with an ability to add 10% for in-keeping rear additions to single storey houses. This kept negative impacts to a minimum and preserved the quality of the streetscape.

We do not support 40% building coverage as contained in Plan Change 26 because it will not preserve the values of Special Character Areas as required by the Policy Statement.

70.5

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D18.6.1.5; Landscaped area or Landscaping & D18.6.1.6; Maximum paved impervious area;

The required Land scape area and Maximum impervious area included in the plan change must be considered together as they have a mutual purpose.

We **support the new definition 'maximum impervious area'** as it includes rooves as well as sealed areas, and will thereby avoid misinterpretation when consent applications are sought. However, when considered together with proposed yards and coverage, we are uneasy about the pressure it could exert to encourage heightening of buildings. For this reason, our **support applies only to the definition** itself and not the percentages included in the plan change tables.

70.6

70.7

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Cumulative effects;- height in relation to boundary, yards, coverage, maximum impervious areas,

We strongly believe the cumulative effect of changes to height in relation to boundary, yards, coverage and maximum impervious areas have not been fully assessed.

These changes, taken together, provide significant pressure to add bulk, especially to the rear of buildings, and to fill the vertical limit of the building envelope. We believe they will have detrimental effects on the cohesion of Special Character Area in a manner which is in opposition to the unitary plan policy statement.

We therefore ask that full assessment of the cumulative effect of policies contained in Plan Change 26 be provided to commissioners before a decision is finalised.

70.8

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Legal issues:

The Auckland Council vs Budden Declaration is cited as the impetus for Plan Change 26. A short precis of the main points are;

*In resource consent decisions Auckland Council incorrectly allowed policies of the Unitary Plan underlying Single House Zone to prevail over those of the Special Character Overlay. It is also stated that council's training instructions to planning staff in this matter be withdrawn as incorrect.

*The policy statement and aims for the Special Character Overlay are in keeping with the policies currently in place, and must prevail over the underlying Single House zone.

*In resource consents where there are two sets of policy governing decisions the most restrictive must apply

*Under the RMA Council must abide by its own policy statements and plans, and that all provisions, objectives, policies and rules relevant to an activity must be applied. It was further commented that *'it is in the essence of an experienced consent authority to consider competing considerations' - 'and come up with a sound and informed outcome'*.

We find it extraordinary that, in response to the court declaration, Council has introduced a plan change which will serve to dilute the strength of Special Character overlays. In our opinion, it is perverse to degrade it in this manner, a manner which brings the provisions closer to the underlying zone, thereby cancelling much of the protection it aspires to provide.

In the Evaluation report, justification for seeking the plan change constantly repeats; *'Continuing to apply the status quo is likely to result in unexpected and unpredictable environmental outcomes as it is not clear which HIRTB standard should apply'*. We absolutely do not accept this statement, and agree with the declaration that both the overlay and the underlying zone **must** be taken into account, with the overlay prevailing as the most restrictive. We also agree with the declaration's statement that an experienced consenting authority, staffed with professional planners, should be entirely capable of handling consents in these areas.

Higher consent costs are also listed as justification for the plan change. We would comment that, as residents of a special character area, we fully understand the need for building constraints. It is not unusual for a Plan to include such constraints so we, as quoted in the previous paragraph, are sure our council has the expertise to manage them without adding penurious costs.

The declaration also recognises that the special Character Policy Statement is appropriate to the overlay in that it *'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.'* **We contend that Plan Change 26 will carry such effects that the overlay will no longer fulfil this stated purpose.**

In summing up the Auckland Council vs Budden declaration cited above, one legal principle is a constant, being that the public must be able to have faith in the integrity of the Plan. We are truly sad to comment that we believe that Plan Change 26, by altering the form and cohesion of buildings in special character areas, will not fulfil this principle.

*

In summary;

We do not support Plan Change 26 as follows;

***Height in relation to boundary including the 15m plus 'trigger', yards, building coverage and maximum impervious areas because it will create individual and cumulative negative effects.**

***It includes changes to the special character overlay to the extent that it will no longer achieve the aims contained in the policy statement.**

***It is an inappropriate response to the Auckland Council vs Budden declaration in that it dilutes protection of special character areas, and the changes to planning rules were neither suggested or requested in the declaration.**

***The 4 week submission period, because it is insufficient for the public to be sufficiently informed and/or educated about potential effects of the plan change.**

We therefore request that Plan Change 26 be withdrawn and the Special Character Overlay be retained in its current form.

| 70.9

Signed,



Lyndsay Brock.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Shamal Charan

Organisation name:

Agent's full name:

Email address: ShamalCharan@hotmail.com

Contact phone number: 021468656

Postal address:
106 Grande Vue Road
Manurewa
Auckland 2102

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Proposed plan change 26.....chapter D18 Subdivision

Property address: 106 Grande Vue Road, Manurewa

Map or maps:

Other provisions:
Subdivision or authority to build minor Dwelling

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

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

The reason for my or our views are:
Authority to build minor dwelling or subdivide

I or we seek the following decision by council: Accept the plan modification with amendments | 71.1

Details of amendments: Authority to subdivide | 71.2

Submission date: 21 June 2019

Attend a hearing

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

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

Declaration

Could you gain an advantage in trade competition through this submission? Yes

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Fred Koke

Organisation name:

Agent's full name: Fred Koke

Email address: fred.koke@gmail.com

Contact phone number:

Postal address:
4 Hesketh St Kingsland
Auckland
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Special Character area overlay

Property address: 4 Hesketh St Kingsland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
I do not consider my street a character street. There are no real villas and most of the houses are 60's style bungalows.

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

| 72.1

Submission date: 22 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Catherine Spencer

Organisation name:

Agent's full name:

Email address: cath_spencer@hotmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Plan Change 26 and relates to Chapter D18, special character areas overlay - residential and chapter E38, subdivision - urban of the Auckland Unitary Plan. (i) Height in relation to boundary and (ii) the rear yard set back.

73.2
73.3

Property address:

Map or maps:

Other provisions:

(i) Height in relation to boundary and (ii) the rear yard set back.

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

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

The reason for my or our views are:

The Council now wish to propose that the SCAO prevail. This may seem simple and expedient, however this decision has significant implications that could effect the heritage of Devonport whilst seeming to protect this heritage.

I or we seek the following decision by council: Amend the plan modification if it is not declined

73.1

Details of amendments: Maintain the envelope based on a 3m vertical height and then a 45-degree incline for height in relation to boundary. Maintain the current 3m boundary for rear yard setback.

Submission date: 22 June 2019

Supporting documents
PC26 D18.pdf

Attend a hearing

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

Declaration

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

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

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

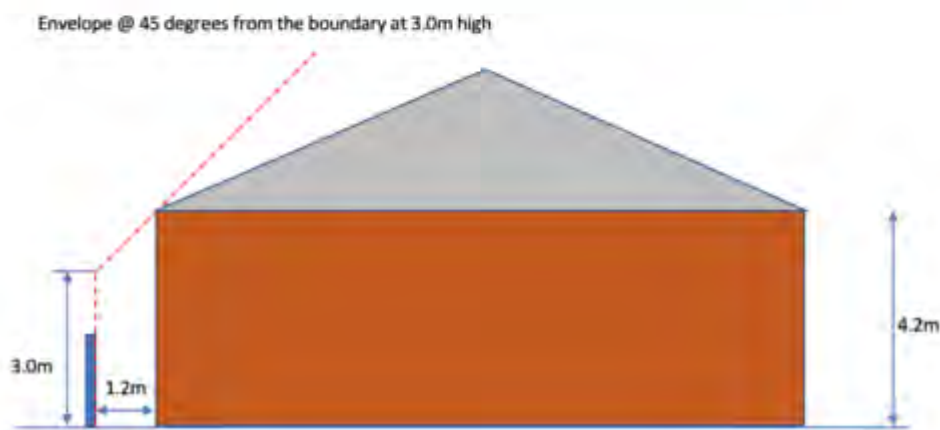
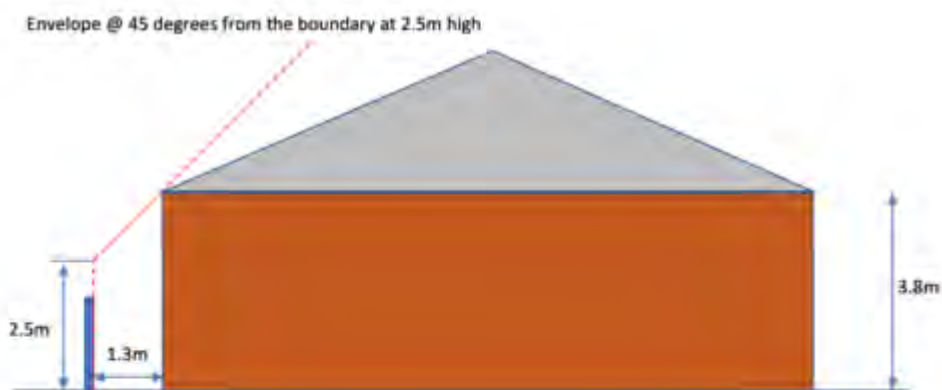
No

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

HEIGHT IN RELATION TO BOUNDARY

This rule seeks to impose a restriction on the side and rear boundaries of any new development such that a building cannot exceed an envelope described by an imaginary line which rises 2.5m or 3m from the boundary line and then inclines inward to the section at a 45-degree angle. The diagrams below describe this rule.

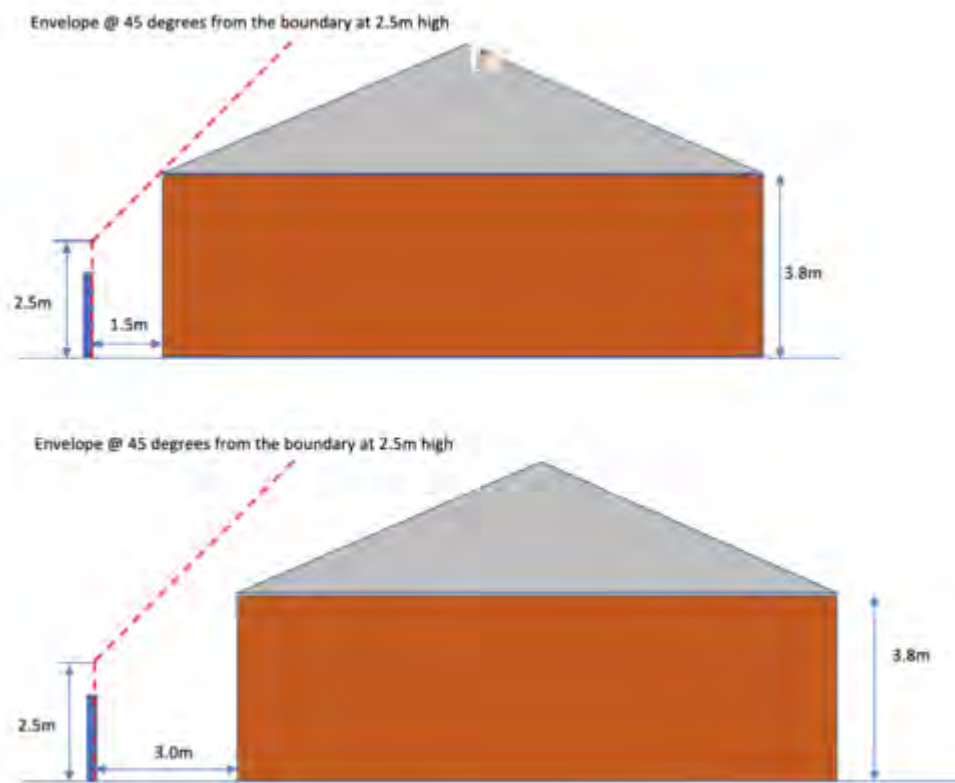
The SCAO rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45-degree incline. This is far more imposing than the standard of the SHZ for all of Auckland which is based on a 2.5m vertical height and then a 45-degree incline. The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact with the 3m @45-degree envelope as the diagram shows.



REAR YARD SETBACK

There are boundary limits for side yards in the SCAO which require that no building is less than 1.2m from the boundary. However, for the rear yard the proposal is to reduce the current 3m boundary to just 1m. This has a significant visual impact of new building as seen from neighbouring properties.

The diagram below shows for the same sized building the impact of building within the original 3m setback.



A very important consequence of relaxing the 3m setback for the rear yard is the impact it could have in areas of Devonport where sections near corner junctions have rear yards adjacent to side yards as the diagram below shows.

Property A is on a different street to property B & C. Property A's rear yard abuts the side yard of Property C, whilst the side yard of Property A abuts the rear yard of Property B.

Property C would be significantly impacted if the 1m rear yard rule were to apply as any proposed building would be hugely more visible from the garden of Property C, also potentially impact daylight shading.

The ability to build as close as 1m from the boundary to a neighbour's side yard would have significant impact on the value and enjoyment of a neighbour's property even it is in their back garden.



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Dean Tony Turner

Organisation name:

Agent's full name:

Email address: deanturnerpm@gmail.com

Contact phone number:

Postal address:

1 Reimers Ave
My Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

rules that relate to the property below

Property address: 1 Reimers Ave, Mt Eden

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Other houses in the street don't seem to have any restriction applied plus there's Eden park directly across the road.

I or we seek the following decision by council: Accept the plan modification with amendments

| 74.1

Details of amendments: fence height restrictions removed and yard requirement restriction eased

| 74.2

| 74.3

Submission date: 23 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

bruce@hadden.co.nz

Dear Sir/Madam: We wish to submit that in the Special Character Area in which we live, 100 Victoria Avenue Remuera, the right will remain to subdivide land of over 1,200 square metres. That is, can subdivide down to 600 square metres.

Your sincerely,

Wendy Hadden and Bruce hadden

75.1

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Dame Denise L'Estrange-Corbet

Organisation name:

Agent's full name: Dame Denise L'Estrange-Corbet

Email address: denise@worldbrand.co.nz

Contact phone number: 021 432 431

Postal address:
8 MARGARET STREET,
FREEMANS BAY
AUCKLAND CITY 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

I CANNOT EVEN SEE THE CHANGES, AS WHEN I GO ONTO THE WEBSITE, THAT WAS IN THE EMAIL, IT STATES THE 'PAGE IS NOT AVAILABLE', SO HOW DO I KNOW WHAT YOU ARE PLANNING TO DO? I WOULD LIKE A COPY OF THE PLANS THAT RELATE DIRECTLY TO MY PROPERTY TO BE EMAILED TO ME FORTHWITH PLEASE

Property address: 8 MARGARET STREET, FREEMANS BAY, AUCKLAND 1011

Map or maps:

Other provisions:

I HAVE NO IDEA WHAT THE CHANGES ARE, BUT CAN IMAGINE THEY ARE MORE PROBLEMATIC THEN BEFORE. WHY DO THE COUNCIL HAVE TO KEEP CHANGING THINGS? IF THEY ARE NOT BROKEN, DON'T FIX THEM!

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

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

The reason for my or our views are:

IF I KNEW WHAT THEY WERE! CAN THEY PLEASE BE SENT TO ME FOR MY PROPERTY ONLY, I AM NOT INTERESTED IN ALL THE OTHER BUMPH

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

| 76.1

Submission date: 23 June 2019

Attend a hearing

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

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

Yes

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Dame Denise L'Estrange-Corbet

Organisation name:

Agent's full name: DENISE L'ESTRANGE-CORBET

Email address: denise@worldbrand.co.nz

Contact phone number: 021 432 431

Postal address:
8 MARGARET STREET
FREEMANS BAY
AUCKLAND 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
FENCES AND WALLS 'The standard stipulates tht any new fences to be cnstructed forward of the line of the front facade of the building are to be a maximum height of 1.2m'.

Property address: All new builds in the 'special character overlay chapter'

Map or maps:

Other provisions:
Fencing heights

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

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

The reason for my or our views are:

I think this proposal has not been thought through. To have a 1.2m height limit to front fences will raise a lot of questions, namely: -Privacy -Security -Animals that can jump this fence -Children can lean over fence to pat dogs in the yard -Mismatched fence heights on a street I feel we are all entitled to privacy in our homes, and particularly if the new builds are not attractive, then they should be hidden by higher fences! The higher the better! So what I am understanding, is that the older type homes have 2m high fences, which will remain, and the newbuilds will have to have a 1.2m height restriction, which will make the fences very disproportionate in visuals. High fence, low fence, high fence etc. It will look like muddlesville. What I do not understand, is that if it is not broken, why the council want to fix it? At the current 2m height restriction, that is the maximum, so if you want it

shorter, you can choose to do this, but with a lower specified level, you have no choice. I feel this will add to less security for homes, and for those on the other side of the law to be able to asses and access the property more easily. I feel it should be left as is, so the vista is more in keeping with what is already there.

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

Submission date: 4 July 2019

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Christopher and Louise Johnstone

Organisation name:

Agent's full name:

Email address: johnstone_associates@xtra.co.nz

Contact phone number: 09 378 4979

Postal address:
54 Selbourne Street
Grey Lynn
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18. Special Character Areas Overlay – Residential and Business

Property address:

Map or maps:

Other provisions:
Maximum height should not be increased Height to boundary should remain the same Building coverage should not be increased Landscaped area should not be increased

77.2
77.3
77.4
77.5

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

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

The reason for my or our views are:
The proposed new standards are greater than allowed for in the Unitary Plan and permissible modifications to residential buildings in the areas specified should be no greater or no less than they are currently since this would make a mockery of the Special Character Areas Overlay

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

77.1

Submission date: 23 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Lim Che Cheung Chan

Organisation name:

Agent's full name:

Email address: wclctychan@gmail.com

Contact phone number: 0211319173

Postal address:
26 St Andrews Road
Epsom
Auckland 1023

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 26 St Andrews Road, Epsom, Auckland 1023

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
As explained in the attached document.

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

Submission date: 23 June 2019

Supporting documents
Feedback to Auckland Council on Special Character Zone - LC Final Version Submission.pdf

Attend a hearing

| · 78.1

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

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

Declaration

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

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

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

No

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

To whom it may concern,

Feedback on Auckland Unitary Plan Operative in part, PROPOSED PLAN CHANGE 26, the Special Character Areas Overlay

Thank you for the opportunity to allow feedback on the PROPOSED PLAN CHANGE 26. We appreciate the underlying intent of providing better clarity on the relationship between the special character area overlay and the underlying zones.

However, we are concerned that the development criteria are inappropriately restrictive in a number of areas. In many cases, if the proposed rules were to be retrospectively implemented, vast majority of the existing houses (if not all) in a local neighbourhood would have a significant number of non-compliances (e.g. properties around 26 St Andrews Road). The proposal would be inequitable to the properties that have not yet newly renovated and fully developed to its full potential. It would be helpful for the Auckland Council to consider reviewing the special character zone, in particular, 26 St Andrews road should not be zoned in the special character zone, as the existing underlying zone has already been adequately provisioned to mitigate any adverse impact of the aesthetic, physical and visual qualities of the area and virtually all nearby properties would not have retrospectively met the proposed zoning standards.

| 78.2

It is worth noting that the property located at 26 St Andrews Road is an ordinary weatherboard house that can be found in many locations in Auckland NOT zoned in Special Character Areas. This property does not have any meaningful historical or architecture significance. Any further development at 26 St Andrews Road (without the special character overlap) is likely to have less than minor impact on the aesthetic, physical and visual quality of the local area.

| 78.3

Current examples of existing properties that violate the proposed rules

Specifically, we would like to highlight a number of obvious observations in the nearby neighbourhood that would not be consistent with the special character area zone, hence justifying that the special character zone should not be applied at 26 St Andrews Road.

Directly opposite to 26 St Andrews Road are 2 subdivided townhouses built back around the year 1994 (namely, 21 and 21A St Andrews Road, made up of brick and cedar, and brick fence at the front of the property, with limited green garden areas), which do not have historical or special character as defined by the council. These properties are unlikely to have met most of the proposed special zone standards if the rules were retrospectively applied, e.g. the new height to boundary ratio, and coverage areas as defined by the proposal. Imposing the proposed new rules that would be substantially restrictive on 26 St Andrews Road, appear to be unfair and unjustifiable and would fail to preserve any special character of the immediate neighbourhood

| 78.4

The next door properties at 19 and 19A St Andrews Road, and 17 and 17A St Andrews Road, are crossed lease properties that would not meet the minimum net site area of 600 square metres (not consistent with rule E38.8.2.6.1), with existing garages at 17 and 19 St Andrews Road built right at the front edge of their property section.

| 78.5

The next property adjacent to the northern boundary of 26 St Andrews Road, is 22 St Andrews Road, which is a relatively newly developed property, and at the time of development, there were already a number of non-complying activities based on the older zoning rules even without the current

special character zoning restrictions being formally applied. It would not have complied with requirement D18.6.1.2 height in relation to boundary. Imposing the special character rules on remaining non-developed sites with a small property such as at 26 St Andrews Road which has less than minor impact on the overall of the aesthetic, physical and visual quality of the local area, appears unjustified, and adds unfair burden to the existing owners.

22A St Andrews Road is a property that was built in the 1990s with a plaster exterior. Again, it does not have any historical special character. This property can be easily seen from road side which makes up part of the street view. The same can be said for 27 and 29 St Andrews Road, which are modernised houses with plastered exterior as part of the front façade defining the street face.

| 78.6

The prominent characteristics of many houses around 26 St Andrews Road that would not visibly appear to comply with the new requirements show that the PROPOSED PLAN CHANGE 26 imposes grossly unequal restrictions and unnecessarily heavier burden upon those existing home owners who have yet to rebuild/redevelop their properties. Conversely, in order to meet the purposes as defined in the proposed plan change, such as to retain the existing built form character of predominantly one to two storeys in the established residential neighbourhoods; maintain the relationship of built form to the street and open space; retain the character of the streetscape and enable a built form that reflects the identified character of the area would be to follow the design of my neighbouring properties. Hence if the characteristics of neighbouring houses do not comply with the new changes, exemptions would have to be allowed to meet these purposes if the new rules are to be implemented on 26 St Andrews Road.

Therefore, we request Auckland Council to [remove the special character zone overlap from 26 St Andrews Road](#) to demonstrate that the Council is treating every home owner fairly in the neighbourhood.

| 78.7

We look forward to the Auckland Council's prepared summary of decisions requested by submitters soon after the end of the feedback submission period, and hope that it will adequately summarise the number of reasons why special character overlap does not appear to be justified for specific areas. We are keen to see some documented evidence available for the home owners to show that Auckland Council had in fact actively and adequately considered the prior feedback in a meaningful way.

Yours sincerely,

Lim Che Cheung Chan

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Janet Dickson

Organisation name:

Agent's full name:

Email address: janet@dickson.co.nz

Contact phone number: 021765408

Postal address:
2/24 Selwyn Road
Cockle Bay
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.1, which excludes Howick from the whole of PC26

Property address: Howick Village area

Map or maps: Howick Village area

Other provisions:
Contrary to the D18.1 of the Plan, I submit that Howick must be included in the provisions of PC26, and that for this to happen, this Plan Change must allow for Howick to acquire its full and complete Special Character Area Statement, which is still in process. I do not support specific Point D18.1 as it stands, although I support the intention of the Plan as a whole.

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

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

The reason for my or our views are:
It is nonsense to create protection for areas of special character in the whole of the super city but exclude one important suburb, just because Council has not created the essential Special Character Area Statement for that area, which would bring that particular suburb under the same protection as the rest of the city.

I or we seek the following decision by council: Accept the plan modification with amendments

| 79.1

Details of amendments: Make provision to include Howick as soon as its Special Character Area Statement has been finalised to the satisfaction of the local people.

Submission date: 23 June 2019

Attend a hearing

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

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

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

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

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

Yes

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

Submission to PC26 to: unitaryplan@aucklandcouncil.govt.nz

1. Submitter Details – Janet Dickson
2. Scope of Submission :

PC26 Plan Change/Variation :clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.

The specific provisions that my submission relates to are:

Plan Provisions –

1. *I generally support the purpose and intention of PC26. It is acknowledged that **PC26 overcomes a problem created by the Council's previous incorrect interpretation** of the relationship between the Special Character Areas Overlay that covers some parts of Howick which have a variety of underlying business and residential zones.*
2. *In Part D18.1 the exception of Howick from the Special Character Area Overlay considerations is not acceptable and should be deleted.*
3. *The Special Character Area at Howick is requested to be expanded over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.*
4. *A Special Character Area description for Howick covering residential and business areas is required to be inserted into Part D18.1 of PC26 and in Schedule 15 at Part 15.1.6.1..*
5. *In all other respects the I support PC26 and seek to have the controls and standards within PC26 available to cover the expanded Special Character Area shown outlined by a thin black line on the attached Plan.*

Submission: I oppose the specific provisions identified above which exclude Howick from consideration under PC26.

I wish to have the following provisions amended:

- (a) *The removal of the exemption of Howick from Part 18.1 Background.*
- (b) *The expansion of the Special Character Area at Howick to cover the properties identified on the attached plan.*
- (c) *The inclusion of a description for the existing and expanded Special character Areas of Howick into the table within D18.1 and within Schedule 15 at Part 15.1.6.1.*

The reasons for my views are –

- 1. Howick has several special characteristics that require particular protection in the manner provided for in Part D18 of the Auckland Unitary Plan (AUP). For that reason it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1.*
- 2. I see that PC26 is an opportunity to address this long-standing omission in respect of Howick.*

I seek the following decision by the Council:

I accept the proposed Plan Change with the amendments outlined below.

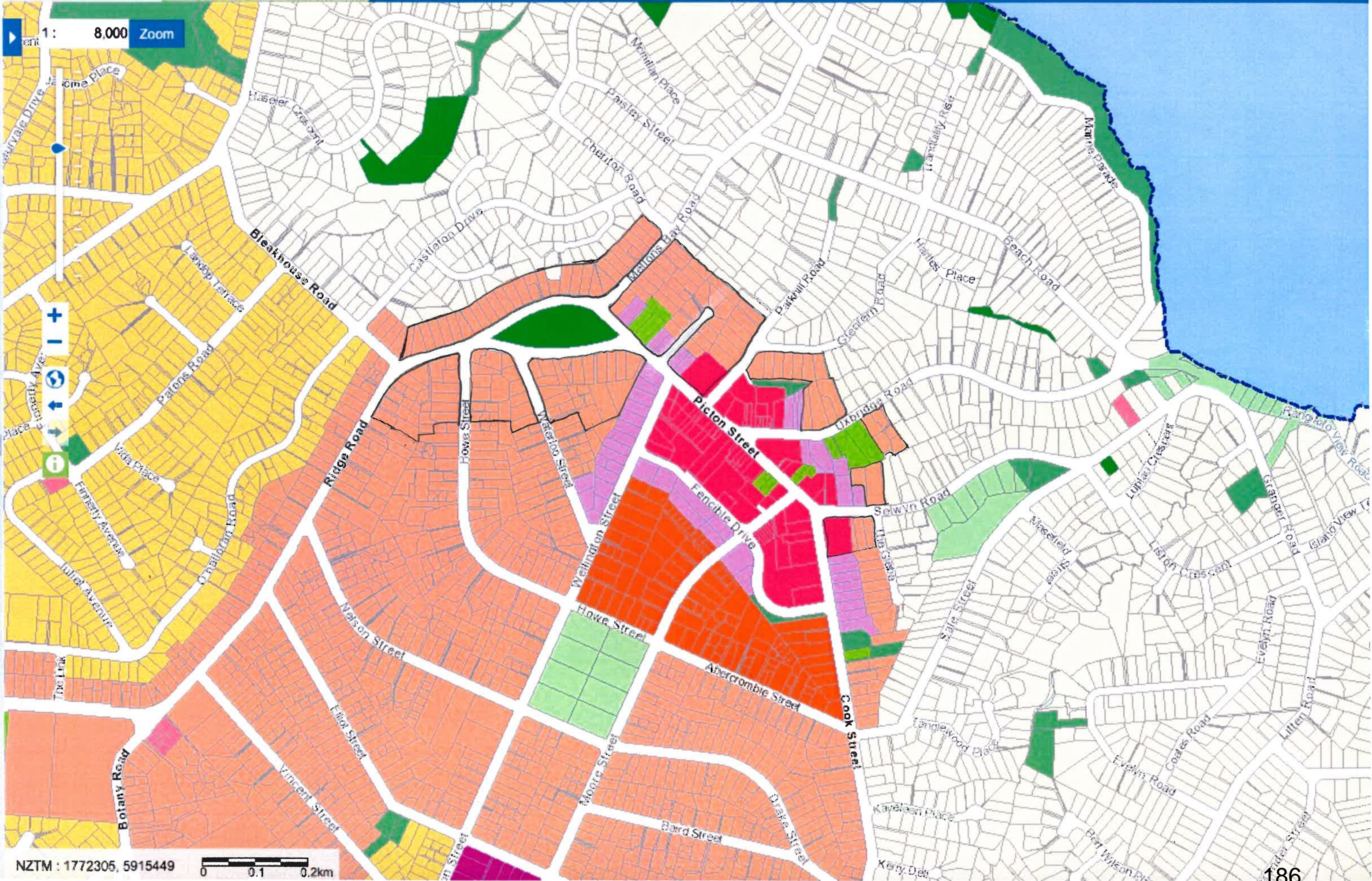
Amendments Requested for the Reasons set out are –

- | | |
|--|-------------|
| <i>1. Amend Part D18.1 by removing the words "other than Howick".</i> | 79.3 |
| <i>2. Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan.</i> | 79.4 |
| <i>3. Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.</i> | 79.5 |
| <i>4. Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes.</i> | 79.6 |
| <i>5. 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.</i> | 79.7 |

I wish to be heard in support of my submission.

Dated 12 July 2019

1: 8,000 Zoom



NZTM : 1772305, 5915449 0 0.1 0.2km

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Philip Wood

Organisation name:

Agent's full name:

Email address: philandvalw@xtra.co.nz

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

All of it

Property address: -

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I am not an expert in resource consents or building process but this allows people to build buildings that are not in keeping with the surrounding area, which block out light, which ruin people's privacy and in the process decimate people's property values. It is even worse if their frontage is 14.5metres rather than 15 metres which makes no sense. This is in no way making the city more livable for its residents - ie what the council is meant to be doing. You are approving plans for 1 person that detrimentally affect a number of people. You are fixated on what the appearance is from the street rather than from surrounding properties, the residents of which have to look at the added building all day every day rather than people just walking by on the street. The rules are already way too lax and you are making them even looser. Your letter implies you are doing something special for special character areas like Devonport whereas all you are doing is applying a slightly different set of mathematical formula to determine what can be built. This will ruin the special character nature of Devonport as you cant maintain a special character of an area by using mathematical formula. The whole council process at the moment is a box ticking process where the affected residents are subject

to the determination of a council official's view on what count as minor and if a mistake is made there is no accountability because the rate payers only recourse is to spend a large amount of money to get redress through the courts. No other organisation can get away with such a lack of accountability, lack of transparency and waste of resources.

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

80.1

Submission date: 23 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Nicole Helen Joyce

Organisation name:

Agent's full name:

Email address: tonnic2@yahoo.co.nz

Contact phone number: 021388228

Postal address:
13 Kiwitea Street
Sandringham
Auckland 1041

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 13 Kiwitea Street, Sandringham

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Further tightening of the rules applying to the Special Character Area Overlay is redundant and unnecessarily restrictive when any attempted preservation of significant property features in this zone, is going to be dramatically undermined by the fact this most restrictive residential zone directly adjoins the most visually dominant Terrace House and Apartment Building zone. The proposed plan change actively ignores this planning anomaly and does not address the real issue of adjoining conflicting zones.

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

Submission date: 23 June 2019

Supporting documents
PC 26.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

21 June 2016

Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Tony & Nicole Joyce
13 Kiwitea Street
Sandringham
Auckland 1041
tonnic2@yahoo.co.nz
021 388 228

Attention – Planning Technician

Dear Sir / Madam

Re: Auckland Council Proposed Plan Change 26

As owners & occupiers of the property situated at 13 Kiwitea Street, Sandringham, we hereby make a submission in respect of Proposed Plan Change 26.

We note that the Special Character Overlay controls place restrictions on properties within those areas, with the aim to manage the impact on streetscape character, built form that reflects or respects the identified character of the area, avoid, remedy or mitigate impacts on solar access and visual dominance of built form. However, the Unitary Plan and Proposed Plan Change 26 are largely silent on the potential impacts which would be caused by development of the adjoining Terrace Housing and Apartment Building zone immediately to the north west of our property. Those detrimental impacts are potentially exactly the same as those that the controls applying to our site under the Special Character Area Overlay, are trying to prevent.

The Plan offers no meaningful approach to managing the transition between low density single storey dwellings and the potential 16m height of an apartment building which is permitted on the adjoining Terrace Housing and Apartment Building zoned sites. The controls are weak, and the height plane control to determine setback from a side or rear boundary will not result in a suitable transition in built form or avoidance of undue building dominance. Furthermore, reasonable solar access would not be maintained given the site orientation to the north-west.

It appears to be quite a planning anomaly that there should be such conflicting zones permitting a high density, multi-level terrace housing and/or apartment development immediately adjoining a heritage significant area, which is what a Special Character Area really is.

The Unitary Plan singles out Special Character Areas for specific controls that are over and above those that apply to sites with the same zoning, but not located in a Special Character Area. However, the Unitary Plan does not make a similar distinction when applying controls for the Terrace Housing and Apartment Building zone relative to low density zones, nor does it manage the transition in building form; as far as we can determine, the Unitary Plan makes no mention at all about the Special Character Areas in this regard, and simply appears to treat all low density residential zones the same. In our view, this is an unacceptable oversight and in practice, would undermine the integrity of Special Character Areas and furthermore, undermine the objective of the Unitary Plan to protect these areas.

Potentially, our property could be viewed from Kiwitea Street with a highly intrusive, visually obstructive, solar access-limiting, privacy eliminating 16m high building back drop. Yet we are restricted to an 8-9 metre height limit, and likely less, given our existing dwelling is single storey. Such a situation would be completely unacceptable, and we are certain this would be a commonly shared view amongst affected property owners in and around Kiwitea Street, and any neighbours to such a development.

We respectfully request that Auckland Council review as a matter of urgency the appropriateness of the Terrace Housing and Apartment Building zoning adjacent to our property, and the current controls to manage the building transition, visual dominance and protection of solar access, and to ensure compatibility with the special character significance of the area. Council needs to address this potential impact on the significance of the Special Character Area that is Kiwitea Street and the likely level of impact on amenity by having the lowest density residential zone immediately adjoining the highest density residential zone. That is simply not sound or accepted planning practice. There is an opportunity to address this anomaly now, and we implore Council to do so.

We look forward to hearing from Auckland Council in due course.

Yours sincerely,



Tony & Nicole Joyce



I wish to make a submission on the above proposed planning change 26. I do not wish to be heard in relation to this submission.

I jointly own a dwelling in an area of special character: St Mary's Bay. I support the objective of the change in clarifying the interaction of rules relating to Special Character Area Overlay and those zoned residential. I do not believe that it is adequate to carve out existing resource consents from the change without proper consultation with affected parties where there is a material difference in outcomes were Change 26 to apply. Additionally, I do not believe it is adequate to provide a one paragraph summary of the changes in a letter and refer residents to the actual plan to interpret themselves. A simple summary of the impact of the change versus status quo in terms of height to boundary, yards and paved areas should have been provided.

| 82.1

| 82.2

As per Auckland Council letter to affected residents 30 May 2019, I wish to reserve my right of appeal to the Environment Court in respect of any decision made by the Council which directly or indirectly affects my current residential property.

Regards

Stephen Hudson

Stephen.Hudson@macquarie.com

10 Percival Parade
St Marys Bay
Auckland 1011

I wish to make a submission on the above proposed planning change 26. I do not wish to be heard in relation to this submission.

I jointly own a dwelling in an area of special character: St Mary's Bay. I support the objective of the change in clarifying the interaction of rules relating to Special Character Area Overlay and those zoned residential. I do not believe that it is adequate to carve out existing resource consents from the change without proper consultation with affected parties where there is a material difference in outcomes were Change 26 to apply. Additionally, I do not believe it is adequate to provide a one paragraph summary of the changes in a letter and refer residents to the actual plan to interpret themselves. A simple summary of the impact of the change versus status quo in terms of height to boundary, yards and paved areas should have been provided.

83.1

83.2

As per Auckland Council letter to affected residents 30 May 2019, I wish to reserve my right of appeal to the Environment Court in respect of any decision made by the Council which directly or indirectly affects my current residential property.

Regards

David Robertson

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Lambert Hoogeveen

Organisation name:

Agent's full name:

Email address: lamberth@mail.com

Contact phone number:

Postal address:
3/25 Reimers Avenue
Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

1. Building height to be 8mtrs, no exceptions, D18.6.1.1 2. Re-instate the 3mtr rear yard setback in the SCO, D18.6.1.3

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

1. Regarding building heights on the SCO, 8mtr height is 8mtr heigh, there should be no exception to this rule by allowing another 1mtr in certain conditions. Today it is one meter, tomorrow it is going to be 2mtrs, etc. No exceptions, period. 2. The rear yard set-back of 3mtrs should be re-instated. 1mtr in the underlying zone provisions in not enough for a Heritage 1 neighbourhood. What makes a Residential 1 neighbourhood attractive and gives it its character is the feeling of open space, both front and back. It also prevents shading of one property on to another.

I or we seek the following decision by council: Accept the plan modification with amendments

84.1

Details of amendments: 1. Section D18.6.1.1, building height to be 8mtrs without exception. 2. Section D18.6.1.3, re-instate 3mtrs rear yard setback.

| 84.2
| 84.3

Submission date: 24 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

M^s Joanna Keane .

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

Address for service of Submitter

5 QUADRANT RD . ONEHUNGA .

Telephone:

021-204-7193 .

Fax/Email:

joanna.keane.230@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

[Empty box]

Or

Property Address

5 QUADRANT ROAD. ONEHUNGA. 1061.

Or

Map

[Empty box]

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are: Prior to the recent Unitary Plan restructure, my property of 1050sqm was able to be subdivided for 2 sections/site!

I would ask that the Heritage Status, remain on the Dwelling and that the section can be subdivided. (continue on a separate sheet if necessary)

85.2
85.3

I seek the following decision by Council:

see attachment

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

85.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

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

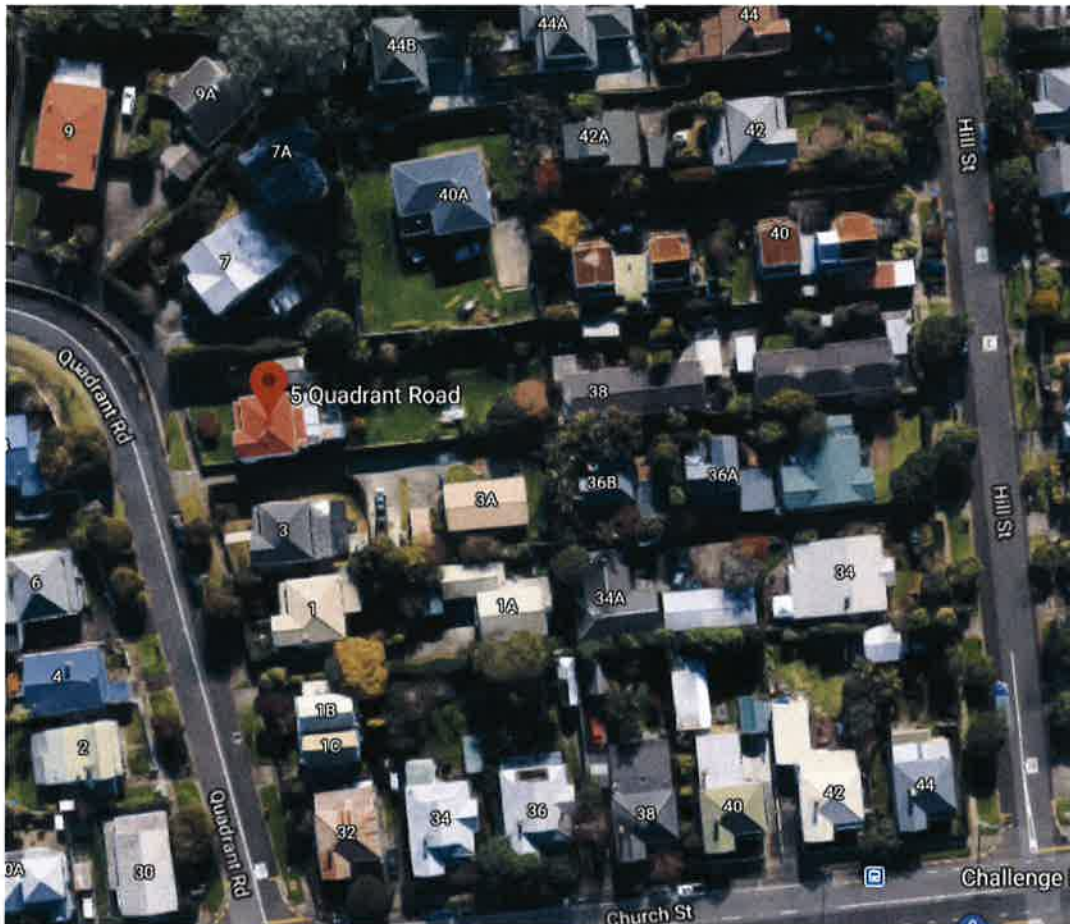
24.6.2019
Date

Notes to person making submission:
 If you are making a submission to the Environmental Protection Authority, you should use Form 16B.
 Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.
 If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
 I could / could not gain an advantage in trade competition through this submission.
 If you could gain an advantage in trade competition through this submission please complete the following:
 I am / am not directly affected by an effect of the subject matter of the submission that:
 (a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition.

The Reasons for my views are contd...

I bought the property in 1983, when it had a zoning for 3 townhouses. (which meant the House could be removed...)

As you can see from the photo I am the only property with the section intact. (the great Kiwi Quarter Acre) and that the sections that have been subdivided have not impinged on the streetscape, or the surrounding area.



With the properties around me successfully fitting in with the Special Character Area.

Therefore, this is why, I am putting in a submission for the change back to the previous concept. – with the ability to subdivide the property into 2 sections, without losing the integrity of the Heritage home and streetscape, (for the front property) and retaining it as a Special Character Area.



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Patrick Noel Joseph Griffin

Organisation name:

Agent's full name: Mary Griffin

Email address: griffinmt1952@gmail.com

Contact phone number:

Postal address:
2 Thames St Mt Eden
Auckland
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Chapter D 18 Special character areas overlay under proposed plan change 26

Property address: 2 Thames St Mt Eden Auckland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Leave the street as it is - if people own the property it should be their right to make changes as they see fit. Otherwise is there reason to own property

| 86.2

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

| 86.1

Submission date: 24 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Maria Poynter

Organisation name:

Agent's full name:

Email address: maria.poynter@gmail.com

Contact phone number:

Postal address:

Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
No specific rules.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
I support the proposed changes.

I or we seek the following decision by council: Accept the plan modification

| 87.1

Submission date: 24 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

Submission regarding Proposed Plan Change 26:

We request the right to be heard.

The Council wish to solve an anomaly and propose that the SCAO prevail. This may seem simple and expedient, however this decision has significant implications that could effect the heritage and character of Remuera, our residential area, and may seem to protect character and heritage but effectively diminish it if pursued.

HEIGHT IN RELATION TO BOUNDARY

This proposed rule seeks to impose a restriction on the side and rear boundaries of any new development such that a building cannot exceed an envelope described by an imaginary line which rises 2.5m or 3m from the boundary line and then inclines inward to the section at a 45 degree angle.

The SCAO rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard of the SHZ for all of Auckland which is based on a 2.5m vertical height and then a 45 degree incline.

The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact with the 3m @45 degree envelope . This would significantly and adversely effect the strong sense of character and heritage value we have in our street, and many streets like it in remuera, and other more established suburbs with character overlays.

We submit that the more restrictive height to boundary measure be used

| 88.1

REAR YARD SETBACK

There are boundary limit for side yards in the SCAO which require that no building is less than 1.2m from the boundary.

However for the rear yard ,the proposal is to reduce the current 3m boundary to just 1m. This has a significant visual impact of new building as seen from neighbouring properties.It will significantly and adversely effect the charcater and amenity we enjoy derived from the fact of being in a single house zone with a character overlay.

A very important consequence of relaxing the 3m setback for the rear yard is the impact it could have in areas of Remuera, where there are single house areas with reasonably large land holdings thereby offering the degree of property diversity that the UP still anticipated could be provided for in central areas, and in my area where sections near corner junctions have rear yards adjacent to side yards.

The ability to build as close as 1m from the boundary to a neighbours side yard would have significant impact on the value and enjoyment of a neighbours property on another even it is in their back garden.

We submit that the more restrictive rear yard setback be used.

| 88.2

Trustees

1. PROPOSED PLAN CHANGE 26 TO THE AUCKLAND UNITARY PLAN.

The proposed change appears to support the protection of special character and heritage through recommending that the provision in the Special Character Areas Overlay will prevail over the corresponding provision in the underlying zone. However, in actual fact, the SCAR Overlay is less restrictive in allowing anyone wanting to develop their property greater freedom to do so. It is not clear how the proposed change will assist owners who want to protect the character and amenity of the Special Character Area where the Single House Zone also applies. It allows more lenient rules about heights and yards, which will lead to much greater density, bulk and heights to the side and rear of properties.

2.2. For example:

2.2.1. Height to Boundary: The Special Character Area Overlay rule for height in relation to boundary defines the envelope based on a 3 metre vertical height and then a 45 degree incline, where the sites have a road fronted boundary less than 15 metres in width. This is far more imposing than the standard of the Single House Zone which is based on a 2.5 metre vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that buildings can be built higher with great bulk and visual impact. It is not clear why bulkier houses should be allowed when the width of the property is less.

2.2.2. Rear Yard: In the rear yard the proposal is to reduce the current 3 metre boundary to just 1 metre. This will allow building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. Relaxing the 3 metre setback for the rear yard will have a highly detrimental impact in areas where sections near corner junctions have rear yards adjacent to side yards. By allowing the Character Overlay to predominate, it puts neighbours in special character and heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy.

2.3. The size and scale of more development to the side and rear of houses in the SCAR Overlay will add visual bulk that will detract from the character features of the area. The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of facadism and is not genuine heritage protection.

2.4. We oppose 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. Remuera Heritage submits that the current 3 metre rear yard should be retained. This will maintain character and amenity values in the area. Having rear yards of only 1 metre will reduce the privacy, tree cover, landscaping, views and general amenity of neighbours and neighbourhoods.

2.5. Environmental effects and privacy. The plan needs to take into account the effects of development on neighbours as well as on streetscape. In particular, we wish to note that when special character and heritage houses were built in the 19th and early 20th centuries, privacy was much easier to maintain. Then there was significantly less light, air and noise pollution from radio, television, music, technology, outdoor living, recreational facilities and

traffic. We want to retain respect for our neighbours and social and community wellbeing in the 21st century. These are now universally acknowledged as being of primary importance to a healthy society. The more restrictive requirements should apply regarding rules, standards and provisions which affect these environmental factors in our communities.

2.6. Also, 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.

2.7. we want all neighbours in special character areas to be notified when there is development proposed on their boundary.

3. In summary, the proposed plan change 26 is less about protecting special character and heritage and more about protecting individual property rights to develop character / heritage houses to the detriment of neighbours, community wellbeing and zoning values in traditional areas like Remuera. we seek that the underlying zone, the Single House zone, prevail over the rules, standards and provisions of the Special Character Areas Overlay, where both are applicable.

88.4

88.5

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kathy Prentice

Organisation name:

Agent's full name:

Email address: kat.pren@gmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1, Standards, D18.6.11 Building Heights, D18.6.1.2 Height in relation to boundary and D18.6.1.3 Yards.

Property address:

Map or maps:

Other provisions:

The Special Character Overlay is the wrong mechanism to protect heritage. It is cumbersome and over complicated to have two sets of rules applying to properties

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

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

The reason for my or our views are:

Height to Boundary: The Special Ch- The plan change will allow greater building heights and densities in the side and rear of character properties. This will have detrimental effects on the heritage value of the buildings and so will not achieve the aims of protection of the character of the area. Character Area Overlay rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard of the Single House Zone which is based on a 2.5m vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact. Rear Yard: In the rear yard the proposal is to reduce the current 3m boundary to just 1m. This will allow building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. I am really concerned about this change in distance to boundary.

Relaxing the 3m setback for the rear yard will have a highly detrimental impact in areas of Devonport where sections near corner junctions have rear yards adjacent to side yards. By allowing the Character Overlay to predominate it puts neighbours in heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy. The size and scale of more development to the side and rear of houses in the SCA will add visual bulk that will detract from the character features of the area. The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of facadism and is not genuine heritage protection.

89.3

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

89.1

Submission date: 24 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

Hi there,

This is a letter in responses to the councils letter we received recently regarding the proposed plan change 26. I would like to have my say on this matter, mainly how it has been affecting the development we are planning for our house and our street, Princes Avenue.

Below is the list of items I feel requires further clarification / change and my reasons.

- I believe the characters/styles outlined in the Schedule 15 Special Character Schedule Statements and Maps for Princes Avenue special area are inaccurate. It is very unreasonable and confusing that the developments on our street are assessed against the Council's Special Character Area Statement which does not truly corresponds to the characters of the street. Therefore, the overlay rules should not take precedent. | 90.1
- As a result of council's flawed statement, we are currently preparing an independent character study and report to support our proposal. The report we prepared would likely contradict with the council's documents and caused further complication. This also means we will spend more time and more consultant fees for our project which won't be compensated. This is a waste of money and resources.
- I think that 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. For example, our existing dwelling/site is very different compared to the other dwellings on the street, in terms of its building mass, and appearance of key architectural elements, and its architectural significance; it also does not match the character / style described in the Special Character Area Statement. I think it's reasonable and fair if proposal like this is given more design flexibility and should be considered under the Single House Zone. I want to stress that the objective of the SCA overlay is to maintain and enhance and it is not about recreating and rebuilding the character / values. | 90.2
- The SCA overlay is written for dwellings that don't need much changes to the building mass and appearance, but the overlay is very tough and unfair on dwellings that has a small existing frontage and incoherent character. These proposals are restricted discretionary activities and subject to notification, which makes them very difficult, costly and time consuming. As a home owner planning one of these difficult project, I feel like I am getting punishments other than supports from the council.
- SCA overlay policies appears to be anti-development, and I don't think this is right. New development and design can also respond positively to the identified special character values and context of the area. I was especially upset when the council planner in the pre-app meeting even warned and reassured us that our proposal would likely go through the costly notification process and tried to scare us to change our proposal.
- Due to all the reasons mentioned above, many of us residents on the street feel that the SCA overlay is very limiting, expensive and difficult. I have strong reasons to believe that my site should be removed from the overlay map. | 90.3

Council's conservative approach made me believe that the overlay devalues my property and made my site less attractive to future buyer.

- I also would like further clarification on what are "D18.6 Standards" and "D18.7 Assessments" and how are they applied. I found the "D18.6 Standards" is very useless and meaningless. It is far easier to comply to numbers and areas requirement, but it does not mean a consistent character value is met. I think there should be one sets of standards i.e. the Single House Zone standards, to keep it simple. The SCA overlay should focus on the architectural and design aspects of the proposal.

90.4

I hope the above is clear and council would consider these when looking at the proposed plan change 26.

Regards,

Sharyn Qu
06/23/2019

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Raymond Johnston

Organisation name:

Agent's full name: RWJohnston

Email address: tamariki@hotmail.com

Contact phone number: 021377447

Postal address:

Auckland
Auckland 0627

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.2. Height in relation to boundary - Why should the underlying (and presuming more restrictive) height in relation to boundary standard apply to a rear site? Also the amendments do not outline or address what is considered as the front or side of a rear site. In our case vehicular access and indeed visibility of the house is from the 'side' of the house and not the 'front' (as defined as the wall facing the roadway, which is otherwise obscured by a front property in our case).

| 91.2
| 91.3

Property address: 5 Council Terrace

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Retaining a 2.5m height on relation to boundary for a rear site in our situation is manifestly unfair. In our case, applying a 3.0m height in relation to boundary does not impact on the streetscape, but would result in better outcomes in terms of being able to address our needs in terms of space for our growing family.

I or we seek the following decision by council: Accept the plan modification with amendments

| 91.1

Details of amendments: Allowing the 3.0m height in relation to boundary to also apply to rear sites, instead of letting the 2.5m underlying rule apply.

Submission date: 24 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

JENNY GRANVILLE

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

Address for service of Submitter

10 RYLE ST FREEMANS BAY 1011

Telephone:

021 185 9345

Fax/Email:

jenny.j.granville@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC-26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D18 - SPECIAL CHARACTER OVERLAY - E38 - SUB.URBAN

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes No

The reasons for my views are:

I believe the plan change is vital in order to provide clarity for development in the special character Area. These rules help manage and retain our heritage areas. These rules should not contain conflicting different standards. The S.C. overlay rules should replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

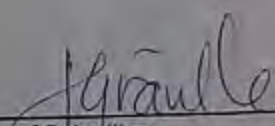
If the proposed plan change / variation is not declined, then amend it as outlined below.

92.1

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing


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

25.6.2019
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Donald James Lyon Catherine Elizabeth Lyon and Professional Trustee Services Ltd

Organisation name:

Agent's full name:

Email address: clyon@xtra.co.nz

Contact phone number: 6421834303

Postal address:
15 Summit Drive
Mt Albert
Auckland 1025
Mount Albert
Auckland 1025

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Special Character Area Overlay as it applies to the property at 42A Kitenui Avenue Mt Albert

Property address: 42A Kitenui Avenue Mount Albert

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

With the addition of further development restrictions, subdivision controls and assessment criteria over and above those of the underlying zoning, the effect of the provisions are to severely constrain future development of this site (which already contains a multi-unit development) and others in the same street and neighbourhood which no longer have the special character which the overlay seeks to protect. For clarity we do not oppose the purpose or controls of the special character overlay per se, in fact we support them being applied to appropriate sites and neighbourhoods. However we believe it is inappropriate to apply the overlay to the site at 42A Kitenui Avenue, which is a rear site, without street appeal and already containing 4 brick and tile units from the 1950's. The controls of the

overlay and the restrictions they create are simply not relevant or appropriate for this site or others close by that already contain multi unit developments and/or do not face the street. The effect of the overlay is to restrict future intensification potential on a site suitable for that purpose and we note that such intensification potential is wholly consistent with the purposes of the Auckland Unitary Plan to promote good urban development close to transport nodes on the Isthmus and hence mitigate the adverse impacts of urban sprawl.

I or we seek the following decision by council: Accept the plan modification with amendments

| 93.1

Details of amendments: 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.

| 93.2

Submission date: 25 June 2019

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stephen A Nielsen

Organisation name:

Agent's full name:

Email address: sunjamr@earthlink.net

Contact phone number:

Postal address:

3 Lytton St
Devonport
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.4.1 - Activity Table (A1)

Property address: 3 Lytton St

Map or maps:

Other provisions:

Activities that are Permitted.

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

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

The reason for my or our views are:

My house is a plaster-clad house. I am planning to re-clad it with weatherboard, similar to the other houses in my neighbourhood. At the moment, I can apparently do this without a resource consent. It appears that if this plan change is approved, according to D18.4.1, I would then need a resource consent, since re-cladding is not listed as a Permitted activity. Re-cladding is not technically a "restoration and repair" activity, it is a modification to the appearance of the building. I would like to see D18.4.1(A1) modified to say "Restoration and repair (including re-cladding) to a building on all sites in the Special Character Areas Overlay..." If this plan change requires a resource consent for re-cladding, then I and many other owners of plaster clad houses will simply leave them as is, which

most people consider to be out of character with the neighborhoods. Therefore I consider that it's very important to clarify this issue. Other than this issue, Plan Change 26 is acceptable to me.

I or we seek the following decision by council: Accept the plan modification with amendments

| 94.1

Details of amendments: See above.

Submission date: 25 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

25 June 2019

Re : Unitary Overlay Plan. Proposed Plan Change 26 – Herne Bay Area

Dear Council Planning

In response to the Unitary Plan Change we would like to formally submit our concerns in response to the proposed changes for the Herne Bay area. There are many old and established family homes on full sections in the Herne Bay area in which families move in to bring up their children. We feel that 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. This is also what our homes are insured for. The homes built in Herne Bay were built for the landscape and to fit in with the unique surrounding area, which is why people move into the area. Obviously, homes and land would be greatly devalued if this plan was passed through, and rates would need to be reduced accordingly. Herne Bay residents contribute more than their fair share of rates to compensate for the homes and or land which is a unique part of the area and why it appeals to many.

95.1

The special feature of Herne Bay area is that people live on larger sections with family homes built in proportion to the section. We 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 as an example -- someone who has a site of **500m²** would be limited to 40% of site ie. 200m² and which larger homes on half sites are part of Herne Bays uniqueness and should be able to build in accordance to their section size. Also, if a property fit into the next category by 1m² - ie. **501m²** they would only be able to build on 35% of their site which would be 175m² - a smaller house for the sake of 1m² which makes no sense. It will devalue the homes and the area. Much has been spent on landscaping and parking space to suit the homes and section sizes, and many people are privately employed to service the area for curb appeal so gardens and parking areas or special feature parking under houses is a unique part of people living here and upkeep is maintained to a high standard including berm areas making Auckland a diverse, desirable and liveable place for all.

95.2

If this part of Herne Bay area is designated as high density; the landscape and surrounding area would change dramatically and would of course need more council upkeep, and the area would no longer be a desirable place to live for locals who have moved in for the home sizes, sections, landscapes and surroundings to bring up families, and of course would not be worth the upkeep, if the overall value of the house, and living in the area has been taken away. Perhaps other destinations may then be become more desirable to live in, which in turn would require moving businesses and employment out of Auckland also. It would be good if Auckland Council can reserve some areas with homes built in proportion to section sizes as a unique liveable part of Auckland City landscape and keep Auckland as a desirable diverse city which is inclusive of everyone to live in.

95.3

We therefore would like the Auckland Council to 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.

95.4

Yours sincerely

Adam and Sue Berry

26 Bella Vista Road

Herne Bay 1011

Auckland

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Colin and Jocelyn Weatherall

Organisation name:

Agent's full name: David Wren

Email address: david@davidwren.co.nz

Contact phone number: 098150543

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

The entire Plan Change

Property address:

Map or maps:

Other provisions:

Please see attached document

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

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

The reason for my or our views are:

See attached document

I or we seek the following decision by council: Accept the plan modification with amendments

| 96.1

Details of amendments: See attached document

Submission date: 25 June 2019

Supporting documents

Submission PC26 Cand J Weatherall.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Proposed Plan Change 26 - Submission

1. This document supports the submission from Colin and Jocelyn Weatherall on Proposed Plan Change 26 (**PC26**) to the Auckland Unitary Plan.

Provisions Subject to this Submission.

2. This submission concerns the entire PC26 and specifically the following provisions
 - D18.4 Activity Table
 - 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)
 - D18.6.1.2. Height in relation to boundary
 - D18.6.1.3. Yards
 - D18.8.1. Matters of discretion
 - E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business

Reasons for Submission

3. Introduction

4. Overall the direction the direction of PC26 is supported as it provides a solution to the complicated situation currently facing applicants dealing with proposals that are subject to the Special Character Area overlay. To the extent that PC 26 resolves the current cumbersome requirements, the plan change is supported subject to the changes outlined below and in the alternative relief sought in paragraph 31.
5. It is submitted that subject to the changes outlined below PC26 will be in accordance with the purpose and principle of the Resource Management Act 1991.

6. D18.4 Activity Table

7. The changes proposed to the introduction to the activity table state that where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 takes precedence over the activity status in the underlying zone.
8. The use of the term ‘take precedence’ in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This

therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion as to which activity rules apply.

96.2

9. 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)

10. The changes proposed to paragraph (a) are unusual in that they will create the situation where activities that are fully discretionary or non-complying will be subject to the development standards in D18.6.1. This is inconsistent with the approach taken elsewhere in the Unitary Plan. It is submitted that this clause should be amended to relate to only permitted, controlled and restricted discretionary activities.

96.3

11. D18.6.1.2. Height in relation to boundary

12. The introduction of different height in relation to boundary rules for sites of less than 15m wide and those of 15m wide or greater is inappropriate and will result in anomalies. Firstly in many areas there is no difference in the style and shape of buildings based on the width of the site. Most corner sites, no matter where they are located will be detrimentally affected for no planning reason other than they are corner sites.

13. The use of a 15m cut off point for the imposition of the rule is arbitrary and ignores the fact that even on larger sites the stud height of older houses is higher than most modern houses and that makes the 3m and 45 degree height to boundary standard appropriate. The location of existing buildings on site is more of a determinant of ability to comply with the height to boundary standards than the width of the site.

14. It is submitted that this distinction should be removed.

96.4

15. D18.6.1.3. Yards

16. The removal of the rear yard rule is supported.

17. It is submitted that the side yard should be removed also. In most cases the actual side yard in areas subject to the Special Character Overlay will have small side yards, in many cases less than 1m (which is the main underlying standard). Imposing a 1.2m yard is inconsistent with the new stated purpose of the rule and has nothing to do with streetscape. A standard side yard approach as per the underlying zone is adequate for most situations and this will not

96.5

impact on streetscape.

18. D18.6.1.7. Fences and walls and other structures

19. The changes proposed to the fencing rules are generally supported however the rule does not sufficiently allow for corner sites where there were typically higher fences along the long front boundary. It is submitted that the rule be amended to allow a 2m high fence along the longerfront boundary of corner sites. This will enable fencing to match the traditional type of fencing provided in the older areas of Auckland and for residents to obtain privacy in their rear yards.

96.6

20. D18.8.1. Matters of discretion

21. PC 26 introduces a cross reference in respect of matters for discretion to the matters of discretion for the standard (or equivalent standard) in the underlying zone. It is submitted that these matters should be self contained within the overlay as the rules replace the rules in the underlying zone. Referencing back to the underlying zone where there are different rules will cause confusion especially where the purposes of the rules are different.

96.7

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

23. PC 26 introduces a new clause (3) which states that the subdivision net site area controls in Table E38.8.2.6.1 take precedence over those in Table E38.2.3.1.

24. The use of the term 'take precedence' in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion.

96.8

25. Changes Requested.

26. I seek the following changes to PC26 (Additions underlined and deletions struck through). These changes seek to clarify how the proposed changes to the rules should work and to give effect to this submission.

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.

Where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 ~~takes precedence over~~ replaces the activity status in the underlying zone (whether or not that activity status is more restrictive).

Where an activity is not provided for in Table D18.4.1, the activity will have the activity status provided in the underlying zone. All other relevant overlay, precinct, Auckland- wide and general rules apply.....

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)

a) All activities that are listed as permitted, controlled or restricted discretionary activities – 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 development standards.

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

- retain the character of the streetscape;
- enable a built form that reflects the identified character of the area; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects.

(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 where:

~~(a) The site has a frontage length of less than 15m~~

~~(i) For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.~~

~~(2) The underlying zone height in relation to boundary standard applies where: (a) The site has a frontage length of 15m or greater; or~~

~~(b) The site is a rear site.~~

.....

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 |

D18.6.1.7. Fences and walls and other structures

Purpose:

- To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.

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

(a) On the front boundary or between the front façade of the house and the front boundary, 1.2m in height. (except that on corner sites this rule shall apply only on the shorter frontage)

(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.

(c) 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. The front facade Houses on corner sites ~~have two front facades~~ is the front facade facing the shorter frontage of the site.

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

D18.8.1. Matters of discretion

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

D18.8.1.1. Special Character Areas Overlay - Residential

.....

(3) For an infringement of the any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:

(a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement; and

Note 1

Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

(b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.

~~(c) the matters of discretion for the standard (or equivalent standard) in the underlying zone.~~

(c) any policy which is relevant to the standard;

(d) the purpose of the standard;

(e) the effects of the infringement of the standard;

(f) the effects on the amenity of neighbouring sites;

(g) the effects of any special or unusual characteristic of the site which is relevant to the standard;

(h) the characteristics of the development;

(i) any other matters specifically listed for the standard; and

(j) where more than one standard will be infringed, the effects of all infringements.

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

27. Other Changes

28. Any alternative and additional changes to PC26 that would provide for the matters set out in this submission. | 96.9
29. Any other consequential or alternative amendments arising from these changes. | 96.10
30. Subject to the above changes the plan change is supported and should not be changed.
31. It is submitted that the Special Character Overlay effectively is a de-facto zone in its own right. It is submitted that the Council 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. | 96.11

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter Ng

Organisation name:

Agent's full name: David Wren

Email address: david@davidwren.co.nz

Contact phone number: 098150543

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
The entire plan change

Property address:

Map or maps:

Other provisions:
See attached sheet

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

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

The reason for my or our views are:
See attached document

I or we seek the following decision by council: Accept the plan modification with amendments

| 97.1

Details of amendments: See attached document

Submission date: 25 June 2019

Supporting documents
Submission PC26 Peter Ng.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Proposed Plan Change 26 - Submission

1. This document supports the submission from Peter Ng on Proposed Plan Change 26 (**PC26**) to the Auckland Unitary Plan.

Provisions Subject to this Submission.

2. This submission concerns the entire PC26 and specifically the following provisions
 - D18.4 Activity Table
 - 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)
 - D18.6.1.2. Height in relation to boundary
 - D18.6.1.3. Yards
 - D18.8.1. Matters of discretion
 - E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business

Reasons for Submission

3. Introduction

4. Overall the direction the direction of PC26 is supported as it provides a solution to the complicated situation currently facing applicants dealing with proposals that are subject to the Special Character Area overlay. To the extent that PC 26 resolves the current cumbersome requirements, the plan change is supported subject to the changes outlined below and in the alternative relief sought in paragraph 31.
5. It is submitted that subject to the changes outlined below PC26 will be in accordance with the purpose and principle of the Resource Management Act 1991.

6. D18.4 Activity Table

7. The changes proposed to the introduction to the activity table state that where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 takes precedence over the activity status in the underlying zone.
8. The use of the term 'take precedence' in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This

therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion as to which activity rules apply.

97.2

9. 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)

10. The changes proposed to paragraph (a) are unusual in that they will create the situation where activities that are fully discretionary or non-complying will be subject to the development standards in D18.6.1. This is inconsistent with the approach taken elsewhere in the Unitary Plan. It is submitted that this clause should be amended to relate to only permitted, controlled and restricted discretionary activities.

97.3

11. D18.6.1.2. Height in relation to boundary

12. The introduction of different height in relation to boundary rules for sites of less than 15m wide and those of 15m wide or greater is inappropriate and will result in anomalies. Firstly in many areas there is no difference in the style and shape of buildings based on the width of the site. Most corner sites, no matter where they are located will be detrimentally affected for no planning reason other than they are corner sites.

13. The use of a 15m cut off point for the imposition of the rule is arbitrary and ignores the fact that even on larger sites the stud height of older houses is higher than most modern houses and that makes the 3m and 45 degree height to boundary standard appropriate. The location of existing buildings on site is more of a determinant of ability to comply with the height to boundary standards than the width of the site.

14. It is submitted that this distinction should be removed.

97.4

15. D18.6.1.3. Yards

16. The removal of the rear yard rule is supported.

17. It is submitted that the side yard should be removed also. In most cases the actual side yard in areas subject to the Special Character Overlay will have small side yards, in many cases less than 1m (which is the main underlying standard). Imposing a 1.2m yard is inconsistent with the new stated purpose of the rule and has nothing to do with streetscape. A standard side yard approach as per the underlying zone is adequate for most situations and this will not

97.5

impact on streetscape.

18. D18.6.1.7. Fences and walls and other structures

19. The changes proposed to the fencing rules are generally supported however the rule does not sufficiently allow for corner sites where there were typically higher fences along the long front boundary. It is submitted that the rule be amended to allow a 2m high fence along the longerfront boundary of corner sites. This will enable fencing to match the traditional type of fencing provided in the older areas of Auckland and for residents to obtain privacy in their rear yards.

97.6

20. D18.8.1. Matters of discretion

21. PC 26 introduces a cross reference in respect of matters for discretion to the matters of discretion for the standard (or equivalent standard) in the underlying zone. It is submitted that these matters should be self contained within the overlay as the rules replace the rules in the underlying zone. Referencing back to the underlying zone where there are different rules will cause confusion especially where the purposes of the rules are different.

97.7

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

23. PC 26 introduces a new clause (3) which states that the subdivision net site area controls in Table E38.8.2.6.1 take precedence over those in Table E38.2.3.1.

24. The use of the term 'take precedence' in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion.

97.8

25. Changes Requested.

26. I seek the following changes to PC26 (Additions underlined and deletions struck through). These changes seek to clarify how the proposed changes to the rules should work and to give effect to this submission.

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.

Where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 ~~takes precedence over~~ replaces the activity status in the underlying zone (whether or not that activity status is more restrictive).

Where an activity is not provided for in Table D18.4.1, the activity will have the activity status provided in the underlying zone. All other relevant overlay, precinct, Auckland- wide and general rules apply.....

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)

a) All activities that are listed as permitted, controlled or restricted discretionary activities – 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 development standards.

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

- retain the character of the streetscape;
- enable a built form that reflects the identified character of the area; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects.

(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 where:

~~(a) The site has a frontage length of less than 15m~~

~~(i) For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.~~

~~(2) The underlying zone height in relation to boundary standard applies where: (a) The site has a frontage length of 15m or greater; or~~

~~(b) The site is a rear site.~~

.....

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 |

D18.6.1.7. Fences and walls and other structures

Purpose:

- To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.

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

(a) On the front boundary or between the front façade of the house and the front boundary, 1.2m in height. (except that on corner sites this rule shall apply only on the shorter frontage)

(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.

(c) 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. The front facade Houses on corner sites ~~have two front facades~~ is the front facade facing the shorter frontage of the site.

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

D18.8.1. Matters of discretion

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

D18.8.1.1. Special Character Areas Overlay - Residential

.....

(3) For an infringement of the any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:

(a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement; and

Note 1

Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

(b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.

~~(c) the matters of discretion for the standard (or equivalent standard) in the underlying zone.~~

(c) any policy which is relevant to the standard;

(d) the purpose of the standard;

(e) the effects of the infringement of the standard;

(f) the effects on the amenity of neighbouring sites;

(g) the effects of any special or unusual characteristic of the site which is relevant to the standard;

(h) the characteristics of the development;

(i) any other matters specifically listed for the standard; and

(j) where more than one standard will be infringed, the effects of all infringements.

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

27. Other Changes

28. Any alternative and additional changes to PC26 that would provide for the matters set out in this submission. | 97.9
29. Any other consequential or alternative amendments arising from these changes. | 97.10
30. Subject to the above changes the plan change is supported and should not be changed.
31. It is submitted that the Special Character Overlay effectively is a de-facto zone in its own right. It is submitted that the Council 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. | 97.11

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

MARY HELEN HARE

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

Address for service of Submitter

51 MAUNGAWHAU ROAD EPSOM AUCKLAND 1023
+ SIA

Telephone:

09.5203336

Fax/Email:

09.522.2596

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

PC 26

Or

Property Address

51 MAUNGAWHAU RD EPSOM + SIA

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

(continue on a separate sheet if necessary)

I seek the following decision by Council:

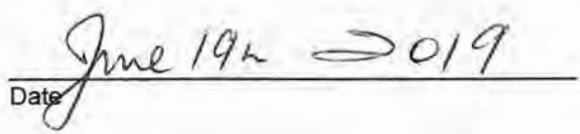
- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

| 98.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



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



Date

Notes to person making submission:
If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete the following:
I am / am not directly affected by an effect of the subject matter of the submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Isabella Huihana Tedcastle

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

Address for service of Submitter

114 Long Drive St. Heliers Auckland 1071

Telephone:

09 5755 323

Fax/Email:

i20.ted@xtra.co.nz

Contact Person: (Name and designation, if applicable)

(I only take messages off or push reply)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

Or

Property Address

114 Long Drive St. Heliers.

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are: I attended a meeting earlier on the unitary plan which had restrictions on my property, I find the proposal difficult to understand and that further restrictions are to be imposed in what seems a 'blanket' implication. Too short a time given to follow up. (continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

J.H. Loderelle M.N.Z.M.
Signature of Submitter
(or person authorised to sign on behalf of submitter)

14. 06. 19
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

I had a person print this off for me. Your letter was dated 30th May & submission were 30 May - 28th June. I received 8th June and then out of town, so difficult to seek further information as I am not a computer user. Posting today the 14th. Thank you.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms/Full
Name) Full

Xiaoli Jing

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

Address for service of Submitter

P O Box 15799, New Lynn, Auckland

Telephone:

021-2395277

Fax/Email:

dragon9988@gmail.com

Contact Person: (Name and designation, if applicable)

George WANG 021-1591367

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

Or

Property Address

130 Balmoral Rd, Mt Eden, Auckland

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

See Attachment 1

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

Some properties are not affected by the change, which include 130 Balmoral Rd, Mt Eden, Auckland

100.1

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

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

22/6/2019

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Attachment 1

I am one the owners of 130 Balmoral Rd, Mt Eden, Auckland.

When I purchased this property in 2013, the property is zoned 6b. Later the Auckland Unitary Plan changed it to single house zone. At that time I did not have too much knowledge about the zoning information so I did not make any submission.

Changing the zone from 6b zone to single house zone means the property is not able to be subdivided in the future. Given the general purpose of the Unitary Plan is to release more lands and to increase density, changing the property from 6b zone to single house zone is unusual unless it serves more important purposes.

First, our property is near to the main road, namely Balmoral Rd. Normally the properties near to main road are designed to have high density.

Secondly, our property is situated in a relatively separated neighbourhood which can only be accessed through a long driveway. The properties which can be accessed through the long driveway includes 128A, 128B, 128C, 130, 130A and 130B. 128A, 128B and 128C are all newly built properties with a land area around 300m² each. 130A and 130B includes 22 units. Only our property at 130 is a single house with a land area of 909m². Then I would ask, for what good purpose shall our property be changed from 6b zone to single house zone, as it is surrounded by high density units and small land new dwellings. This change is quite arbitrary and against common sense.

Now I again receive your notice that my property is under special character areas overlay and more restrictive rules will apply to it. I do not understand why my property should be under special character areas overlay, because my neighbourhood does not have special character, they are all high density units and small land new dwellings.

I submit to change my property to mixed urban zone, and that it should not be under special character areas overlay. I am also against the idea that the rules under special character areas overlay shall prevail over the rules of underlying residential zone, at least this change should not apply to my property.

100.2

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Keen Trusts Partnership

Organisation name:

Agent's full name:

Email address: keen.as@xtra.co.nz

Contact phone number:

Postal address:
49 Fern Glen Road South
St Heliers
Auckland 1071

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 59 Ardmore Road, Ponsonby, Auckland 1011

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

From our understanding we believe that there are no specific changes to the building coverage maximum, landscaped area, building height and height in relation to boundary. This enables improvements to homes in the Special Character Area Overlay without compromising historical character. Therefore, we support in full the Proposed Plan Change - Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions within the Auckland Unitary Plan.

I or we seek the following decision by council: Accept the plan modification

Submission date: 25 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

PROPOSED PLAN CHANGE 26 - SPECIAL CHARACTER AREAS OVERLAY

SUBMISSION BY M.CAROL SCOTT : 2 pages.

24TH JUNE 2019

This plan change has numerous problems that work against the protection of the Auckland character/heritage areas in the way that it claims to do. :-

- 1) Council has undemocratically chosen to notify and provide information to only a selected number of rate-payers.
- 2) The information provided explains the intentions of the plan change, but does not give any details about how these intentions are to be achieved.
- 3) The opportunity to send a submission is restricted to 1 month, which is completely inadequate for submitters who are at work all day with limited spare time.
- 4) The language and format of the information required to understand PPC 26 is outside the knowledge of submitters whose training is not in this field. Also the material is often dense, technical, vague, and unclear and therefore obscures what is actually planned by Council. This makes it impossible for submitters to make a fair assessment of the plans.
- 5) The need to create PPC 26 is due to a failure of Council to correctly establish the appropriate material when developing the Unitary Plan. The least that Council could do in these circumstances is to provide easy access to clear and accessible material for all Aucklanders to take part in. This has not what has been provided.
- 6) The vague and imprecise language of the plan, which uses words like "refine" and "manage", allows council officers to use their discretion well beyond what should be allowed and what would best support the character/heritage areas they are meant to protect. This excess use of discretion by council planners is clearly evidenced by the property at the Character Overlay Area of 36 Hinemoa St, Birkenhead, where despite clear rules identifying the importance of maintaining character streetscape, planners have allowed the complete visual obliteration of the original villa on the section. Nothing in PPC 26 acknowledges this flaw or works to prevent this inappropriate level of officers' discretion.
- 7) PPC 26's intentions seem to be weighted on the side of those who wish to develop or redevelop their properties in these special areas, rather than assisting owners who wish to protect the character/heritage features of their homes.

102.1

8) The plan introduces a greater use of smaller yards, especially by drastically reducing the 3m rear yard, which could lead to extreme loss of space which has been an important feature of heritage areas. This is a major detrimental change.

9) It seems clear that this plan change is not what it pretends to be. In reality, the proposed changes are not designed to protect our heritage areas, but are an attempt to allow changes to the special amenities and buildings of these areas by detrimentally encouraging changes which will destroy them.

102.1

Changes Sought

That all residents living in Special Character Overlay Areas are informed by mail about Proposed Plan Change 26 with a clear summary of the changes, including explanations.

That the submission period is extended over July 2019.

That rear yards be restored to 3m.

102.2

That there be a suitable greater restriction on two-storey houses, eg larger yards.

102.3

M.Carol Scott

12 Bridge View Rd

Birkenhead

Auckland 0626

Submission to the Auckland Council regarding Proposed Plan Change 26

I would like to recommend that 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.

| 103.1

It is a pleasure to walk this street and enjoy viewing large houses and beautiful architecture of past times. As well as this, I believe that tall, mature trees are able to be preserved largely because of the rule that land cannot be subdivided under 1000 square metres to accommodate more than one dwelling.

| 103.2

| 103.3

I hope the historicity of Arney Road will not be lost to future generations and developers will not have opportunity to spoil it.

That sums up my submission.

Rosemary McElroy
54 Arney Road,
Remuera.
Auckland 1050

Email: mike.posie@xtra.co.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Praveen Bondili

Organisation name:

Agent's full name:

Email address: praveentej1330@gmail.com

Contact phone number: 0212167256

Postal address:
16 Claude road
Manurewa
Auckland 2102

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 16 claude road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Benefits for new dwelling property

I or we seek the following decision by council: Accept the plan modification

Submission date: 25 June 2019

Attend a hearing

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

| 104.1

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Neil Harnisch

Organisation name:

Agent's full name:

Email address: 21nehi21@gmail.com

Contact phone number:

Postal address:
P.O.Box 32441
Devonport
Auckland 0744

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Your information necessary to clearly understand the scope of the proposed changes is inadequate. What is provided is detail building restrictions but no overview of all effected areas and no maps to see zone boundaries of SCA.

Property address: 17 St Aubyn Street

Map or maps: You do not provide any!

Other provisions:

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

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

The reason for my or our views are:

Regarding Attachment 6 Proposed Plan Change 26: Amendments to Chapter D18 & Chapter E38
Concern 1: No map or graph is offered to show where any or all these Special Character Area Overlays are within the Auckland Unitary Plan. Indeed it is necessary to understand the boundaries of specific zones. Having the complete picture gives insights into planners' agendas. NB the statement "Schedule 15 Special Character Schedule, Statements and Maps" is insufficient and should be attached to this document or a link given. I entered "Schedule 15 Special Character Schedule, Statements and Maps into the Council search field on the "Proposed Plan Changes" page and scrolling through all responses turned up nothing of that ilk. WHY DO YOU MAKE IT DIFFICULT TO FIND KEY INFORMATION? Concern 2: The Activity Status column in Table D18.4.1 Activity table –

Special Character Areas Overlay – Residential appears to lack a legend notation to explain the significance of the letters. E.g. P or RD – supposing it is PERMITTED & RESTRICTED???

| 105.3

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 105.1

Details of amendments: You must show SCA zones in information!

| 105.2

Submission date: 25 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Dougall Kraayvanger

Organisation name:

Agent's full name:

Email address: dougalk@hotmail.com

Contact phone number:

Postal address:
46 Pompallier Terrace
Ponsonby
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Chapters D18 & E38

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Whilst these areas are very special area architecturally I would suggest that hard and fast rules about fencing and frontages should not be prescriptive given the fact of the close living that sometimes occurs in my neighbourhood - I live a metre and half from my neighbours on either side and I would like to think that none of us want to look in on each other 24/7 - this can be done sensitively so no exception rules I don't think are the answers especially on side boundaries. As for frontages many of us are very close to the street so a little protection from the day to day pedestrian traffic would be helpful.

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 106.1

Details of amendments: Variations to side boundary and frontage rules should be relaxed to allow for close living and protection from public uninvited access.

| 106.2

Submission date: 25 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Mrs Robyn Rosemary Cameron

Organisation name:

Agent's full name:

Email address: cameronrobyn@gmail.com

Contact phone number:

Postal address:
5 Tudor Street
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1, Standards, D18.6.1.1 Building Heights, D18.6.1.2 Height in Relation to Boundary and D18.6.1.3 Yards

107.2 107.3
107.4 107.5

Property address: 5 Tudor Street (and the surrounding area)

Map or maps:

Other provisions:

The Special Character Overlay is the wrong mechanism to protect heritage. It is cumbersome and over complicated to have two sets of rules applying to properties.

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

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

The reason for my or our views are:

Height to Boundary. The Special Character Overlay. The plan change will allow greater building heights and densities in the side and rear of character properties. This will have detrimental effects on the heritage value of the buildings and so will not achieve the aims of protection of the character of the area. Character Area Overlay rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline.. This is far more imposing than the standard of the Single House Zone which is based on a 2.5m vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that buildings can be built higher with great bulk and visual impact. Rear yard. In the rear yard the proposal is to reduce the current 3m boundary to just 1m. This

will allow building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. Relaxing the 3m setback for the rear yard will have a highly detrimental impact in areas of Devonport where sections near corner junctions have rear yards adjacent to side yards. By allowing the Character Overlay to predominate it puts neighbour in heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy. The size and scale of more development to the side and rear of houses in the SCA will add visual bulk that will detract from the character features of the area. The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of façadism and is not genuine heritage protection.

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

107.1

Submission date: 26 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------------------------|
| For office use only Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Tracy Hayson, Hayson Knell Ltd

Organisation Name (if submission is made on behalf of Organisation) on behalf of Gull NZ Ltd

Address for service of Submitter

PO Box 381, Tauranga 3140

Telephone: Fax/Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

The specific provisions that my submission relates to are:

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

Plan provision(s)

Or
Property Address

Or
Map

Or
Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

See attachment.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below | 108.1
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.
- Apply Business Special Character Areas Overlay provisions to Business zoned sites. | 108.2

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



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

26 June 2019
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

The reasons for my views are:

The plan change seeks to clarify and give dominant weighting to the Special Character Areas Overlay where there is conflict with the underlying zone provisions.

The site at 66 Vauxhall Road (and nearby sites) are zoned Business-Neighbourhood Centre. The Special Character Areas Overlay that applies to these sites is a Residential overlay (as identified on the AUP planning maps). The rules for the overlay are at odds with the business zoning of the site and the intended use of the land. Where a Special Character Areas Overlay applies to Business zoned sites it is more appropriate to apply the Business character overlay provisions (D18.6). The dominant weighting can then be applied to the Business Character Overlay rules, over the zone provisions.

This acknowledges the commercial use of land has different characteristics than residential use in form and function. For example, site coverage, impermeable surfaces and landscaping provisions should reflect the commercial development of the sites.

Hi Team

Please accept this as our feedback submission for your proposed Special Character Areas Overlay within the Auckland Unitary Plan for the property situated at 19 Taupata Street, Mount Eden.

Background and context: We have reviewed your proposed changes and have spoken to you to seek further clarity on what the plan means for us.

Our buildings are 1970s constructed concrete block units. They are not in line with the lovely character villas in the street they are situated.

Should we wish to develop these buildings, we would be significantly improving on the quality of housing that is currently there, the visual appeal of the property and the streetscape. We would be creating something more visually appealing and better in **terms of health and wellbeing of the residents. But, it would not be in the 'special character' of the surrounding area.**

Proposal: We would like to suggest that 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 are trying to preserve.

109.1

Thanks
Abbie

Abbie.Blacktopp@anz.com

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

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

KTW Systems LP

Address for service of Submitter

c-/ Rachel Dimery, Dimery Consulting Limited, Level 7, 2 Kitchener Street, Auckland Central 1010

Telephone:

09 377 5054

Fax/Email:

rachel@dimery.co.nz

Contact Person: Rachel Dimery

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

Please refer to the attached.

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

Please refer to the attached.

The reasons for my views are:

Please refer to the attached.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below | 110.1
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

Please refer to the attached.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



26/06/2019

Rachel Dimery, duly authorised to sign on behalf of KTW Systems LP

Date

Notes to person making submission:

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Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I ~~could~~ / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

| Submission Point | Specific provision of Proposed Plan Change 26 that the submission relates to: | Submission – support/oppose/amendments sought: | Reasons for my submission: | Relief Sought from Auckland Council (shown highlighted in yellow and in strikethrough and underline): |
|------------------|---|--|--|---|
| 1. | General | Amendments sought | <p>KTW Systems LP owns 5 Palmerston Road, Birkenhead, North Shore.</p> <p>KTW Systems LP considers that the provisions of Proposed Plan Change 26 do not appropriately protect the views and amenity value enjoyed at 5 Palmerston Road from future development of neighbouring properties.</p> <p>KTW Systems LP considers that Proposed Plan Change 26 does not effectively ensure that an appropriate level of development can occur on the property at 5 Palmerston Road and on other neighbouring properties, having regard to the special character of the neighbourhood. The rule and standards framework should distinguish between rear sites and those fronting the street.</p> <p>KTW Systems LP considers that relevance of the objectives and policies in the underlying zone should be clarified, given the overlay does not contain any corresponding objectives or policies to address broader amenity values e.g. on-site amenity (both of the site and adjoining sites); and other effects such as stormwater run-off.</p> | <p>KTW Systems LP seeks amendment to the provisions to provide for:</p> <ul style="list-style-type: none"> a) the preservation of views from a dwelling at 5 Palmerston Road and amenity values on this site; b) appropriate development is enabled at 5 Palmerston Road; c) 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. <p>KTW Systems LP seeks further, consequential or alternative relief as may be necessary, desirable, or</p> |

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110.4

110.5

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|----|---|-------------------|--|--|-------|
| | | | <p>The section 32 evaluation has been prepared with reference to the purpose of proposal when it should in fact refer to the objectives of the existing plan. In other words, the proposal is a change to an 'existing proposal' under s32(3). The objectives of the existing plan would remain if the plan change takes effect and are therefore relevant to the s32 evaluation.</p> | <p>appropriate to give effect to the decision sought.</p> | 110.5 |
| 2. | <p>Activity Table D18.4</p> <p>Preamble</p> | Amendments sought | <p>The wording lacks clarity. It is unclear whether 'precedence' is intended to mean that only the Special Character Areas Overlay activity status applies and cancels out the activity status in the underlying zone. The proposed wording as notified could also be read to mean that the Special Character Areas Overlay activity status takes priority over the activity status in the underlying zone, but that the activity status in the underlying zone also applies.</p> <p>The introduction in the Section 32 Evaluation would suggest that it is intended that only the Special Character Areas Overlay activity status</p> | <p>Amend the second paragraph under the heading D18.4 as follows:</p> <p><i>Where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status also specified in the activity table for # in the underlying zone, then the activity status in table D18.4.1 takes precedence over the activity status in the underlying zone (whether or not that activity status is more restrictive) applies and the</i></p> | 110.6 |

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| | | | applies. For the avoidance of doubt, amendments should be made to clarify this. | <u>activity status in the underlying zone does not apply.</u> |
| 3. | Activity Table D18.4 Preamble | Support | The wording of the third paragraph is supported, as it clarifies the activity status of activities not listed in Table D18.4.1. This will assist with the consistent administration of the plan. | Retain the third paragraph under the heading D18.4. The wording as notified is included below: <i><u>Where an activity is not provided for in Table D18.4.1, the activity will have the activity status provided in the underlying zone. All other relevant overlay, precinct, Auckland-wide and general rules apply.</u></i> |
| 4. | Table D18.4.1 Activity Table (A5A) | Amendments sought | The wording of the activity does not follow the same format as the other activities in the table and other chapters in the AUP(OP). Clause D18.6.1 states that all activities listed in Table D18.4.1 must comply with the development standards. It is therefore unnecessary to repeat this in the rule in the activity table. Deleting this text would be consistent with the format of the activity tables in other chapters of the AUP(OP). | Amend (A5A) as follows: <i><u>New fences and walls, and alterations to existing fences and walls that comply with Standard D18.6.1.7(1)</u></i> |

110.7

110.8

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|----|--|-------------------|--|---|--------|
| 5. | Table D18.4.1 Activity Table (A5B) | Amendments sought | Rule C1.9(2) applies and there is no need to list non-compliances with a standard as an activity in Table D18.4.1. | Delete (A5B) in its entirety (shown as strikethrough below): (A5B) New fences and walls and alterations to existing fences and walls that do not comply with Standard D18.6.1.7(1) RD | 110.9 |
| 6. | Standard D18.6.1 | Support | The wording of this provision as proposed makes it clear that the development standards in the overlay are the only development standards that apply. | Retain D18.6.1 subclauses (a) and (b) as notified. | 110.10 |
| 7. | D18.6.1.1 Building Height | Support | The addition of text explaining the purpose of the development standard is supported. | Retain D18.6.1.1 as notified. | 110.11 |
| 8. | D18.6.1.2 Height in relation to boundary | Amendments sought | <p>The development standard as proposed states that rear sites are subject to the underlying zone height in relation to boundary. This will result in perverse outcomes, where front sites have a larger building envelope and impose greater impacts on adjoining rear sites e.g. greater dominance and shading effects.</p> <p>This amounts to effectively a spot zoning of rear sites. This will have economic costs for property</p> | <p>Amend D18.6.1.2(2) as follows:</p> <p>(2) The underlying zone height in relation to boundary standard applies where:</p> <p>(a) The the site has a frontage length of 15m or greater.; or</p> <p>(b) The site is a rear site.</p> | 110.12 |

| | | | | |
|-----|-----------------------------------|---------|--|---------------------|
| | | | owners as it will diminish the development potential of rear sites. | |
| 9. | D18.6.1.3 Yards | Support | The provision as proposed clarifies that the development standards applying to rear yards are those specified in the underlying zone. This is supported as it better reflects existing development patterns. Furthermore, development in rear yards does not impact on streetscape values. | Retain as notified. |
| 10. | D18.6.1.4 Building coverage | Support | The provision as proposed appropriately reflects existing development patterns and legacy development standards for the Birkenhead area (35% building coverage). | Retain as notified. |
| 11. | D18.6.1.6 Maximum impervious area | Support | The provision as proposed appropriately reflect existing development patterns and legacy development standards for the Birkenhead area (60% impervious area for sites 500m ² – 1,000m ²). | Retain as notified. |
| 12. | D18.6.1.7 Fences and walls | Support | The provision as proposed enables fences and walls up to 2m in height on rear boundaries and within rear yards. This is supported, as fences and walls on rear sites will not generate effects on streetscape values. | Retain as notified. |

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| 110.14

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| 110.16

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| 13. | D18.8.1.1(3)(c) Matters of discretion | Support | The provision as proposed applies the matters of discretion for the standard in the underlying zone. This is appropriate as the matters of discretion in the underlying zone include consideration of relevant matters such as the amenity of neighbouring sites, which are relevant to any relaxation of development standards. Without this amendment, the matters of discretion would be inappropriately focused solely on effects on streetscape and special character values. | Retain as notified. |
|-----|--|---------|--|---------------------|

110.17

To Whom it May Concern

As residents of Devonport, we are writing to object to the proposed modifications to the Unitary Plan Heritage Overlay.

Devonport has always had the height to boundary measurement based on an envelope border by a vertical height of 2.5m, 1 metre from the boundary and then a 45 degree angle measurement, ensuring that the scale of any additions are not dominant, respect privacy and are responsive to sunlight considerations.

111.1

The proposed new 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.

111.2

So often we find issues of concern are treated by Council in a disconnected way. So, eg, mental health, which is being discussed so prominently at the moment, is clearly not considered in these planning modifications, which are obviously concerned with the policy of intensification. What is the point of addressing one problem by creating other problems? Let's have some joined up thinking for a change!

Alexander and Julia Cowdell

cowdellz@xtra.co.nz

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

PETER DESMOND WITHELL

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

Address for service of Submitter

3 RYLE STREET, FREEMANS BAY, AUCKLAND, 1011

Telephone:

021 980 856

Fax/Email:

sego@wa.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

112.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



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

27/6/19

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

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I could /could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sheng Yun Nie

Organisation name:

Agent's full name:

Email address: effienie@hotmail.com

Contact phone number: 022 161 8828

Postal address:
48A Woodside Road
Mount Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 48A Woodside Road, Mount Eden, Auckland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The plan should be modified due to the development of Auckland.

I or we seek the following decision by council: Accept the plan modification

Submission date: 26 June 2019

Attend a hearing

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

| 113.1

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Graeme Cummings

Organisation name:

Agent's full name:

Email address: cummings.graeme@gmail.com

Contact phone number:

Postal address:

5 North Ave
Narrowneck
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.7 Fences and Walls

Property address: 5 North Ave, Narrowneck

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I object to the imposition of a fence restriction of 1.2m to the front boundary.

| 114.2

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

| 114.1

Submission date: 26 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: David Barber

Organisation name:

Agent's full name:

Email address: david.barber@xtra.co.nz

Contact phone number:

Postal address:

david.barber@xtra.co.nz

Manurewa

Auckland 2102

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Special Character Area Overlay

Property address: 6 Earls Court, Hillpark

Map or maps: Hillpark

Other provisions:

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

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

The reason for my or our views are:

I support the proposed additions to the activity table, but would like to see protection of trees, particularly natives over a certain height, minimum size of site for a residence reinstated to 750 sq metres, and greater restriction on signage from residents working from home. Already in past few years since the Unitary Plan has become in force our district of Hillpark has lost a great many big trees simply felled or badly hacked with apparent permission from this Council simply for trivial reasons such as the small branches/leaves falling on their children while playing. There have been many examples of big ugly fences put up in front of properties with apparent Council permission. There are many examples of large signs put outside residential properties advertising home businesses operating within. There are new houses and/or additions that are being built which are completely out of character to our area. All the above activities, and more, contribute to a gradual changing of the character of our area which we had been assured as a Special Character overlay

would never happen. Therefore, I would like to see more tighter rules adopted to ensure clarity in order to save these special character areas of Auckland slowly eroding and losing their uniqueness. Thank you.

I or we seek the following decision by council: Accept the plan modification with amendments

| 115.1

Details of amendments: trees over say 8 metres requiring resource consent to be trimmed/felled, greater control over signage outside residential properties, disallowing new fences which are deemed not in character with the area.

| 115.2
| 115.3
| 115.4

Submission date: 26 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

To whom it may concern
I support the Proposed Plan Change 26:

| 116.1

On the whole, the Plan Change gives added weight and certainty to the SCO rules and so prevents the ambiguity in interpretation which has already arisen in some cases, and consequent compromises being sought. The Plan Change gives certainty when it comes to defining what type of development is allowed in our suburb by making the SCO rules definitive.

This will allow for development as well as protecting the character of the inner suburbs of special character

Ngā mihi

Tricia Reade

802/9 Hopetoun Street
Freemans Bay
Auckland 1001
New Zealand
Tel: + 64 9 373 2966
Mob: + 64 21 968 862

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Victoria Toon

Organisation name:

Agent's full name:

Email address: victoria.toon@gmail.com

Contact phone number: 0212530969

Postal address:

PO Box 10-100 Dominion Road 1446

Mt Eden

Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.7 Fences and Walls

Property address: Walters Road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

We have existing fences and gates on our front boundary which are on sloping ground being 1.5m on one side and 1.6m on the opposite side. The proposed change stipulates the height is "measured from ground level". This would result in a sloping fence and for some owners whom have greater differences this would look ridiculous. On one side of our property the next door neighbour's house is at a significant lower level to ours (the volcanic rock slips away). On their side our adjacent fence is at a far greater height to their house than it is to ours. I am concerned that should we need to replace a fence we would have to reduce the height of our fences which may mean we could no longer use our existing heritage styled gates. The proposed plan should not apply to replacement fences. In terms of security I believe 1.2m is far too low. There are 2 drug recovery houses and one prison half-way rehabilitation house in our street. Generally they are no trouble but there have been incidences in the last few years where we have had burglars roaming around our property whom have then gone on to

| 117.2

| 117.3

burgled our next door neighbour by hopping the fence. We were basically forced into having an electronic pedestrian gate to attempt to keep suspicious people out. Whilst a lower fence might sound wonderful for heritage views this height is not practical. We are no longer living in the 1920's and must be mindful of security.

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

117.1

Submission date: 27 June 2019

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



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Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

JOANE RHA CROWLEY

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

Address for service of Submitter

4 ARTHUR ST, FREEMANS BAY

Telephone:

021-2701344

Fax/Email:

jo.crowley@xta.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

This is an automated message. Please do not reply. If you have questions about ads, you can get help. You can also manage your email notification settings for this ad account. Facebook, Inc., Attention: Community Support, 1 Facebook Way, Menlo Park, CA 94025

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

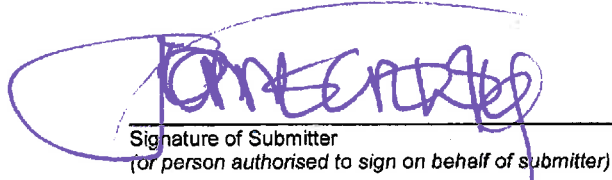
(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

| 118.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing


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

26.6.19
Date

Notes to person making submission:
If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

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I could / could not gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete the following:
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Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Melanie Abernethy

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

Address for service of Submitter

4 ~~Freemans~~ Arthur St
Freemans Bay

Telephone:

093602690

Fax/Email:

melanie.abernethy003@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

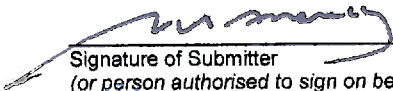
(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

119.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing


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

Date

27/6/2019

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ken chang

Organisation name:

Agent's full name:

Email address: kenschang_08@yahoo.co.nz

Contact phone number: 021708688

Postal address:
35 Denbigh Avenue
Mt. Roskill
Auckland 1041

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 35 Denbigh Avenue , Mt. Roskill ,Auckland

Map or maps:

Other provisions:
Proposed Plan Change 26 relates to /chapter D18

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

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

The reason for my or our views are:
Good for the area

I or we seek the following decision by council: Accept the plan modification

| 120.1

Submission date: 27 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: DARCY MCNICOLL

Organisation name:

Agent's full name:

Email address: darcymcnicoll1@gmail.com

Contact phone number:

Postal address:
PO BOX 32304
DEVONPORT
AUCKLAND 0744

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Proposed modification to rule 26 D18.6.1, Standards, D18.6.11 Building Heights, D18.6.1.2 Height in relation to boundary and D18.6.1.3 Yards.

121.2
121.3
121.4
121.5

Property address: DEVONPORT ,STANLEY BAY, CHELTENHAM GENERAL DEVONPORT AREA COVERED BY SPECIAL CHARACTER OVERLAY

Map or maps: DEVONPORT

Other provisions:

The Special Character Overlay is the wrong mechanism to protect heritage. It is cumbersome and over complicated to have two sets of rules applying to properties

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

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

The reason for my or our views are:

Height to Boundary: The Special Ch- The plan change will allow greater building heights and densities in the side and rear of character properties. This will have detrimental effects on the heritage value of the buildings and so will not achieve the aims of protection of the character of the area. Character Area Overlay rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard of the Single House Zone which is based on a 2.5m vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact. Rear

Yard: In the rear yard the proposal is to reduce the current 3m boundary to just 1m. This will allow building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. Relaxing the 3m setback for the rear yard will have a highly detrimental impact in areas of Devonport where sections near corner junctions have rear yards adjacent to side yards. By allowing the Character Overlay to predominate it puts neighbours in heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy. The size and scale of more development to the side and rear of houses in the SCA will add visual bulk that will detract from the character features of the area. The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of facadism and is not genuine heritage protection.

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

121.1

Submission date: 27 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: ROBYN MCNICOLL

Organisation name:

Agent's full name:

Email address: darcymcnicoll@xtra.co.nz

Contact phone number:

Postal address:
PO Box 32304
DEVONPORT
AUCKLAND 0744

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Proposed modification to rule 26 D18.6.1, Standards, D18.6.11 Building Heights, D18.6.1.2 Height in relation to boundary and D18.6.1.3 Yards.

Property address: DEVONPORT AND GENERAL AREA SPECIAL CHARACTER OVERLAYS

Map or maps: DEVONPORT

Other provisions:

Proposed modification to rule 26 D18.6.1, Standards, D18.6.11 Building Heights, D18.6.1.2 Height in relation to boundary and D18.6.1.3 Yards.

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

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

The reason for my or our views are:

Height to Boundary: The Special Ch- The plan change will allow greater building heights and densities in the side and rear of character properties. This will have detrimental effects on the heritage value of the buildings and so will not achieve the aims of protection of the character of the area. Character Area Overlay rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard of the Single House Zone which is based on a 2.5m vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact. Rear Yard: In the rear yard the proposal is to reduce the current 3m boundary to just 1m. This will allow

122.2
122.3
122.4
122.5

building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. Relaxing the 3m setback for the rear yard will have a highly detrimental impact in areas of Devonport where sections near corner junctions have rear yards adjacent to side yards. By allowing the Character Overlay to predominate it puts neighbours in heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy. The size and scale of more development to the side and rear of houses in the SCA will add visual bulk that will detract from the character features of the area. The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of facadism and is not genuine heritage protection.

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

| 122.1

Submission date: 27 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

**SUBMISSION ON PROPOSED PLAN CHANGE 26 TO THE PARTIALLY OPERATIVE
AUCKLAND UNITARY PLAN PURSUANT TO CLAUSE 6 OF THE FIRST SCHEDULE
OF THE RESOURCE MANAGEMENT ACT 1991**

To: Auckland Council
Unitary Plan
Private Bag 92300
Auckland 1142
Attention: Planning Technician

By E-Mail only: unitaryplan@aucklandcouncil.govt.nz

Submitter: V.H. Bull
5D Church Street
Devonport

Address for Service: 4Sight Consulting Limited
201 Victoria Street West
Auckland Central
PO Box 911 310, Victoria Street West
AUCKLAND 1142

Attention: Gael McKitterick
Phone: 022 160 6554
Email: gaelm@4sight.co.nz

INTRODUCTION

- 1) The submitter is the owner of four sites in Devonport, being 5D Church Street, and 22B, 23 and 24 King Edward Parade, which are all located within the Residential Single House Zone and also all affected by the Special Character Area Overlay.
- 2) The submissions on the provisions of Proposed Plan Change 26 (“the Plan Change”) are focused on the key issues affecting the submitter’s land. In this regard, the submitter largely supports the intent of the Plan Change to provide greater clarity on the relationship between the underlying zones and the Special Character Area Overlay for the reason that the existing lack of clarity creates uncertainty in respect to the applicability of standards, and the need for otherwise unnecessary resource consent applications.

THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN CHANGE THAT THE SUBMISSION BY VH BULL RELATES TO ARE SUMMARISED AS FOLLOWS:

- 1) The Plan Change seeks to clarify the relationship between the Special Character Areas Overlay and the underlying zone provisions. The Plan Change seeks to introduce changes to make it clear that certain planning provisions of the Special Character Areas Overlay prevail over the corresponding provisions of the underlying zones. The submission supports that intent.
- 2) The Plan Change amends a number of the development standards within the Special Character Areas Overlay by the inclusion of a ‘purpose’ for the associated standard. The submission supports the intent of these amendments to provide greater clarity and certainty in respect to the development outcomes sought by those standards.
- 3) The Plan Change amends a number of the development standards such as yards and height in relation to boundary to provide opportunities for more efficient forms of development on small sites, including deleting rear yard requirements and enabling the use of common walls and gable ends. The submission supports these outcomes.
- 4) The Plan Change clarifies that all subdivision in the SCAO is required to comply with the minimum standards set out in Table E38.8.2.6.1. This is supported.
- 5) The Plan Change amends the Height in Relation to Boundary standard to provide that rear sites and those with a frontage over 15m in length must comply with the recession angle standard in the underlying zone rather than the 3m plus 45 degree standard in the SCAO. This matter is **opposed** as it is inequitable particularly for rear sites and will result in differing HRB standards applying to the same common boundary.
- 6) The specific provisions submitted on, the rationale for the submission on each of these matters, and the relief sought is contained in the following Schedule.
- 7) In addition to the specific outcomes sought in the attached Schedule, the following general relief is sought:
 - a) Achieve the following:
 - i. The purpose and principles of the Resource Management Act 1991 (“RMA”) and consistency with the relevant provisions in Sections 6 - 8 RMA;
 - ii. Assist Auckland Council (“Council”) carry out its functions of achieving the integrated management of the effect of the use, development or protection of land;
 - iii. Meet the requirements of the statutory tests in section 32 of the RMA;
 - iv. Avoid, remedy or mitigate any relevant and identified environmental effects; and

- v. Ensure certainty and clarity in the interpretation and application of the Special Character Areas Overlay, including avoiding duplication between the overlay and zone rules.
- b) Make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the Auckland Unitary Plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document; and
- c) Any other relief required to give effect to the issues raised in this submission.

THE SUBMITTER WISHES TO BE HEARD IN SUPPORT OF THIS SUBMISSION

IF OTHERS MAKE A SIMILAR SUBMISSION, THE SUBMITTER WOULD BE PREPARED TO CONSIDER PRESENTING A JOINT CASE AT ANY HEARING.

THE SUBMITTER COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.

- a) The submitter is directly affected by an effect of the subject matter of that submission that
 - i. Adversely affects the environment; and
 - ii. Does not relate to trade competition or the effects of trade competition.

Signed on and behalf of V.H. Bull



.....
Gael McKitterick

Principal Planning and Policy Consultant

Dated this day of 27 June 2019

SCHEDULE ONE

THE SPECIFIC PARTS OF PLAN CHANGE 26 (“PC26”) THAT ARE SUBJECT OF THIS SUBMISSION ARE:

- D18 Activity Table (Explanation) - supports
- Table D18.4.1 Activity table- supports
- Section D18 Standards for Special Character Areas Overlay including
 - D18.6.1 Standards for Buildings in Special Character Areas Overlay -supports
 - D18.6.1.1 Building Height- supports
 - D18.6.1.2 Height in Relation to Boundary- supports in part, opposes in part
 - D18.6.1.3 Yards- supports
 - D18.6.1.4 Building Coverage- supports
 - D18.6.1.5 Landscaping-supports
 - D18.6.1.7 Fences and walls-supports
 - D18.6.2 Standards for Buildings-supports
- Section 18.8 Assessment – Restricted discretionary activities-supports
- Section E38 Subdivision Urban E8.6.2.1 -supports

THE POSITION OF THE SUBMITTER AND THE REASON FOR THE SUBMISSION:

The submitter **supports** the following aspects of PC26:

- a.** The intent of PC26 which is to make it clear that certain planning provisions of the Special Character Areas Overlay prevail over the corresponding provisions of the underlying residential zones, is supported. In this respect, the need under the AUP to comply with both the underlying zone provisions and those of the SCAO results in lack of certainty, and the need for unnecessary resource consent applications. The proposed changes will provide a clear hierarchy of the status of the planning provisions. The need to comply with two sets of controls (overlay and underlying zone) has significant cost over benefit, is neither practical nor necessary and has the potential to result in difference of interpretation by the Council and applicants.
- b.** The amendments to D18 Activity Table (Explanation) are supported as they represent a positive amendment clarifying the status of certain activities in the SCAO (alterations and additions as well as land use activities) while retaining the opportunities for other activities as currently provided for in the underlying zone.
- c.** The amendment to Table D18.4.1 Activities (A45A and 45B) relating to fences are supported. The amendment is useful as it differentiates between the standards that are relevant to the SCOA and the zone, and also to the control of fences and walls in their own right, rather than only as part of a wider development proposal. The inclusion of fences of up to 2m in height on side and rear boundaries enable privacy and security needs to be provided for.
- d.** The amendment to Standard D18.6.1 Standards is supported. It will ensure that development in the SCAO is required to comply with one set of development standards. Currently two separate sets of development controls apply (one in the SCAO and the other contained in the underlying zone). In many instances the provisions/standards differ, and sometimes considerably, between the underlying zone and the SCAO creating uncertainties in the design and development for an applicant and increasing the potential for

123.1

development to infringe development standards and to therefore require affected party approval from neighbouring land owners and/or be subject to challenge.

- e.* The inclusion of a purpose in D18.6.1.1 Building Height is supported, being appropriate and required for the consideration of any proposal which seeks to infringe the permitted standard.
- f.* The amendment to standard D18.6.1.2 Height in Relation to Boundary is supported in so far as it includes a purpose for the standard, deletes the requirement for HRB to apply to front boundaries and in respect to the exemptions contained in clauses 3-6. These amendments clarify the intent of the standard, provide exemptions to enable more flexible design solutions and a style of development which is appropriate to the heritage values of the area, without adversely affecting neighbourhood amenity.
- g.* The amendment to standard D18.6.1.3 Yards is supported, including the inclusion of a 'purpose' for the rule, required for the consideration of any proposal which seeks to infringe the permitted standard. The deletion of the 3m yard setback and the inclusion of clause (2) providing for common walls is supported as both provisions recognise the design limitations of smaller sites, that a 3m set back is unreasonably restrictive and the need to provide for design flexibility.
- h.* The amendment to standard D18.6.1.4 Building Coverage is supported, including the inclusion of a 'purpose' for the rule, required for the consideration of any proposal which seeks to infringe the permitted standard.
- i.* The amendment to standard D18.6.1.5 Landscaping is supported, including the inclusion of a 'purpose' for the rule, required for the consideration of any proposal which seeks to infringe the permitted standard.
- j.* The amendment to standard D18.6.1.6 Maximum Impervious Area is supported. The inclusion of a 'purpose' for the rule is required for the consideration of any proposal which seeks to infringe the permitted standard. The amendment from 'maximum paved area', and its replacement with 'maximum impervious area' is supported as it appropriately recognises that some paved areas can be impervious.
- k.* The amendment to standard D18.6.1.7 Fences is supported. The inclusion of a 'purpose' for the rule is required for the consideration of any proposal which seeks to infringe the permitted standard. The provision for fences of up to 2m in height is appropriate on side and rear boundaries to provide for security and privacy requirements, without adversely affecting neighbouring amenity.
- l.* The amendment to Section E38 Urban Subdivision is supported as it clarifies that the 450m² standard applies to all subdivision including where the parent site is greater than 1ha.

| 123.10

The submitter **opposes** the following aspects of PC26:

- m.* The submitter opposes Standard D18.6.1.2 Height in Relation to Boundary clauses (1a) and (1b). These clauses require that those sites which have a frontage wider than 15m and all rear sites, must comply with the HRB control of the underlying zone. This will create an inequitable situation in respect to the development standards on common boundaries, does not relate to the effects of development, and unreasonably restrict development on rear sites which may be entirely adjoined by sites with a frontage of less than 15m and

therefore able to utilize the 3m plus 45 degree standard. All sites in the SCAO should be subject to the 3m plus 45 degree HRB setback standard.

RELIEF SOUGHT

- 1) Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to the following:
 - D18 Activity Table (Explanation) | 123.2
 - Table D18.4.1 Activity table | 123.3
 - Section D18 Standards for Special Character Areas Overlay, including:
 - D18.6.1 Standards for Buildings in Special Character Areas Overlay | 123.4
 - D18.6.1.1 Building Height | 123.5
 - D18.6.1.2 Height in Relation to Boundary, (except in respect to clauses (1A and (1B) as set out in paragraph (3) below | 123.6
 - D18.6.1.3Yards | 123.7
 - D18.6.1.4 Building Coverage | 123.8
 - D18.6.1.5 Landscaping | 123.9
 - D18.6.1.7 Fences and walls | 123.11
 - D18.6.2 Standards for Buildings | 123.12
 - Section 18.8 Assessment – Restricted discretionary activities | 123.13
- 2) Adopt the amendments to standard E38 Urban Subdivision as notified. | 123.14
- 3) 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. | 123.15
- 4) 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. | 123.16

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stephen John Mills

Organisation name:

Agent's full name:

Email address: stephen.mills@shortlandchambers.co.nz

Contact phone number:

Postal address:
9 First Avenue Stanley Point
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1 Standards, D18.6.11 Building Heights, D18.6.1.2 Height in relation to boundary and D18.6.1.3 Yards

Property address: 9 First Avenue, Stanley Point, Devonport

Map or maps:

Other provisions:

The Special Character Overlay is the wrong mechanism to protect heritage. It is cumbersome and overly complicated to have 2 sets of rules that apply to the same property.

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

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

The reason for my or our views are:

Height to boundary: the plan change will allow greater building heights and densities in the side and rear of character properties. This will have detrimental effects on the heritage value of the buildings and as a result will not achieve the avowed aim of protecting the character of the area. Character Area Overlay: the rule for height to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard for the Single House Zone which is based on a 2.5 vertical height and then a 45 degree angle. The effect will be to allow a higher building with greater bulk and visual impact. Rear Yard: the effect will be to reduce the current 3 metre boundary to 1 metre. This will have a significant visual and privacy impact on neighbours and will

124.2

124.3

have a particularly detrimental effect in Devonport where sections near corner junctions have rear yards adjacent to side yards. The effect of the Character Overlay and allowing it to predominate has the perverse effect of allowing a greater encroachment on side and rear privacy than is the case in the single house zone with no Character Overlay. A particular concern is that the proposed change is likely to result in the heritage frontages of houses being dominated by large rear and side yard developments. This will not result in genuine heritage protection.

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

124.1

Submission date: 27 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

Submission to a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Ms/Miss/Ms/Eng
(Name)

DAVID DUNCAN

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

Address for service of Submitter

1 ARTHUR ST FREEMANS BAY AUCKLAND

Telephone:

021 663453

Fax/Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

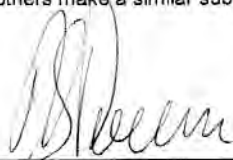
I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation | 125.1
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



27/6/19

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

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

GRAHAM CAMPBELL WALL

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

Address for service of Submitter

3 ARTHUR ST FREEMANS BAY
AUCKLAND 1011

Telephone:

021951368

Fax/Email:

graham@grahamwall.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

AUCKLAND COUNCIL

27 JUN 2019

CBD - ALBERT ST

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

126.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

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

24 - 6 - 19

Date

Notes to person making submission:
 If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.
 If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: John Dillon

Organisation name:

Agent's full name: David Wren

Email address: david@davidwren.co.nz

Contact phone number: 098150543

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
The entire plan change

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Please see attached document

I or we seek the following decision by council: Accept the plan modification with amendments

| 127.1

Details of amendments: Please see attached document

Submission date: 27 June 2019

Supporting documents
Submission PC26 J Dillon.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Proposed Plan Change 26 - Submission

1. This document supports the submission from John Dillon on Proposed Plan Change 26 (PC26) to the Auckland Unitary Plan.

Provisions Subject to this Submission.

2. This submission concerns the entire PC26 and specifically the following provisions
 - D18.4 Activity Table
 - 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)
 - D18.6.1.2. Height in relation to boundary
 - D18.6.1.3. Yards
 - D18.8.1. Matters of discretion
 - E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business

Reasons for Submission

3. Introduction

4. Overall the direction the direction of PC26 is supported as it provides a solution to the complicated situation currently facing applicants dealing with proposals that are subject to the Special Character Area overlay. To the extent that PC 26 resolves the current cumbersome requirements, the plan change is supported subject to the changes outlined below and in the alternative relief sought in paragraph 31.
5. It is submitted that subject to the changes outlined below PC26 will be in accordance with the purpose and principle of the Resource Management Act 1991.
6. **D18.4 Activity Table**
7. The changes proposed to the introduction to the activity table state that where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 takes precedence over the activity status in the underlying zone.
8. The use of the term 'take precedence' in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This

therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion as to which activity rules apply.

127.2

9. 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)

10. The changes proposed to paragraph (a) are unusual in that they will create the situation where activities that are fully discretionary or non-complying will be subject to the development standards in D18.6.1. This is inconsistent with the approach taken elsewhere in the Unitary Plan. It is submitted that this clause should be amended to relate to only permitted, controlled and restricted discretionary activities.

127.3

11. D18.6.1.2. Height in relation to boundary

12. The introduction of different height in relation to boundary rules for sites of less than 15m wide and those of 15m wide or greater is inappropriate and will result in anomalies. Firstly in many areas there is no difference in the style and shape of buildings based on the width of the site. Most corner sites, no matter where they are located will be detrimentally affected for no planning reason other than they are corner sites.

13. The use of a 15m cut off point for the imposition of the rule is arbitrary and ignores the fact that even on larger sites the stud height of older houses is higher than most modern houses and that makes the 3m and 45 degree height to boundary standard appropriate. The location of existing buildings on site is more of a determinant of ability to comply with the height to boundary standards than the width of the site.

14. It is submitted that this distinction should be removed.

127.4

15. D18.6.1.3. Yards

16. The removal of the rear yard rule is supported.

127.5

17. It is submitted that the side yard should be removed also. In most cases the actual side yard in areas subject to the Special Character Overlay will have small side yards, in many cases less than 1m (which is the main underlying standard). Imposing a 1.2m yard is inconsistent with the new stated purpose of the rule and has nothing to do with streetscape. A standard side yard approach as per the underlying zone is adequate for most situations and this will not

127.6

impact on streetscape.

18. D18.6.1.7. Fences and walls and other structures

19. The changes proposed to the fencing rules are generally supported however the rule does not sufficiently allow for corner sites where there were typically higher fences along the long front boundary. It is submitted that the rule be amended to allow a 2m high fence along the longerfront boundary of corner sites. This will enable fencing to match the traditional type of fencing provided in the older areas of Auckland and for residents to obtain privacy in their rear yards.

127.7

20. D18.8.1. Matters of discretion

21. PC 26 introduces a cross reference in respect of matters for discretion to the matters of discretion for the standard (or equivalent standard) in the underlying zone. It is submitted that these matters should be self contained within the overlay as the rules replace the rules in the underlying zone. Referencing back to the underlying zone where there are different rules will cause confusion especially where the purposes of the rules are different.

127.8

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

23. PC 26 introduces a new clause (3) which states that the subdivision net site area controls in Table E38.8.2.6.1 take precedence over those in Table E38.2.3.1.

24. The use of the term 'take precedence' in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion.

127.9

25. Changes Requested.

26. I seek the following changes to PC26 (Additions underlined and deletions struck through). These changes seek to clarify how the proposed changes to the rules should work and to give effect to this submission.

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.

Where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 ~~takes precedence over~~ replaces the activity status in the underlying zone (whether or not that activity status is more restrictive).

Where an activity is not provided for in Table D18.4.1, the activity will have the activity status provided in the underlying zone. All other relevant overlay, precinct, Auckland- wide and general rules apply.....

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)

a) All activities that are listed as permitted, controlled or restricted discretionary activities – 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 development standards.

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

- retain the character of the streetscape;
- enable a built form that reflects the identified character of the area; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects.

(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 where:

~~(a) The site has a frontage length of less than 15m~~

~~(i) For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.~~

~~(2) The underlying zone height in relation to boundary standard applies where: (a) The site has a frontage length of 15m or greater; or~~

~~(b) The site is a rear site.~~

.....

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 |

D18.6.1.7. Fences and walls and other structures

Purpose:

- To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.

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

(a) On the front boundary or between the front façade of the house and the front boundary, 1.2m in height. (except that on corner sites this rule shall apply only on the shorter frontage)

(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.

(c) 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. The front facade Houses on corner sites ~~have two front facades~~ is the front facade facing the shorter frontage of the site.

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

D18.8.1. Matters of discretion

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

D18.8.1.1. Special Character Areas Overlay - Residential

.....

(3) For an infringement of the any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:

(a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement; and

Note 1

Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

(b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.

~~(c) the matters of discretion for the standard (or equivalent standard) in the underlying zone.~~

(c) any policy which is relevant to the standard;

(d) the purpose of the standard;

(e) the effects of the infringement of the standard;

(f) the effects on the amenity of neighbouring sites;

(g) the effects of any special or unusual characteristic of the site which is relevant to the standard;

(h) the characteristics of the development;

(i) any other matters specifically listed for the standard; and

(j) where more than one standard will be infringed, the effects of all infringements.

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

127.9

27. Other Changes

28. Any alternative and additional changes to PC26 that would provide for the matters set out in this submission.

127.10

29. Any other consequential or alternative amendments arising from these changes.

30. Subject to the above changes the plan change is supported and should not be changed.

31. It is submitted that the Special Character Overlay effectively is a de-facto zone in its own right. It is submitted that the Council 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.

127.11

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter and Sarah Wren

Organisation name:

Agent's full name: David Wren

Email address: david@davidwren.co.nz

Contact phone number: 098150543

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

The entire plan change

Property address:

Map or maps:

Other provisions:

Please see attached document

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

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

The reason for my or our views are:

Please see attached document

I or we seek the following decision by council: Accept the plan modification with amendments

| 128.1

Details of amendments: See attached document

Submission date: 27 June 2019

Supporting documents

Submission PC26 P and S Wren.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Proposed Plan Change 26 - Submission

1. This document supports the submission from Peter and Sarah Wren on Proposed Plan Change 26 (**PC26**) to the Auckland Unitary Plan.

Provisions Subject to this Submission.

2. This submission concerns the entire PC26 and specifically the following provisions
 - D18.4 Activity Table
 - 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)
 - D18.6.1.2. Height in relation to boundary
 - D18.6.1.3. Yards
 - D18.8.1. Matters of discretion
 - E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business

Reasons for Submission

3. Introduction

4. Overall the direction the direction of PC26 is supported as it provides a solution to the complicated situation currently facing applicants dealing with proposals that are subject to the Special Character Area overlay. To the extent that PC 26 resolves the current cumbersome requirements, the plan change is supported subject to the changes outlined below and in the alternative relief sought in paragraph 31.
5. It is submitted that subject to the changes outlined below PC26 will be in accordance with the purpose and principle of the Resource Management Act 1991.

6. D18.4 Activity Table

7. The changes proposed to the introduction to the activity table state that where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 takes precedence over the activity status in the underlying zone.
8. The use of the term ‘take precedence’ in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This

therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion as to which activity rules apply.

128.2

9. 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)

10. The changes proposed to paragraph (a) are unusual in that they will create the situation where activities that are fully discretionary or non-complying will be subject to the development standards in D18.6.1. This is inconsistent with the approach taken elsewhere in the Unitary Plan. It is submitted that this clause should be amended to relate to only permitted, controlled and restricted discretionary activities.

128.3

11. D18.6.1.2. Height in relation to boundary

12. The introduction of different height in relation to boundary rules for sites of less than 15m wide and those of 15m wide or greater is inappropriate and will result in anomalies. Firstly in many areas there is no difference in the style and shape of buildings based on the width of the site. Most corner sites, no matter where they are located will be detrimentally affected for no planning reason other than they are corner sites.

13. The use of a 15m cut off point for the imposition of the rule is arbitrary and ignores the fact that even on larger sites the stud height of older houses is higher than most modern houses and that makes the 3m and 45 degree height to boundary standard appropriate. The location of existing buildings on site is more of a determinant of ability to comply with the height to boundary standards than the width of the site.

14. It is submitted that this distinction should be removed.

128.4

15. D18.6.1.3. Yards

16. The removal of the rear yard rule is supported.

128.5

17. It is submitted that the side yard should be removed also. In most cases the actual side yard in areas subject to the Special Character Overlay will have small side yards, in many cases less than 1m (which is the main underlying standard). Imposing a 1.2m yard is inconsistent with the new stated purpose of the rule and has nothing to do with streetscape. A standard side yard approach as per the underlying zone is adequate for most situations and this will not

128.6

impact on streetscape.

18. D18.6.1.7. Fences and walls and other structures

19. The changes proposed to the fencing rules are generally supported however the rule does not sufficiently allow for corner sites where there were typically higher fences along the long front boundary. It is submitted that the rule be amended to allow a 2m high fence along the longerfront boundary of corner sites. This will enable fencing to match the traditional type of fencing provided in the older areas of Auckland and for residents to obtain privacy in their rear yards.

128.7

20. D18.8.1. Matters of discretion

21. PC 26 introduces a cross reference in respect of matters for discretion to the matters of discretion for the standard (or equivalent standard) in the underlying zone. It is submitted that these matters should be self contained within the overlay as the rules replace the rules in the underlying zone. Referencing back to the underlying zone where there are different rules will cause confusion especially where the purposes of the rules are different.

128.8

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

23. PC 26 introduces a new clause (3) which states that the subdivision net site area controls in Table E38.8.2.6.1 take precedence over those in Table E38.2.3.1.

24. The use of the term ‘take precedence’ in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause ‘take precedence’ in this rule should be amended by inserting the word ‘replace’ instead of ‘take precedence’. This will ensure that there is no further confusion.

128.9

25. Changes Requested.

26. I seek the following changes to PC26 (Additions underlined and deletions struck through). These changes seek to clarify how the proposed changes to the rules should work and to give effect to this submission.

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.

Where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 ~~takes precedence over~~ replaces the activity status in the underlying zone (whether or not that activity status is more restrictive).

Where an activity is not provided for in Table D18.4.1, the activity will have the activity status provided in the underlying zone. All other relevant overlay, precinct, Auckland- wide and general rules apply.....

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)

a) All activities that are listed as permitted, controlled or restricted discretionary activities – 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 development standards.

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

- retain the character of the streetscape;
- enable a built form that reflects the identified character of the area; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects.

(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 where:

~~(a) The site has a frontage length of less than 15m~~

~~(i) For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.~~

~~(2) The underlying zone height in relation to boundary standard applies where: (a) The site has a frontage length of 15m or greater; or~~

~~(b) The site is a rear site.~~

.....

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 |

D18.6.1.7. Fences and walls and other structures

Purpose:

- To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.

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

(a) On the front boundary or between the front façade of the house and the front boundary, 1.2m in height. (except that on corner sites this rule shall apply only on the shorter frontage)

(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.

(c) 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. ~~The front facade Houses on corner sites have two front facades~~ is the front facade facing the shorter frontage of the site.

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

D18.8.1. Matters of discretion

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

D18.8.1.1. Special Character Areas Overlay - Residential

.....

(3) For an infringement of the any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:

(a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement; and

Note 1

Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

(b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.

~~(c) the matters of discretion for the standard (or equivalent standard) in the underlying zone.~~

(c) any policy which is relevant to the standard;

(d) the purpose of the standard;

(e) the effects of the infringement of the standard;

(f) the effects on the amenity of neighbouring sites;

(g) the effects of any special or unusual characteristic of the site which is relevant to the standard;

(h) the characteristics of the development;

(i) any other matters specifically listed for the standard; and

(j) where more than one standard will be infringed, the effects of all infringements.

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

129.9

27. Other Changes

- 28. Any alternative and additional changes to PC26 that would provide for the matters set out in this submission. | 129.10
- 29. Any other consequential or alternative amendments arising from these changes.
- 30. Subject to the above changes the plan change is supported and should not be changed.
- 31. It is submitted that the Special Character Overlay effectively is a de-facto zone in its own right. It is submitted that the Council 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. | 129.11

To whom it may concern I am a Trustee of the BC & GL McLeay Family Trust.

This Trust owns two properties in the zone that the proposed plan change applies to.

17 George St and 21 George St Mt Eden.

I oppose the relaxing of Height to Boundary rules, both for front street boundary, and the reduced height, from 3m 45deg to 2.5m 45 deg.

| 129.1

| 129.2

Along with the eliminating of the rear yard minimum of 3m for Special Character areas, down to the 1m for the underlying single house zone.

| 129.3

I feel it is better to stay with the original rules especially where I can see no analysis of real impacts.

The reason is that even in the single house zone, an additional "minor dwelling " can be built ,and by reducing the rear yard buffer , it would allow

additional buildings, and these could be closer to neighbouring properties.They also often have a streetscape/heritage character impact, even if at

the rear.

I question the permeable surface change in definition,as unclear what the impact is.

| 129.4

I understand other groups are also raising these concerns ,along with Character Coalition.

Yours Sincerely,

Gretta McLeay Trustee of BC & GL McLeay Trust

barrie.gretta@xtra.co.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ross William Macdonald

Organisation name:

Agent's full name:

Email address: ross@mhm.co.nz

Contact phone number: 0274808535

Postal address:

PO Box 17140

Greenlane

auckland 1546

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Proposed plan change 26 Chapter D18 special character areas overlay taking precedent over the Auckland unitary plan

Property address: 182 Remuera Rd Remuera.

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

There are adjoining apartment blocks that are not of Special character so this part of Remuera Rd should be exempt of this overlay .

| 130.2

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

| 130.1

Submission date: 27 June 2019

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alastair George McInnes FLETCHER

Organisation name:

Agent's full name:

Email address: alastairfletcher@yahoo.co.nz

Contact phone number:

Postal address:
5 Eton Ave Devonport Auckland 0624
Cheltenham
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Special character overlay reduction of height to boundary rules.

Property address: 2/5 Eton Ave Devonport and neighbouring section in Cheltenham Rd

Map or maps:

Other provisions:
I request that the proximity to the boundary and height restrictions in relation to the boundary not be reduced for modifications nor infill new buildings in the Devonport Special Character area.

| 131.2

| 131.3

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

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

The reason for my or our views are:
To allow closer proximity to the boundary of current properties, and to the existing houses, will reduce both sunlight and privacy and negatively affect the quality of life of residents. Current requirements in general suburbs, relating to height and shade angles should be applied to heritage areas.

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

| 131.1

Submission date: 27 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name) ^{Mr & Mrs} Michael Ballantyne + Jennifer Ballantyne

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

Address for service of Submitter

30 Bella Vista Road
Herne Bay, Auckland

Telephone: 021 0977 24 Fax/Email: jen@theballantynes.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 26

Plan Change/Variation Name Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s) 018-6.1.4 Building Provisions Clause (1)

Or Property Address

Or Map

Or Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

See email content

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below | 132.1

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

See email content

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

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

27.6.19
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I ~~could~~ / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Email address: Please include the copy below as part of the signed attached submission form. Thank you for your consideration.

From: Mrs Jennifer and Mr Michael Ballantyne - as Trustees of the Henry Trust
Resident/Property owner
30 Bella Vista Road
Herne Bay, Auckland 1011

The reasons for my views and amend as outlined below.

We wish to oppose the following clause of the Auckland Council's proposal:

Plan Change/Variation Number PC26
18.6.1.4 Building coverage Clause (1)

We oppose the retention of the building coverage rules based on arbitrary thresholds relating to site areas. For sites that are marginally over their threshold there is a loss of up to 20+ percent permitted building coverage which substantially affects the ability to develop or rebuild a site appropriately for the scale of the property.

For example, our property at 30 Bella Vista Road with 1143m² would be allowed 285m² of coverage under your proposal, whereas a 999m² property would enjoy 349m². This is nonsensical. This may be an issue if our house was destroyed by fire or natural causes.

Our recommendation would be to apply a fairer formula that means properties just above thresholds are not penalised. We are not mathematicians, but would suggest something like the following:

Up to 200m²: 55 percent of netsite area
200m² - 500m²: 55 percent of the first 200m² + 45% of the next 300m²
500m² and above: 43% of first 500m², 35% of any additional m²

132.2

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

MR STEVE GARETH LEWIS

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

SUBMISSION ON BEHALF OF PROPERTY OWNERS OF 63 DISRAELI ST, EPSOM

Address for service of Submitter

63 DISRAELI STREET
EPSOM, AUCKLAND

Telephone:

021-325-204

Fax/Email:

hayley_steve@hotmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

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

Plan provision(s)

—

Or

Property Address

63 DISRAELI STREET, EPSOM, AUCKLAND

Or

Map

—

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes No

The reasons for my views are:

PLEASE REFER TO THE ATTACHED REASONS.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

133.1

PLEASE REMOVE THE SPECIAL CHARACTER AREA OVERLAY FROM THE BULK OF THE PROPERTY AT 63 DISRAELI STREET (AS SHOWN ON THE ATTACHED PLAN), IN KEEPING WITH THE PROPERTY'S FRONTAGE AND ENVIRONS ON DISRAELI ST.

133.2

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Steve Lewis

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

27-JUNE-2019

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Background

1. This submission is made on behalf of the trustees of the family trust which owns 63 Disraeli Street in Epsom Auckland (the property).
2. Most properties with frontage to this section of St Andrews Road have a Special Character Area (SCA) overlay. However the SCA applies to properties fronting St Andrews Road, not Disraeli Street.
3. The property is located at the eastern end of Disraeli Street, not St Andrews Road. The property does have a small pedestrian access which leads to an off-street car park on St Andrews Road. The width of the pedestrian access on the property title is 1.5m wide and the carpark is 3m wide. Apart from this access strip, none of the site is visible from St Andrews Rd.
4. This property seems to have landed under the SCA Overlay by an historic issue of address – when the original site was subdivided during the 1980's, a small access strip was included which gave the site a St Andrews Rd address, number 11. This was subsequently changed to the current Disraeli St address, in the year 2000.
5. The property does not relate to the St Andrews Rd precinct but is distinctly part of eastern Disraeli Street. Houses in this section of Disraeli Street were typically constructed during the period 1980-2000 and do not have a Special Character Area Overlay in the Unitary Plan. Also, the existing buildings on the property, were built in the 1980's, and cannot be considered to be of the same heritage as those in St Andrews Rd properties. The character of the houses in this section of Disraeli St are totally different from the character of the houses in the SCA of St Andrews Rd.
6. Apart from the house on the corner (at 9 St Andrews Rd), no other houses on either side of this section of Disraeli St are covered by the SCA.

Submission

7. The owners consider that the Special Character Area Overlay is appropriate for the properties on Saint Andrew's Road, and also it is appropriate for the SCA to apply to the pedestrian access strip and off street carpark at the property. However the bulk of the property should not have a Special Character Area Overlay (as shown on the attached plan), in keeping with its frontage and environs on Disraeli Street.

PLEASE REMOVE THE AREA
SPECIAL CHARACTER FROM THIS
OVERLAY FROM THIS ~~REO~~
AREA MARKED IN RED

Disraeli Street

St Andrews Road



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ting Kwok Cheung and Man Ngo Johnson Cheung and Suet Fan Ma

Organisation name:

Agent's full name:

Email address: tingkwokcheung@hotmail.com

Contact phone number: 0211789838

Postal address:
68 Lingarth Street
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
the Special Character Areas Overlay applies to specific local areas, in particular 56 Epsom Avenue, Epsom

Property address: 56 Epsom Avenue, Epsom, Auckland 1023

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
See attached pdf file

I or we seek the following decision by council: Amend the plan modification if it is not declined | 134.1

Details of amendments: Details of amendments: Special Character Areas Overlay do not apply to 56 Epsom Avenue, Epsom, Auckland 2013 | 134.2

Submission date: 27 June 2019

Supporting documents
56 Epsom Avenue.pdf

Attend a hearing

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

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

Declaration

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

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

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Feedback on proposed PC26, the Special Character Areas Overlay

We are the owners of 56 Epsom Avenue. We are objecting to the PC26 being applied to our property once this PC has become operative.

Objection reasons are:

1. 56 Epsom Avenue is just an ordinary weather board and brick house built in around year 1940. It is very much similar to those state houses commonly found everywhere in NZ. It comprises of lower brick wall and upper weather board. There is not any "SPECIAL CHARACTER" at all that you can name it as a special character house.
2. It can be easily observed from outside of the building that even some of the window's constructions are not in consistence when we bought this property 12 years ago.
3. Besides, based on the existing unitary plan, our house will be surrounded by a large number of Apartment and Terrace houses once the site in the Teacher College is being developed. Our house will become like a dwarf surrounded by a group of giant. That virtually renders the site rather unsightly.
4. The re-development potential will be largely limited by the proposed PC26, if we wish to submit any improvement works or redevelopment works in future. Both the cost and time would be significantly increased.
5. It is therefore totally unfair for us, a very common and non-character house to be classified as "special character" house.

Conclusion:

We honestly think that the Auckland Council should exclude us from the special character zone, and the special character areas overlay should not be applied to 56 Epsom Avenue.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Man Ngo Johnson Cheung and Suet Fan Ma and Ting Kwok Cheung

Organisation name:

Agent's full name:

Email address: tingkwokcheung@hotmail.com

Contact phone number: 0211789838

Postal address:
68 Lingarth Street
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
the Special Character Areas Overlay applies to specific local areas, in particular 90 Owens Road, Epsom, Auckland 1023

Property address: 90 Owens Road, Epsom, Auckland 1023

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
please see attached file

I or we seek the following decision by council: Amend the plan modification if it is not declined

Details of amendments: Details of amendments: Special Character Areas Overlay do not apply to 90 Owens Road, Epsom, Auckland 2013

Submission date: 27 June 2019

Supporting documents
90 Owens Road.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Feedback on proposed PC26, the Special Character Areas Overlay

We are the owners of 90 Owens Road. We are objecting to the PC26 being applied to our property once this PC has become operative.

Objection reasons are:

1. 90 Owens Road is just an ordinary two storeys weather board house. It comprises of weather board and tile roofing. There is not any "SPECIAL CHARACTER" at all that you can name it as a special character house.
2. As the building is getting older and older, the maintenance cost incurred annually becomes bigger and bigger. Until a stage, when the maintenance cost become so out of proportion that we will then have no choice but just have to consider to redevelop the whole house within the site.
3. However, the re-development potential will be largely limited by the proposed PC26, if we wish to submit any improvement works or redevelopment works in future. Both the cost and time would be significantly increased.
4. It is therefore totally unfair for us, a very common and non-character house to be classified as "special character" house.

Conclusion:

We honestly think that the Auckland Council should exclude us from the special character zone, and the special character areas overlay should not be applied to 90 Owens Road.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

MR MICHAEL HARRY

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

1 ARTHUR ST, FREEMANS BAY, AUCKLAND

Telephone: 021287969 Fax/Email: rharry@mac.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 26

Plan Change/Variation Name Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or
Property Address

Or
Map

Or
Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

135.1

Accept the proposed plan change / variation with amendments as outlined below


Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



27/6/19

Signature of Submitter

Date

(or person authorised to sign on behalf of submitter)

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kah Keng Low

Organisation name:

Agent's full name:

Email address: keng.0921@hotmail.com

Contact phone number:

Postal address:
13 Loughros Place
pinehill
Auckland 0632

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Additions & Alterations; Yards;

| 136.2
| 136.3

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
The changes of the Proposed Change 26 will restrict the development of our house.

I or we seek the following decision by council: Decline the plan modification

| 136.1

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Robyn Gandell

Organisation name:

Agent's full name:

Email address: roblyngandell@gmail.com

Contact phone number:

Postal address:

16 Mars Av
Sandringham
Auckland 1041

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.6. Maximum paved impervious area

| 137.2

Property address: 16 Mars Av, Sandringham

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Currently my property floods in any heavy rain. When I moved to this property 12 years ago I did not experience any flooding and the flooding episodes only appeared and have increased over the last 4 years. During this time there has been a gentrification of the area with increase in additions to houses, infill housing and consequently greater land coverage. The water that floods my front drive, parking area and lawn can easily be observed flowing down the street and gutter, then down the access way to my front driveway. I therefore attribute the increased flooding to increase in hardcover of the surrounding land. Sandringham was a swamp. Although drained there are many areas that are included as 50 and 100 year flood plains. Your proposal to allow increased impervious area in this suburb means that many more houses will experience flooding as I already do. It is particularly worrying that such a substantial increase in impervious area is to be allowed. Most sections fall in the 200 - 500 m squared size which allows an increase from 20% of the site to 60% of the site in

impervious material. this is an increase 3 times the current allowable impervious surface. Where is all this water going to go? In my case although I have a drain on my property, as the lowest point in the surrounding area the moment there is heavy rain the drain no longer drains. Obviously Sandringham's drains cannot cope with the current usual rain events how will they possible cope with a three times increase in this water. If you allow this increase in impermeable cover I can see that i will spend many more days either stuck in my house or wading out in gumboots and having to park my car on the street so it doesn't get flooded. I can also see many more people in my street and other low lying swampy Sandringham areas experiencing the same problems. There is no need to increase impervious areas sections in areas like Sandringham except to build bigger houses. As I look at my neighbours I ca see that bigger houses, in this gentrifying area, doesn't mean more people just more space (for my immediate neighbours a pool and conservatory) for the people already living in the houses. Please reconsider your decision to increase impervious areas but such an enormous amount for the advantage of a wealthy few but to the disadvantage of many others. I have included photos to show the extent of the flooding.

I or we seek the following decision by council: Accept the plan modification with amendments

| 137.1

Details of amendments: No increase in impervious areas

Submission date: 28 June 2019

Supporting documents
Flooding.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



Flooding and cars moved to prevent water damage. The drain grating is under the lemon tree in the centre of the picture and is obviously completely useless in this downpour.



No flooding. Not the level of the stones on the garden. The drain grating is under the lemons in the centre of the picture.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to

or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Lynne Butler / Trevor Lund

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

P. O. Box 554 Warkworth 0941

Telephone:

021 932 935

Fax/Email:

trevorlund@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 26

Plan Change/Variation Name Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

138.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter
(or person authorised to sign on behalf of submitter)

28 June 2019
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anna Dales

Organisation name:

Agent's full name:

Email address: anna@dcs.gen.nz

Contact phone number: 0272927646

Postal address:
17 Woodside Road
Mount Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

I support the purpose of the proposed plan change that seeks to clarify the intended relationship of the SCA Residential with the relevant underlying zone and the intent that where there are equivalent standards, then the standard in the SCA Residential will prevail over the underlying zone. the specific rules that the submission relates to are as follows: Activity table D18.4.1 D18.1.1.1. Height in relation to boundary D18.6.1.3. Yards

Property address:

Map or maps:

Other provisions:

I support the purpose of the proposed plan change that seeks to clarify the intended relationship of the SCA Residential with the relevant underlying zone and the intent that where there are equivalent standards, then the standard in the SCA Residential will prevail over the underlying zone.

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I support the purpose of the proposed plan change that seeks to clarify the intended relationship of the SCA Residential with the relevant underlying zone and the intent that where there are equivalent standards, then the standard in the SCA Residential will prevail over the underlying zone. In particular, we support the following specific changes to rules as follows: • Height in Relation to

Boundary standard of 3m and a 45° recession plane to apply to sites with a road fronted boundary less than 15m in width. Comment: This is a sensible change as it recognises that many sites in the older character areas are narrow and will more effectively provide for reasonable development of these sites within the constraints of the narrow site widths on such character sites. • The average front yard setback dimension and the 1.2m side yard standard is to apply. • The 3m rear yard requirement is to be deleted deferring to the underlying zoning rear yard standard being 1m. Comment: Support the average front yard setback dimension as the prevailing rule. Support removal of the 3m rear yard as I am unaware of what it was trying to achieve (or what potential effect it was trying to manage). I would also recommend the deletion of the SCA Residential side yard of 1.2m and leave as 1.0m as again I am unaware of what it was trying to achieve (or what potential effect it was trying to manage by adding 200mm (0.2m) to the side yard setback.

I or we seek the following decision by council: Accept the plan modification with amendments

139.1

Details of amendments: I recommend the deletion of the SCA Residential side yard of 1.2m and leave as 1.0m as I am unaware of what it was trying to achieve (or what potential effect it was trying to manage by adding 200mm (0.2m) to the side yard setback.

139.2

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Amit Sood

Organisation name: N/A

Agent's full name: N/A

Email address: amitsud012@yahoo.com

Contact phone number: 0211322108

Postal address:

2 idris court
the gardens
Manurewa
Manukau 2105

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: 9 hill crest grove, Manurewa

Map or maps:

Other provisions:

Considering to authorize subdivision of property

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Vast land unproductive land, should be allowing opportunity to develop more properties, there not any significant impact on environment or residential around. growth of suburb.

I or we seek the following decision by council: Accept the plan modification

| 140.1

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Susan and John Moody

Organisation name:

Agent's full name:

Email address: moodyfive@yahoo.com

Contact phone number: 09 523 1774

Postal address:
52 Seaview Rd
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Fence Site Coverage Side Boundary Control

Property address: 52 Seaview Rd Remuera Auckland 1050

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
Our recommendations are * fence at 1.4m * site coverage at greater than 30% * more generous side boundary control

I or we seek the following decision by council: Decline the plan modification

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

141.2
141.3
141.4
141.1

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Somersby Trust

Organisation name:

Agent's full name: Craig Moriarty - Haines Planning Consultants Limited

Email address: craig.moriarty@hainesplanning.co.nz

Contact phone number: 09 360 1182

Postal address:
PO Box 90842
Victoria Street West
Auckland Central
Auckland 1142

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.3 Yards Purpose and Table D18.6.1.3.1 Yards

Property address: 108 Wheturangi Road, Greenlane, Auckland

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The Submitter is concerned at the removal of the rear yard provisions within Table D18.6.1.3.1 Yard and the subsequent potential adverse effects that may occur within the Isthmus B2 – Epsom / Greenlane area. More specifically, the submitter is concerned about the sites which share a boundary with Cornwall Park (and its Open Space zones). The Submitter seeks that a minimum 10m rear yard rule for sites which share a rear boundary with Cornwall Park in the Residential: Isthmus B – Epsom / Greenlane Special Character Areas Overlay. This is so the Special Character Area Overlay enables a separation distance from the park boundary which is consistent with the existing built character of the neighbourhood and accords with the objectives and policies of the Overlay. The requested 10m rear yard rule is also consistent with the 10m Interface Control Areas of the ASB Showgrounds Precinct and the Alexandra Park Precinct, which also border Cornwall Park.

I or we seek the following decision by council: Accept the plan modification with amendments

142.1

Details of amendments: The Submitter seeks that a minimum 10m rear yard rule for sites which share a rear boundary with Cornwall Park in the Residential: Isthmus B – Epsom / Greenlane Special Character Areas Overlay.

Submission date: 28 June 2019

Supporting documents
1286 SUB PC26 Rear Yard Somersby Trust Final 280619.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



SUBMISSION ON PC 26: CLARIFYING THE RELATIONSHIP BETWEEN THE SPECIAL CHARACTER AREAS OVERLAY (RESIDENTIAL AND GENERAL) AND THE UNDERLYING ZONES

BY SOMERSBY TRUST

Overview of the Submission

1. This submission on proposed Plan Change 26 ("PC26") to the Auckland Unitary Plan Operative in Part ("AUP(OP)") is made on behalf of Somersby Trust ("the Submitter").
2. The Submitter is the owner and occupier of 108 Wheturangi Road ("the Site") which is located within the Residential – Single House Zone and Residential: Isthmus B2 – Epsom / Greenlane of the Special Character Area Overlay.
3. The Submitter is concerned at the removal of the rear yard provisions within Table D18.6.1.3.1 Yard and the subsequent potential adverse effects that may occur within the Isthmus B2 – Epsom / Greenlane area. More specifically, the submitter is concerned about the sites which share a boundary with Cornwall Park (and its Open Space zones).
4. The Submitter seeks that a minimum 10m rear yard rule for sites which share a rear boundary with Cornwall Park in the Residential: Isthmus B – Epsom / Greenlane Special Character Areas Overlay. This is so the Special Character Area Overlay enables a separation distance from the park boundary which is consistent with the existing built character of the neighbourhood and accords with the objectives and policies of the Overlay. The requested 10m rear yard rule is also consistent with the 10m Interface Control Areas of the ASB Showgrounds Precinct and the Alexandra Park Precinct, which also border Cornwall Park.

PC26

5. Overall, the submitter supports PC26 which seeks to clarify the relationship between the Special Character Areas Overlay (Residential and General) and the underlying zone.

However, the Submitter opposes the Council's proposed modification of D18.6.1.3 Yards Purpose and Table D18.6.1.3.1 Yards.

6. The Council proposes the D18.6.1.3 Yards Purpose to read:

"Purpose: to retain the historical built character of the streetscape by managing the setback and the relationship of the building to the street." However, the Submitter considers this 'Purpose' to be insufficient and too narrow to effectively retain the historical built character of the Cornwall Park area. Instead the Submitter proposes the Purpose to be reworded as follows:

"Purpose: to retain the historical built character of the ~~streetscape~~ **areas** by managing the setback and the relationship of the building to the street **and open space areas**"

7. Additionally, PC26 seeks to strike out a minimum rear yard setback from Table D18.6.1.3.1. by stating "the underlying zone yard standards apply for all other yards not specified within Table D18.6.1.3.1" under Standard D18.6.1.3.(3). The Submitter opposes this change and instead requests a 10m minimum rear yard setback within the Residential: Isthmus B – Epsom / Greenlane Special Character Areas Overlay for buildings which share a rear boundary with Cornwall Park (and its Open Space zones).
8. The Submitter considers that these minor changes to PC26 are made in accordance with and in support of the objectives and policies of Chapter D18 Special Character Areas Overlay – Residential and Business.
9. The requested 10m rear yard rule is also consistent with the 10m Interface Control Areas of the ASB Showgrounds Precinct and the Alexandra Park Precinct, which also border Cornwall Park.

Cornwall Park Significance

10. Cornwall Park was first established in 1901 as a gift from Sir John Logan Campbell. Since then, Cornwall Park has been an important open space resource which provides highly valued outdoor amenity to urban Aucklanders. Furthermore, the Park includes representative heritage, ecological, agricultural, wildlife, mauri and community values within its landscape. The Park is seen as a central landmark for all Aucklanders and this significance should be protected.
11. Protecting Cornwall Park's amenity values means protecting its landscape from the encroachment of private residential development. The provision of a 10m minimum rear yard setback from the Park will protect the views, quality and sense of spaciousness enjoyed by Park patrons.

12. For adjoining residential dwellers, a 10m rear yard setback for new developments will provide several co-benefits. Sunlight, privacy and optimisation of private open space will also enhance residential amenity values.
13. Environmentally, a larger rear setback will enable opportunities for rear yard planting, which will help to reinforce and diversify the local ecosystems of Cornwall Park.

Relevant Objectives and Policies

14. The following objectives and policies are taken from the Auckland Unitary Plan (Operative in Part) and support the proposal to protect the amenity of Cornwall Park's open space from the encroachment of private development.

D18 Special Character Areas Overlay – Residential and Business

D18.2 Objectives

(1) ...

(2) *The physical attributes that define, contribute to, or support the special character of the area are retained, including:*

(a) ...

(b) ...

(c) *the relationship of built form to landscape qualities and/or natural features include topography, vegetation, trees and open spaces.*

(3) ...

D18.3. Policies

(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) *Maintain and enhance the built form, design and architectural values of the buildings and the area, as identified in the special character area statement, so that new buildings, alteration and additions to existing buildings, infrastructure and subdivision (where applicable):*

(a) *Maintain the continuity or coherence of the identified special character values of the area;*

- (b) *Maintain the streetscape and qualities and cohesiveness;*
- (c) *Respond positively to the design, scale, height setback and massing of existing development, any distinctive pattern of subdivision, intensity of development, its relationship to the street, streetscape cohesiveness and is of a compatible form which contribute to the identified special character values of the area;*
- (d) *Maintain the relationship of built form to open space and landscape context;*
- (e) ...
- (f) ...
- (g) ...
- (h) ...
- (i) ...
- (3) ... – (14) ...

Schedule 15 Special Character Schedule, Statement and Maps

15.1.7.3 Special Character Areas Overlay – Residential: Isthmus B

Visual Coherence

There is variation in the degree of visual coherence evident in parts of the area. Within particular areas, there is consistency in subdivision pattern and lot sizes, density and rhythm in the positioning of houses, age and style of housing as well as the scale, materials and forms generally evident. ...

15. The objectives and policies within the D18 Special Character Area Overlay chapter use strong vocabulary such as ‘maintain’ and ‘respond positively to’ the relationship of development/built form and open space. Objective D18.2.(2)(c) and the above policies within the AUP(OP) provide a framework to assist in the creation of rules and therefore help secure better outcomes for specific areas. Therefore, it is important for the proposed PC26 to also take the existing objective and policies into consideration and support the existing development pattern (continuity and coherence).
16. The objectives and policies of Chapter D18 aim to maintain and enhance the current built form and amenity values, including to “maintain the relationship of built form to

open space and landscape context". The existing suburban form of the Isthmus B2 area is notable for its generous rear yards where they adjoin Cornwall Park. A 10m minimum setback within the Residential: Isthmus B – Epsom / Greenlane Special Character Areas Overlay for buildings which share a rear boundary with Cornwall Park would retain the current suburban character and amenity reflective of the Special Character Overlay Area.

Submission Summary

17. The Submitter seeks the rewording of the proposed 'Yard Purpose' in Chapter D18.6.1.3 as set out paragraph 6 above. | 142.2
18. The Submitter also 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). | 142.3
19. Overall, the Submitter supports the proposed PC 26 subject to the adoption of the above changes.

Procedural Matters

20. The Submitter could not gain an advantage in trade competition through this submission.
21. The Submitter wishes to be heard in support of this submission.
22. The Submitter would consider presenting a joint case with any other party seeking similar relief.
23. The Submitter agrees to participate in mediation or other alternative dispute resolution and would be pleased to discuss the content of this submission with Council staff as part of their reporting considerations



Craig Moriarty

Date: 28 June 2019

On behalf of Somersby Trust

Address for Service:

Somerby Trust
C/- Haines Planning Consultants Limited
PO Box 90842
Victoria Street West
AUCKLAND 1142

Attention: Craig Moriarty

Telephone: (09) 360 1182

Facsimile: (09) 360 0182

Email: craig.moriarty@hainesplanning.co.nz

1286 SUB PC26 SOMERBY

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Nicola Campbell

Organisation name:

Agent's full name:

Email address: nicola@spiritedleadership.co.nz

Contact phone number:

Postal address:
19 Ponsonby Tce
Ponsonby
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18-special Character overlay/E 38-Subdivision Urban

Property address: 19 Ponsonby Tce

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I support the proposed plan change and 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 which is located within this Special Character area.

143.2

I or we seek the following decision by council: Accept the plan modification

143.1

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Wendy Alison Harrex

Organisation name:

Agent's full name:

Email address: wendyharrex@gmail.com

Contact phone number:

Postal address:
85 Richmond Road
Ponsonby
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Entire modification

Property address: 85 Richmond Road, Ponsonby, Auckland

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
I support maintaining the integrity of the intention of the Special Character Zones

I or we seek the following decision by council: Accept the plan modification

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

| 144.1

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Patrick Reddington and Letitia Reddington

Organisation name:

Agent's full name:

Email address: patandtish@gmail.com

Contact phone number:

Postal address:
58 RaweneRoad
Birkenhead
Auckland 0626

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Height in relation , to boundry yards,paved areas and fences. How high you can build a new dwelling or additions to an existing dwelling in relation to a side or rear boundry.

Property address: 58 Rawene Road

Map or maps:

Other provisions:

Rear yard reduction from 3 to 1m2.

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Reducing the 3m2 rear yard rule to 1m2 will allow better use of existing land and allow some infill homes which are needed in our expanding City.

I or we seek the following decision by council: Accept the plan modification

Submission date: 28 June 2019

Attend a hearing

145.2
145.3
145.4
145.5

145.1

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**SUBMISSION ON PROPOSED PLAN CHANGE 26 TO THE PARTIALLY OPERATIVE
AUCKLAND UNITARY PLAN PURSUANT TO CLAUSE 6 OF THE FIRST SCHEDULE
OF THE RESOURCE MANAGEMENT ACT 1991**

To: Auckland Council
Unitary Plan
Private Bag 92300
Auckland 1142
Attention: Planning Technician

By E-Mail only: unitaryplan@aucklandcouncil.govt.nz

Submitter: Z Energy Limited¹
PO Box 2091
WELLINGTON 6140

BP Oil NZ Limited
PO Box 99 873
AUCKLAND 1149

Mobil Oil NZ Limited
PO Box 1709
AUCKLAND 1140

Hereafter, collectively referred to as the Oil Companies

Address for Service: 4Sight Consulting Limited
201 Victoria Street West
Auckland Central
PO Box 911 310, Victoria Street West
AUCKLAND 1142

Attention: Gael McKitterick
Phone: 022 160 6554
Email: gaelm@4sight.co.nz

¹ On behalf of the wider Z group, including the Z Energy and Caltex operations in New Zealand.

INTRODUCTION

- 1) The Oil Companies receive, store and distribute refined petroleum products. The Oil Companies have commercial, shore and marine based, and aviation and bulk storage facilities and are also owners of retail outlets and suppliers of petroleum products to individually owned retail outlets.
- 2) The submissions on these provisions are focused on the key issues affecting the Oil Companies as they relate to the above activities. In this regard, the submitter largely supports the intent of the Plan Change to provide greater clarity on the relationship between the underlying zones and the Special Character Area Overlay as the existing lack of clarity creates uncertainty in respect to the applicability of standards, and the need for otherwise unnecessary resource consent applications. The lack of clarity has the potential to have wider implications for interpretation of the provisions in the Unitary Plan
- 3) The Oil Companies have a particular interest in Plan Change 26 as a consequence of the fact that the industry [as Wiri Oil Services Limited (WOSL)] was involved in the 2017 Environment Court Declaration on the interpretation of the relationship between the Special Character Area Overlay-Residential (SPAOR), the general rules and the Single House Zone provisions. Namely WOSL and the Oil Companies were concerned that the interpretation of these relationships in respect to the SCAO should not impact the relationship of overlays elsewhere in the City, including the Wider Emergency Management Area and the Inner Emergency Management Area overlays, both being overlays which apply to properties located around the Wiri Oil Services terminal.

THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN CHANGE THAT THE OIL COMPANIES' SUBMISSION RELATES TO ARE SUMMARISED AS FOLLOWS:

- 1) The Plan Change seeks to clarify the relationship between the Special Character Areas Overlay and the underlying zone provisions of the partially operative Auckland Unitary Plan ("The Unitary Plan"). The Plan Change seeks to introduce changes to make it clear that certain planning provisions of the Special Character Areas Overlay prevail over the corresponding provisions of the underlying zones. The submission supports that intent.
- 2) The Plan Change achieves its intent by amendments to the 'Explanation' and to the 'Standards' that apply in the Special Character Area Overlay, with the Plan Change including no amendments to clauses, explanations or standards in other parts (including to the general standards) of the Unitary Plan. This is supported.
- 3) The specific provisions submitted on, the rationale for the Oil Companies' submission on each of these matters, and the relief sought is contained in the following Schedule.
- 4) In addition to the specific outcomes sought in the attached Schedule, the following general relief is sought:
 - a) Achieve the following:
 - i. The purpose and principles of the Resource Management Act 1991 ("RMA") and consistency with the relevant provisions in Sections 6 - 8 RMA;
 - ii. Assist Auckland Council ("Council") carry out its functions of achieving the integrated management of the effect of the use, development or protection of land;
 - iii. Meet the requirements of the statutory tests in section 32 of the RMA; and
 - iv. Avoid, remedy or mitigate any relevant and identified environmental effects;
 - b) Make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the Proposed District Plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document; and

c) Any other relief required to give effect to the issues raised in this submission.

THE OIL COMPANIES WISH TO BE HEARD IN SUPPORT OF THIS SUBMISSION

IF OTHERS MAKE A SIMILAR SUBMISSION, THE OIL COMPANIES WOULD BE PREPARED TO CONSIDER PRESENTING A JOINT CASE AT ANY HEARING.

THE OIL COMPANIES COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.

- i. The Oil Companies are directly affected by an effect of the subject matter of that submission that -
- ii. Adversely affects the environment; and
- iii. Does not relate to trade competition or the effects of trade competition.

Signed on and behalf of Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Ltd



.....
Gael McKitterick

Principal Planning and Policy Consultant

Dated this day of 28 June 2019

SCHEDULE ONE

THE SPECIFIC PARTS OF PLAN CHANGE 26 ("PC26") THAT IS SUBJECT OF THIS SUBMISSION IS:

- D18 Activity Table (Explanation) - which is supported
- D18.6.1 Standards for Buildings in Special Character Area Overlays, which is supported in part

THE REASON FOR THE SUBMISSION:

D18 Activity Table (Explanation)

D18 Activity Table (Explanation) of the Proposed Plan Change clarifies the relationship between the Activity Tables in the underlying zone and those of the Special Character Area Overlay. It provides that where an activity is listed in both the underlying zone and the SCAO, the activity status in the SCAO takes precedence over that in the underlying zone. It also provides that any activity which is not provided for in the SCAO, will have the activity status of the underlying zone. The proposed amendment also clearly states that the activity status of land uses is not affected by the SCAO but is determined by the underlying zoning.

The Oil Companies recognise the potential for plan users to misinterpret and to be confused by the relationship between an underlying zone and the Special Character Area Overlay. The Oil Companies support the clarity introduced by the amendments proposed through PC26, and in particular supports the fact that the amendments to clarify this relationship, including identifying that the provisions in the SCAO take priority over those of the underlying zone, have been achieved without any amendment to other standards or explanations in the AUP.

D18.6.1 Standards for Buildings in Special Character Areas Overlay

Standard D18.6.1 as amended by PC26 is supported. The amendments firstly clearly set out the development standards which will apply to all development in the SCAO, and secondly provides that these standards replace the corresponding standards of the underlying zone. The amendment introduced by the Plan Change are therefore supported as they will remove the existing uncertainties arising due to the lack of clarity in respect to the relationship between the underlying zone and the SCAO, removing the need to comply with two often quite different sets of development standards, with increased potential to infringe development controls and require affected party approvals.

The Oil Companies support the amendments to standard D18.6.1 as these will provide certainty and clarity on the relationship between the SCAO and the underlying zone, without resulting in any changes to other standards or explanations elsewhere in the AUP, amendments which could have the potential to impact the relationship of other overlays (such as the Wider Emergency Management Area and the Inner Emergency Management Area overlays which apply around Wiri terminal) to the underlying zone provisions.

RELIEF SOUGHT (ADDITIONS IN UNDERLINE AND GREY SHADING, DELETIONS IN STIKE THROUGH AND GREY SHADING)

- | | | |
|----|--|-------|
| 1) | Adopt the amendments to standard D18 Activity Table (Explanation) as notified. | 146.2 |
| 2) | Adopt the amendments to standard D18.6.1 Standards for Buildings in Special Character Areas Overlay as notified. | 146.3 |

- 3) 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.

146.4

The need for special consideration for historical character areas such as Ponsonby is an important piece to ensure there is ongoing guidelines to retain the integrity of history into the future

Key consideration should be to the value of heritage at the front of these properties whilst allowing owners to renovate the living spaces to allow for the conveniences and comfort of modern living

The general appearance ...fencing paths and especially paint-colours giving the area a sense of unified history is an important consideration

I have included photos of what I would consider to be examples of extremely poor taste when considered in light of heritage

It is also important to assign a team of architects empathetic to heritage area requirements to create guidelines

Thankyou for the opportunity to comment
Yours Sincerely
Annette Mason
30 Richmond rd Ponsonby

silencealchemy@icloud.com









The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Roger Henstock

Organisation name:

Agent's full name:

Email address: r.nhenstock@xtra.co.nz

Contact phone number:

Postal address:
32 Wapiti Avenue,
Epsom
Auckland 1051

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Proposed Plan Change 26

Property address: 32 Wapiti Avenue

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

My wife and I support the concept that the Special Character Areas Overlay should take precedence over the corresponding provisions of the underlying residential zones.

I or we seek the following decision by council: Accept the plan modification

| 148.1

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Philip John Mayo

Organisation name:

Agent's full name:

Email address: mayop@xtra.co.nz

Contact phone number:

Postal address:
P.O.Box 147313
Ponsonby
Auckland 1144

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.3.1 Yards - 3 metre rear yard (retain) D18.6.1.4.1 Coverage - 45% Isthmus A (increase to 50%) D18.6.1.7 (b) Fence height- side 1.2m in front of facade (increase to 2 metres) E38.8.2.3.1 Subdivision Single House Zone- minimum net site area (retain as 600 m2)

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The refining of these standards goes beyond the scope of the Unitary Plan process and the court decision which sought clarification of the rules and not changes to the standards. They are also contrary to the objectives and policies and character statements for the single house zone which seek to maintain and enhance the amenity values of established neighbourhoods and neighbourhood character. D18.6.1.3.1 Yards- rear 3 metres, retain as many of the sites in particular in the Isthmus A zone are 300 metres or less and are sited close to the street frontage so the back yard becomes the only space for outdoor living and having buildings 1 metre from the rear boundary of an adjoining site would reduce the vital and aural amenity of the yard. D18.6.1.4.1 Coverage- Isthmus A 45%, increase to 50% as many of the houses on smaller sites already occupy 50% of the site which means that if

|149.2

|149.3

you rebuild an existing leanto it requires dispensation. D18.6.1.7(b) Fence Height - side 1.2 metres in front of facade, amend to 2 metres. As from a design perspective it makes sense to continue the 2 metre height to the front boundary both visually and to maintain privacy. In addition, the Plan emphasises that the streetscape is one of the important aspects of the Special Character area and reducing the fence height does nothing to enhance the street. E.38.2.3.1 Subdivision - reject whole amendment, in particular, Isthmus A 400 m2. As stated above the purpose of the single house zone is to maintain and enhance the amenity values of established neighbourhoods and neighbourhood character. By reducing the minimum site area required from 600 square metres is reducing the amenity and neighbourhood character and is contrary to the objectives and policies and special character statements of the Plan. The Unitary Plan has identified areas for future growth and sought to preserve established character in the special character areas and reducing the requirement would only diminish and character and amenity. Retain 600m2 minimum net site area for single house zone.

| 149.4

| 149.5

I or we seek the following decision by council: Decline the plan modification

| 149.1

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: B Dayal

Organisation name:

Agent's full name: Vijay Lala (Tattico Limited)

Email address: vijay.lala@aucklandcouncil.govt.nz

Contact phone number: 099734302

Postal address:
PO BOX 91562
Victoria Street
CBD
Auckland 1142

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

a) D18.4. Activity Table – Explanation b) Table D18.4.1 Activity table – Special Character Areas Overlay – Residential - Activity (A2) c) Table D18.4.1 Activity table – Special Character Areas Overlay – Residential - Activity (A3) d) Table D18.4.1 Activity table – Special Character Areas Overlay – Residential - Activity (A4) e) D18.6.1.1. Building height - Purpose f) D18.6.1.2. Height in relation to boundary (2) g) D18.6.1.3. Yards - Table D18.6.1.3.1 Yards h) D18.6.1.7. Fences and walls i) D18.8.2.1. Special Character Areas Overlay – Residential – Assessment Criteria j) E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business (4)

Property address:

Map or maps:

Other provisions:

k) Any other consequential changes, including but not restricted to changes to the objectives and policies of the overlay and Auckland Unitary Plan to give effect to this submission.

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Please refer attached submission documents.

I or we seek the following decision by council: Accept the plan modification with amendments

150.1

Details of amendments: Refer Submission and Attachment A - Requested Changes to Plan Change 26

Submission date: 28 June 2019

Supporting documents
PC26 - Submission - B Dayal.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Proposed Plan Change 26

Special Character Area Overlay

June 2019

1 SUBMITTER DETAILS

| Submitter Details | |
|---------------------|---|
| Submitter | B Dayal |
| Agent | Vijay Lala Tattico Limited |
| Address for Service | Tattico Limited PO BOX 91562 Auckland, 1142 |
| Email | vijay.lala@tattico.co.nz |
| Phone | +64 21 411 124 |
| Trade Competition | The submitter can not gain an advantage in trade competition through this submission. |

2 SCOPE OF SUBMISSION

This submission is made on behalf of B Dayal (c/- Tattico Limited) on Proposed Plan Change 26 which aims to clarify the relationship between the Special Character Area Overlay and the underlying zones.

In general, the proposed plan change is supported for the following reasons:

- (1) It is sound planning practice to make clear which provisions apply to development in the Special Character Overlay;
- (2) The most appropriate set of provisions to apply to development in the Special Character Overlay are those contained in the overlay itself. The only time in which the zone rules should apply is where there is no corresponding rule in the Special Character Overlay.

Notwithstanding this general support, it is considered that amendments to the plan change are necessary so that the final set of provisions are the most appropriate, efficient and effective.

Some of the amendments sought relate to wording and increasing the clarity of the provisions. Other amendments relate to the substance of the provision itself. An example of such an amendment is the proposal to remove the net site area control for subdivision around approved development in the Special Character Overlay.

Overall, the changes will ensure that the development of sites within the Special Character Area Overlay will occur in a manner that is consistent with; and will make a positive contribution to the identified special character values of the area.

3 SUMMARY OF REQUESTED CHANGES AND REASONS

Below is a summary of the requested changes and the reasons for those changes. The changes are shown in blue so as to differentiate them from the changes proposed by the Council which use black underline and ~~strikethrough~~. A copy of the proposed plan change with the amendments tracked is contained in Attachment A to this submission.

a) D18.4. Activity Table – Explanation

| <u>Proposed Amendment</u> | <u>Reason</u> |
|---|--|
| <p><u>Where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 takes precedence over applies in place of the activity status in the underlying zone (whether or not that activity status is more restrictive).</u> For the avoidance of doubt, the activity status of the corresponding activity in the underlying zone does not apply.</p> | <p>The revised phrasing is considered to clearly define the activity status of activities within Table D18.4.1 as the prevailing activity status where there is a corresponding activity in the underlying zone.</p> <p>The requested change is considered to support the purpose of plan change which is to reduce the ambiguity between the overlay and the underlying zone.</p> |

150.2

b) Table D18.4.1 Activity table – Special Character Areas Overlay – Residential - Activity (A2)

| <u>Proposed Amendment</u> | <u>Reason</u> | | | | |
|--|------------------------|------------------------|--------------------|--|--|
| <table border="1" data-bbox="282 1619 820 1762"> <tr> <td data-bbox="282 1619 687 1688">Activity</td> <td data-bbox="687 1619 820 1688">Activity status</td> </tr> <tr> <td colspan="2" data-bbox="282 1688 820 1762">Development</td> </tr> </table> | Activity | Activity status | Development | | <p>The revised phrasing provides greater clarity and certainty relating to permitted additions and alterations to the rear of a building.</p> <p>Requiring additions and alterations to the rear of the building to utilise the same design and material of the existing building is not considered to make a positive or meaningful</p> |
| Activity | Activity status | | | | |
| Development | | | | | |

| | | | |
|------|---|---|---|
| (A2) | <p>Minor 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) where works to the building use the same design and materials to the existing building</p> | P | <p>contribution to the identified character of the area.</p> <p>Additions and alterations to the rear of the building will have no impact on the character of the streetscape or overall character of the area as they are not visible from the street.</p> <p>In some instances it may not be practical to impose such controls on the design and materiality of rear additions and alterations as the design and/or materials as it may not result in a positive contribution to the identified character values of the area.</p> |
|------|---|---|---|

150.3

c) Table D18.4.1 Activity table – Special Character Areas Overlay – Residential - Activity (A3)

| Proposed Amendment | | Reason |
|---|-----------------|---|
| Activity | Activity status | <p>Similar to (b) above, the demolition of rear walls will do little to contribute to the character of the streetscape and is not considered to be relevant to the purpose of this activity.</p> <p>Roof areas are not considered to be an integral feature of a building which contributes to maintaining the existing character of the area.</p> <p>The replacement of the roof will have no impact on the character of the streetscape or overall character of the overlay. Therefore, the inclusion of “roof areas” in the demolition standards for the overlay is not considered to be appropriate and should be excluded.</p> |
| Development | | |
| <p>(A3) Total demolition or substantial demolition (exceeding 30 per cent or more, by area, of front and side 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: (a) ...</p> | RD | |

150.4

d) Table D18.4.1 Activity table – Special Character Areas Overlay – Residential - Activity (A4).

| Proposed Amendment | | | Reason | | | | | | |
|---|-----------------|----------|-----------------|--------------------|--|------|----|---|---|
| <table border="1"> <thead> <tr> <th>Activity</th> <th>Activity status</th> </tr> </thead> <tbody> <tr> <td colspan="2">Development</td> </tr> <tr> <td>(A4)</td> <td>RD</td> </tr> </tbody> </table> | | Activity | Activity status | Development | | (A4) | RD | <p>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), except as provided for by Standard D18.4.1(A2).</p> | <p>The requested addition supports the change to activity (A2) as listed in <i>Table D18.4.1 Activity table – Special Character Areas Overlay – Residential</i>. The requested addition ensures there is no ambiguity around the activity status of permitted additions/alterations to the rear of buildings.</p> |
| Activity | Activity status | | | | | | | | |
| Development | | | | | | | | | |
| (A4) | RD | | | | | | | | |

150.5

e) D18.6.1.1. Building height - Purpose

| Proposed Amendment | Reason |
|--|--|
| <p>D18.6.1.1. Building height</p> <p><u>Purpose: to manage the height of buildings to:</u></p> <ul style="list-style-type: none"> ▪ <u>retain the existing built form character of predominantly one to two storeys in the established residential neighbourhoods and provide for the planned environmental outcomes enabled by this standard;</u> ▪ <u>maintain the relationship of built form to the street and open space; and</u> ▪ <u>maintain a reasonable level of sunlight access and minimise visual dominance effects.</u> | <p>The revised phrasing recognises the permitted building height provided for by <i>D18.6.1.1 – Building height</i>. This requested change is considered appropriate as it enables development which provides for the planned environmental outcomes of the area in a manner which is consistent with the identified character values of the area.</p> |

150.6

f) D18.6.1.2. Height in relation to boundary (2)

| Proposed Amendment | Reason |
|---|---|
| <p>D18.6.1.2. Height in relation to boundary</p> <p>(2) <u>The underlying zone height in relation to boundary standard applies where:</u></p> <p>(a) <u>The site has a frontage length of 15m or greater; or</u></p> <p>(b) <u>The site is a rear site.</u></p> | <p>Development standard <i>D18.6.1.2(2)</i> is not considered to be the most appropriate method to maintain the identified character values of an area.</p> <p>The 3m + 45 degree height recession plane has been historically applied to these sites and is considered to be the most effective method to maintaining the existing character of an area.</p> <p>The reduced height recession plane of the underlying zone may result in inappropriate additions and alterations to buildings, which may comply with the standard, however may result in adverse character effects.</p> |

150.7

g) D18.6.1.3. Yards - Table D18.6.1.3.1 Yards

| Proposed Amendment | | Reason |
|--------------------------------|--|--|
| Table D18.6.1.3.1 Yards | | <p>The requested change is considered to emphasize the importance of maintaining streetscape character. The side yard/setback is not considered to be a development standard which helps to retain the historic built character of the streetscape given the yard/setback makes little positive contribution to the building's relationship to the street.</p> <p>Providing amenity from an oblique view from the footpath or road makes little to no positive contribution to the character of the streetscape.</p> |
| 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 <u>1.0</u> | |
| Rear | 3m | |

150.8

h) D18.6.1.7. Fences and walls

| Proposed Amendment | Reason |
|--|--|
| <p>D18.6.1.7. Fences <u>and</u> walls <u>and</u> other structures</p> <p><u>Purpose:</u></p> <ul style="list-style-type: none"> <u>To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.</u> <p>(1) <u>Fences <u>and</u> walls <u>and</u> other structures, or any combination of these, in the Special Character Areas Overlay - Residential must not exceed a <u>the height specified below, measured from</u> of 1.2m above ground level.:</u></p> <p>(a) <u>On the front boundary or between the front façade of the house and the front boundary, 1.2m in height.</u></p> <p>(b) <u>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.</u></p> <p>(c) <u>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. Houses on corner sites have two front facades.</u></p> <p>(d) <u>On any other boundary or within any other yard not described above, 2m in height.</u></p> | <p>Fences and walls along all other boundaries, except front boundaries, are not considered to have any impact on the existing character of the streetscape.</p> <p>The requested change emphasizes the purpose of the control which is to maintain and enhance the character of the streetscape. Restricting fence/wall heights along all other boundaries not considered to contribute positively to the character of the streetscape.</p> |

150.9

150.10

i) D18.8.2.1. Special Character Areas Overlay – Residential – Assessment Criteria

| Proposed Amendment | Reason |
|---|---|
| <p>D18.8.2.1. Special Character Areas Overlay – Residential</p> <p>(1) For an infringement of any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:</p> <p>(a) Policies D18.3(1) to (7).</p> <p>(b) <u>the relevant assessment criteria for the standard (or equivalent standard) in the underlying zone.</u></p> <p><u>(x) whether structures in the front yard (including garages in the front yard) are consistent with the existing character of the streetscape</u></p> | <p>The requested addition to the assessment criteria for the Special Character Area Overlay – Residential will enable structures within the front yard which are consistent with the existing character of the streetscape.</p> <p>A number of residential areas within the region can be defined by development patterns which include structures within the front yard. The inclusion of this criteria enables the development of structures within the front yard where it is considered to be consistent with the existing streetscape character.</p> |

150.11

- j) E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business (4)

| Proposed Amendment | Reason |
|--|---|
| <p>E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business</p> <p>(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.</p> <p>(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.</p> <p>(3) <u>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.</u></p> <p>(4) <u>The following controls do not apply where consent is granted for an approved development.</u></p> | <p>The requested change ensures sites can be developed and subdivided as enabled by the plan. Applying a net site area control is not considered appropriate when considering a joint land-use and subdivision application.</p> <p>Development and subdivision deemed to be appropriate through a joint land-use and subdivision application should not be required to meet minimum net site area control as the character, amenity and urban design effects of any such application will have been comprehensively addressed through the land-use component of the resource consent.</p> |

150.12

- k) Any other consequential changes, including but not restricted to changes to the objectives and policies of the overlay and Auckland Unitary Plan to give effect to this submission.

150.13

4 DECISION SOUGHT FROM COUNCIL

The submitter seeks that that the Council make the following decision:

- (a) That the plan change is approved subject to the amendments summarised in Section 3 of this submission and marked up in **Attachment A**;
- (b) Any other consequential amendments that are necessary to give effect to the matters raised in this submission.

The amendments set out in this submission are intended to further clarify that the provisions of the Special Character Overlay apply, in place of, the corresponding provisions of the underlying zone.

The amendments sought also ensure that the provisions within the Special Character Overlay are the most effective and efficient for retaining the characteristics of the Special Character Overlay whilst also enabling appropriate development.

In addition to the above:

- (a) The submitter wishes to be heard in support of this submission.
- (b) Consideration would be given to providing joint evidence in support of this submission.



Vijay Lala | Director

Tattico Limited

Attachment A – Requested Changes to Plan Change 26

Requested changes are marked in underlined for new text and ~~strikethrough~~ where existing text is proposed to be deleted.

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.

Where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 takes precedence over applies in place of the activity status in the underlying zone (whether or not that activity status is more restrictive). For the avoidance of doubt, the activity status of the corresponding activity in the underlying zone does not apply.

Commented [J1]: Reason: The revised phrasing better defines the relationship between the overlay and the underlying zone.

Where an activity is not provided for in Table D18.4.1, the activity will have the activity status provided in the underlying zone. All other relevant overlay, precinct, Auckland-wide and general rules apply.

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 |
|--------------------|---|-----------------|
| Development | | |
| (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 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) 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 <u>front and side</u> 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: (a) all sites in all the following Special Character Areas Overlay - Residential: (i) Special Character Area Overlay – Residential: Isthmus A; (ii) Special Character Areas Overlay – Residential: Pukehana Avenue; (iii) Special Character Area Overlay – General: Hill Park (those sites with a residential zone); and (iv) Special Character Area Overlay – General: Puhoi (those sites with a residential zone); and (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. | 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), <u>except as provided for by D18.4.1(A2).</u> | 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 fences and walls, and alterations to existing fences and walls that comply with Standard D18.6.1.7(1)</u> | P |
| (A5B) | <u>New fences and walls and alterations to existing fences and walls that do not comply with Standard D18.6.1.7(1)</u> | RD |

Commented [J2]: Reason: The revised phrasing provides greater clarity and certainty relating to permitted additions and alterations to the rear of a building.

Additions and alterations to the rear of the building will have no impact on the character of the streetscape or overall character of the area.

Commented [J3]: Reason: Rear walls do not contribute to the character of streetscape. As such, the demolition of rear walls have no relevance to the demolition standards of the overlay.

Roof areas are not considered to be an integral feature of the building which contributes to maintaining the existing character of the area.

The replacement of the roof has no impact on the character of the streetscape or overall character of the overlay and should not be included as a part of the demolition standards for the overlay.

Commented [J4]: Reason: Ensures clarity around permitted activities provided for under D18.4.1(A2).

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 |
|--|--|-----------------|
| Development | | |
| 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 and Special Character Areas Overlay – General (with a business zoning) | | |
| (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)

- a) 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 development standards.
- b) Except where otherwise specified in this chapter, the development standards within D18.6.1 replace the following corresponding development standards within the underlying zone and the corresponding development standards within the underlying zone do not apply:
 - Building height

- Height in relation to boundary
- Yards
- Building coverage
- Maximum impervious area
- Landscaped area or Landscaping
- Fences and walls

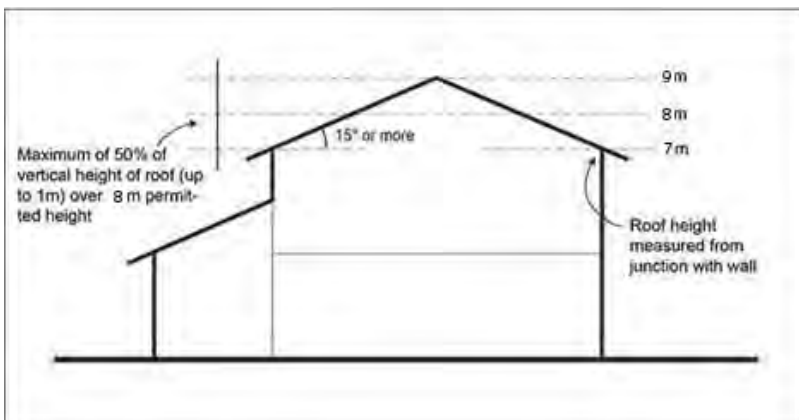
D18.6.1.1. Building height

Purpose: to manage the height of buildings to:

- retain the existing built form character of predominantly one to two storeys in the established residential neighbourhoods and provide for the planned environmental outcomes enabled by this standard;
- maintain the relationship of built form to the street and open space; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects.

(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



Commented [J5]: Reason: The revised phrasing recognises the permitted building height provided for by the provisions of the overlay.

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

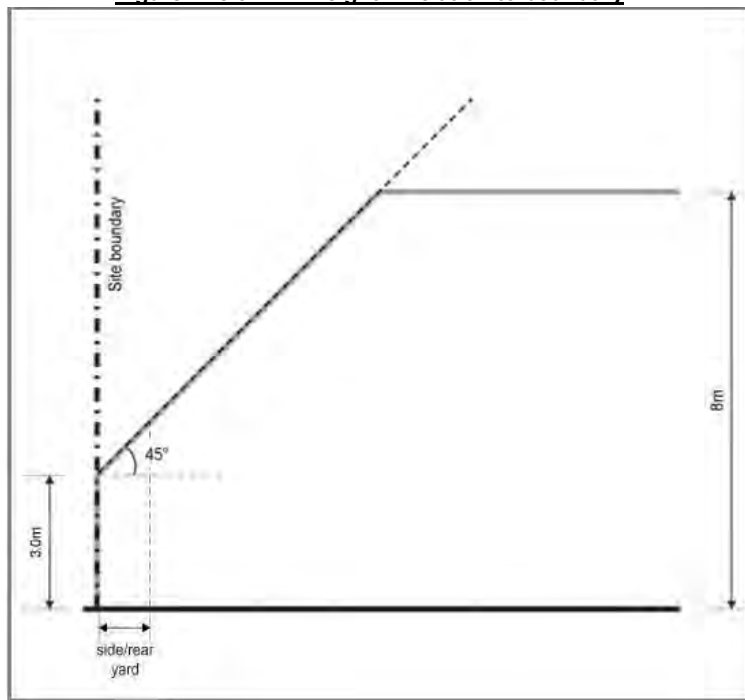
- retain the character of the streetscape;
- enable a built form that reflects the identified character of the area; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects.

(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 boundaryies of the site where:

(a) The site has a frontage length of less than 15m

(i) For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.

Figure D18.6.1.2.1 Height in relation to boundary



(2) The underlying zone height in relation to boundary standard applies where:

Commented [J6]: Reason: The 3m + 45 degree height recession plane has been historically applied to these sites and is considered to be the most effective method to maintain the existing character of the area.

The reduced height recession plane in the underlying zone may result in inappropriate additions and alterations to buildings that will result in adverse characters effects.

(a) The site has a frontage length of 15m or greater; or

(b) 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.

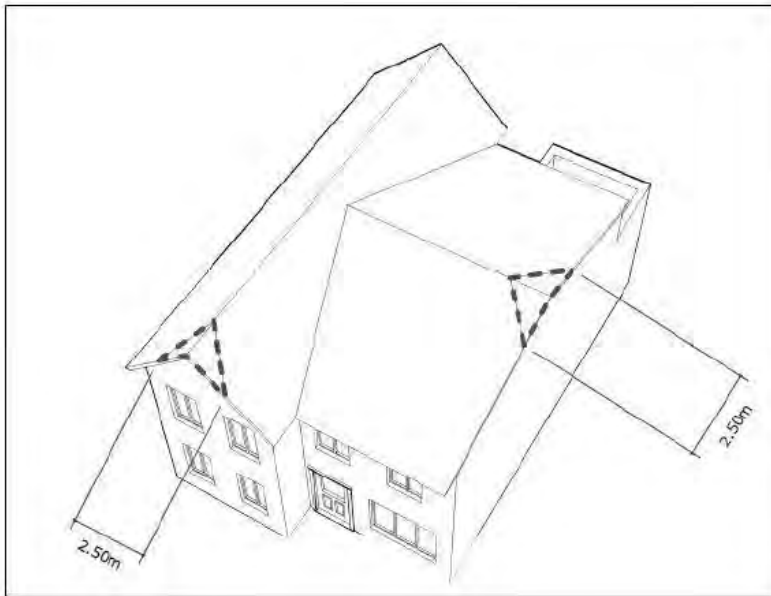
(4) Where the boundary forms part of a legal right of way, entrance strip, or access site, Standard D18.6.1.2(1) applies from the farthest boundary of the legal right of way, entrance strip, access site or pedestrian accessway.

(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 1.5m² in area and no greater than 1m in height; and

(b) no greater than 2.5m cumulatively in length measured along the edge of the roof.

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

Purpose: to retain the historical built character of the streetscape by managing the setback and the relationship of the building to the street.

- (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 1.0 |
| Rear | 3m |

Commented [J7]: Reason: The side yard/setback does not contribute to a building’s relationship to the streetscape. Providing amenity from an oblique view from the footpath or road makes little to no positive contribution to the character of the streetscape.

Commented [J8]: The deletion of the rear yard standard is supported.

- (2) Standard D18.6.1.3.1 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.
- (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

Purpose: to manage the extent of buildings on a site commensurate with the existing built character of the neighbourhood.

- (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 ² | 55 per cent of the net site area |
| 200m ² – 300m ² | 45 per cent of the net site area |
| 300m ² – 500m ² | 40 per cent of the net site area |
| 500m ² – 1,000m ² | 35 per cent of the net site area |
| Greater than 1,000m ² | 25 per cent of the net site area |

(2) Where a site is within the Rural and Coastal Settlement zone, Standard D18.6.1.4. Building coverage does not apply and Standard H2.6.9. Building coverage applies.

D18.6.1.5. Landscaped area

Purpose: to maintain the level of landscaped character and trees consistent with the identified character of the 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 ² | 28 per cent of the net site area |
| 200m ² – 500m ² | 33 per cent of the net site area |
| 500m ² – 1,000m ² | 40 per cent of the net site area |
| Greater than 1,000m ² | 50 per cent of the net site area |

(2) The front yard must comprise at least 50 per cent landscaped area.

(3) Where a site is within the Rural and Coastal Settlement zone, Standard D18.6.1.5. Landscaped area does not apply.

D18.6.1.6. Maximum paved impervious area

Purpose:

- to reinforce the building coverage and landscaped area standards; and
- to limit impervious areas on a site to maintain the identified character of the area.

(1) The maximum paved impervious 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 impervious area in the Special Character Areas Overlay – Residential below:

Table D18.6.1.6.1 Maximum paved impervious area in the Special Character Areas Overlay – Residential

| Site area | <u>Paved Impervious</u> area |
|---------------------------------------|--|
| Up to 200m ² | 47 <u>72</u> per cent of the net site area |
| 200m ² – 500m ² | 29 <u>65</u> per cent of the net site area |

| | |
|---|--|
| 500m ² – 1,000m ² | 25 <u>60</u> per cent of the net site area |
| Greater than 1,000m ² | 25 <u>50</u> per cent of the net site area |

(2) Where a site is within the Rural and Coastal Settlement zone, Standard D18.6.1.6. Maximum impervious area does not apply and Standard H2.6.8. Maximum impervious area applies.

D18.6.1.7. Fences and walls ~~and other structures~~

Purpose:

- To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.
- (1) 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.
 - (c) 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. Houses on corner sites have two front façades.~~
 - (d) On any other boundary or within any other yard not described above, 2m in height.

Commented [J9]: Reason: Fences and walls along all other boundaries are not considered to have any impact on the existing character of the streetscape.
Therefore, restricting fence/wall heights along all other boundaries is not considered to contribute positively to the character of the streetscape.

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

There are no controlled activities in this section.

D18.8. Assessment – Restricted discretionary activities D18.8.1. Matters of discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary resource consent application.

D18.8.1.1. Special Character Areas Overlay - Residential

(1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:

(a) the effects....

(2) For external alterations or additions to buildings; or for the construction of a new building or the relocation of a building onto a site:

(a) the effects....

(3) For an infringement of the any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:

(a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement; and

Note 1

Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

(b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.

(c) the matters of discretion for the standard (or equivalent standard) in the underlying zone.

D18.8.1.2. Special Character Business Areas

.....

D18.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities.

D18.8.2.1. Special Character Areas Overlay – Residential

- (1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:
 - (a)...
- (2) For external alterations and additions to a building: (a) Policies D18.3(1) to (7);
 - (b)
- (3) For the construction of a new building or relocation of a building onto a site:
 - (a) Policies D18.3(1) to (7);
 - (b) for all areas...
- (4) For an infringement of any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:
 - (a) Policies D18.3(1) to (7).

(b) the relevant assessment criteria for the standard (or equivalent standard) in the underlying zone.

(x) whether structures in the front yard (including garages in the front yard) are consistent with the existing character of the streetscape

Commented [J10]: Reason: The addition of this criteria allows for the consideration of the existing streetscape character when considering the development of structures within the front yard.

D18.8.2.2. Special Character Areas Overlay - Business

- (1) For the total

D18.9. Special information requirements

There are no special information requirements in this section.

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.
- (4) The following controls do not apply where consent is granted for an approved development.

Table E38.8.2.6.1 Special Character Areas Overlay – Residential and Business subdivision controls

| Special Character Areas Overlay – Residential and Business – Sub area | Minimum net site area |
|---|---|
| Isthmus A | 400m ² or 500m ² where the site does not comply with the shape factor |

Commented [J11]: Reason: Net site area controls should not apply to joint land use and subdivision applications.

The character and urban design effects of any proposed developed will have been compressively addressed through the land-use consent.

Net site area controls are more appropriate when considering vacant lot subdivision applications.

| | |
|---|---|
| Isthmus B1 and B3 | 1,000m ² |
| Isthmus B2 | 600m ² |
| Isthmus C1 | 400m ² or 500m ² where the site does not comply with the shape factor |
| Isthmus C2 | 600m ² |
| Isthmus C2a (refer to Figure E38.8.2.6 below) | 1,000m ² on sites identified in Figure E38.8.2.6 below |
| North Shore Area A* | 450m ² |
| North Shore Area B* | 500m ² |
| North Shore Area C* | 600m ² |

*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.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Bronwyn Hayes

Organisation name:

Agent's full name:

Email address: bhayes12a@yahoo.co.nz

Contact phone number:

Postal address:
3/96A Victoria Rd
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC26 Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I have lived for 60 yrs in Devonport and have been one of those who invested much of my own income and energy in restoring my own property, as did my extended family, and neighbours. It is essential to retain the SCAO in heritage suburbs and to retain and 3m rear yard constraints and the 3m vertical height/45 degree angle requirement. This will go some way to protect the efforts made by several generations to retain the attraction of Devonport and its restored villas and cottages.

| 151.2

| 151.3

| 151.4

I or we seek the following decision by council: Decline the plan modification

| 151.1

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Thankyou for your advice on the proposed plan changes. I appreciate the maintenance of the character areas in Auckland City and particularly in St. Heliers and Parkside Street where I reside. These lovely old houses built in the 1930's are particularly characterful in design and also in the persons who have dwelt in them. I support the standard of no more than 2 levels for a dwelling. D18.6.1.1 My concern is the redevelopment of sites generally means an increase of motor vehicles and therefore street congestion and unclean air.

| 152.1

There has been so much redevelopment of Auckland City suburban sites that the streets are congested with cars parking in the street because there is not sufficient area on the site of multi dwellings for all the vehicles of those who dwell there.

I request the Council consider this problem and ensure in the future provision is allowed for the number of vehicles the average owners possess.

| 152.2

Long Drive, Tarawera Terrace and Apirana Avenue are examples of the problem.

I appreciate being kept informed of progress on the unitary plan.

Yours faithfully,

Marilyn Elvin

29 Parkside Street,
St. Heliers, Auckland.

marilyn@elvin.co.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Michael Neil Hayes

Organisation name: On behalf of myself as property owner in the applicable area

Agent's full name: None

Email address: mnhayes@gmail.com

Contact phone number: 027 483 3648

Postal address:
3/96A Victoria Rd Devonport
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1, Standards, D18.6.11 Building Heights, D18.6.1.2 Height in relation to boundary, and D18.6.1.3 Yards.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The special character area overlay should provide greater protection for heritage and character than zones not designated as having special character. Retention and protection of character and heritage are not served by adopting development rules from the equivalent underlying single house zone rule, where the underlying rule is less stringent (rear setback as an example), or by setting more relaxed rules where the underlying rule actually provides greater protection for character and heritage (side yard height to boundary as an example). In my view rear setback should remain at 3m and side yard height to boundary should be no more imposing than 45 degrees above 2.5m. 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, lest a simple avenue for circumventing the letter

| 153.2
| 153.3
| 153.4

and intention of the dominant rules would remain as a 'loophole' for 'character-insensitive' developments.

I or we seek the following decision by council: Decline the plan modification

| 153.1

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

[Mrs Anna Lomas Breckon](#)

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

[29 Tohunga Crescent, Parnell, Auckland 1052](#)

Telephone:

[0-21-030 9531](tel:0210309531)

Fax/Email:

anna.breckon@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

[D18.6.1.2](#), [D18.6.1.3](#), [D18.6.1.7](#)

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above [Support change D18.6.1.2](#)

I **oppose** the specific provisions identified above [Oppose change D18.6.1.3](#), [Oppose change D18.6.1.7](#)

I wish to have the provisions identified above amended Yes No

The reasons for my views are: [See attached sheet](#)

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation [Accept change D18.6.1.2](#)
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation [Decline change D18.6.1.3](#), [Decline change D18.6.1.7](#)
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- ~~I wish to be heard in support of my submission~~
- I do not wish to be heard in support of my submission
- ~~If others make a similar submission, I will consider presenting a joint case with them at a hearing~~



Signature of Submitter
(or person authorised to sign on behalf of submitter)

28 June 2019

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I ~~could~~ / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

My submission specifically concerns proposed changes that would affect properties with the following zoning and overlay: **Residential – Single House Zone; Historic Heritage and Special Character Areas Overlay – Parnell, Residential Isthmus B.**

- **Change to D18.6.1.2 – SUPPORT:** I strongly agree that the 45-degree recession plane for the height-to-boundary rules for such properties that have a road frontage of less than 15 metres should be calculated from a point 3 metres (not 2.5 metres) above the ground at the side and rear boundaries. The proposed change would increase the viability of building housing of a size and quality commensurate with the high land values in our suburb, particularly on the many sites that are small and/or narrow and/or irregularly shaped. | 154.1
- **Change to D18.6.1.3 – OPPOSE:** I strongly believe that the minimum side yard depth and rear yard depth for such properties should be 1 metre (not 1.2 metres). The proposed change would diminish the viability of building housing of a size and quality commensurate with the high land values in our suburb, particularly on the many sites that are small and/or narrow and/or irregularly shaped. | 154.2
- **Change to D18.6.1.7 – OPPOSE:** I strongly believe that the maximum height of fences within the front yard of such properties should be 1.8 metres if the fence is at least 50% visually open, and that all fences within the side and rear yards should be allowed to be 2 metres tall. This is because the proposed restriction of fence heights to 1.2 metres within the front yard of such properties poses major risks to home security, as prowlers and burglars can easily scale a 1.2-metre fence. (Note: This was demonstrated by a frightening home invasion experienced by our next-door neighbours several years ago, in which the perpetrators easily climbed over the property’s 1.2-metre side wall, entered the house, and extorted money from the occupants.) Moreover, if Auckland Council imposes a new rule limiting the height of new front yard fences to 1.2 metres, criminals will be more likely to target properties with newer and lower fences built under that new rule than other surrounding properties with older and higher fences built before the imposition of that new rule. I do not believe it is fair or appropriate for the Council to impose such a change that would make some properties more vulnerable to crime than other neighbouring properties, merely on the basis of when their perimeter fencing was built. | 154.3
| 154.4

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alan Stokes

Organisation name:

Agent's full name:

Email address: alanstokesnz@outlook.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.7 Fences and walls.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

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. In some Special Character Areas such as Remuera, higher fences than 1.2m are common.

| 155.2

I or we seek the following decision by council: Accept the plan modification with amendments

| 155.1

Details of amendments: Front boundary fences/walls are to be in keeping with the existing streetscape.

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Brent Swain

Organisation name:

Agent's full name: Brent Swain

Email address: brentswain@gmail.com

Contact phone number:

Postal address:

Onehunga
Auckland 1061

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.7. Fences and walls

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Specifically related to the 1.2 metre height for front and side fences at the front of the house: We are opposed to this on the basis that it doesn't provide conformity to the area (few houses around us have 1.2 high fences), a number of houses don't have a back section so rely on the front for dog exercise and there is a level of privacy you want to enjoy separate from your neighbours (at front and back). In the very least I believe there needs to be a relaxing of the restrictions to side front fencing in your proposal. I do not believe we are after the American white picket fence look and more a reflexion of Auckland history over time. I therefore see that any fencing at the front of the house should be in keeping with the house frontage. If the proposal carries on as it is, due to limitations, there is likely to be either no changes/ improvements or ignorance.

I or we seek the following decision by council: Accept the plan modification with amendments | 156.1

Details of amendments: Front fencing to be at height 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. | 156.2

Submission date: 29 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Roy Koshy

Organisation name:

Agent's full name:

Email address: koshy_roy@yahoo.co.in

Contact phone number:

Postal address:

10a Hazel Ave
Mt Roskill
Auckland 1041

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

The unitary plan was introduced to build more housing due to the acute shortage. Special character homes are mainly in the central Auckland area, where there is a real need for more dwellings.

Applications on the special housing area needs to be considered on a case by case with a focus on development. My suggestion is to implement the same rules as that of a single housing on special housing as well. HIRB rules should be same irrespective of where the dwelling is positioned/being positioned (front/rear of the property) and the max height be kept 8+1m for gable.

Additional/Alternation and upto 40% demolition is suggested to be a permitted activity. If the house is damaged and unable to restored to its former glory shall be permitted to be demolished.

| 157.2

| 157.3

| 157.4

| 157.5

| 157.6

| 157.7

Property address: 10 Hazel Ave

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
as above

I or we seek the following decision by council: Accept the plan modification with amendments

| 157.1

Details of amendments: in line with the descriptions given above under rule/rules

Submission date: 29 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Robert G Felix

Organisation name:

Agent's full name:

Email address: rgf@xtra.co.nz

Contact phone number:

Postal address:
41 Tainui Road
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Rule D18.6.1.7. Fences and walls. Para (1): (d) "On any other boundary or within any other yard not described above, 2m in height."

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

2 metres is too high for a back/rear fence. The rule should be amended to be no greater than, say, the average person's height (1.7 to 1.8 metres). We do not want fences looking like a local bike gang headquarters!

I or we seek the following decision by council: Accept the plan modification with amendments

158.1

Details of amendments: See note above. Please amend rule D18.6.1.7. Fences and walls. Para (1) (d) to limit back yard fences to 1.7 or 1.8 metres, not 2.0 metres.

158.2

Submission date: 30 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

PROPOSED PLAN CHANGE 26 – SPECIAL CHARACTER AREAS OVERLAY

**SUBMISSION BY DINAH HOLMAN
38 Clarence Rd, Northcote Point, Auckland 0627**

28 June 2019

Problems identified in Proposed Plan Change 26 (PPC 26)

Introduction

There are some problems with this plan change which purports to “clarify” that where there are corresponding provisions in the Special Character Areas Overlay in the Unitary Plan, they will prevail over corresponding provisions in the underlying zone.

The first problem is that only a month has been allowed for those who live in or have a property in an area with a Special Character Area Overlay, to make a submission. As usual, the technical nature of the plan change makes it difficult for people to understand what it all means and how it will affect them or their property, so more time is needed.

The second problem is that it appears that not everyone living in a Special Character Area has been advised by a Council letter of the existence of the proposed plan change. This seems to have been a judgement made by Council staff, rather than allowing anyone living in the special character areas to make that judgement themselves.

The third problem is that the language used is a further barrier to understanding what PPC 26 is all about. “Refining standards”, for example, is vague and uninformative e.g.:

p.1 “The Council is also seeking to refine some of the standards within the Special Character Area Overlay, including height in relation to boundary, yards, paved areas and fences.”

Comment: This is a misleading description of what is actually proposed for the Overlay. It seems some changes proposed will assist those who wish to develop or redevelop their properties more intensively rather than assist owners who want to protect the character and amenity of the Area. The following proposed change is an example:

p.6 D 18.6.1.1 Building height

Purpose: to manage the height of buildings to:

- retain the existing built form character of predominantly one to two storeys in the established residential neighbourhoods;
- maintain the relationship of built form to the street and open space; and

- maintain a reasonable level of sunlight access and minimise visual dominance effects.

Comment: The first of the points above is actually intensification by stealth. On Northcote Point, which has the Overlay, there are relatively few buildings originally designed as two-storey buildings, i.e. genuine two-storey buildings. There are still some streets largely in their original character, i.e. predominantly single storey e.g. Richmond Avenue, and Queen Street between Clarence and the roundabout. Most houses with dormer windows built in the roof in the latter years of the 20th century and since were originally single-storey. Both the original two-storey houses and those with dormer windows would have been erected when yard sizes were larger than the existing or proposed yard sizes in PC26, and those with small side yards mostly have or had generous front and rear yards. The proposed plan change introduces an out-of-character greater use of smaller yards and greater height that could lead to houses being cheek by jowl on all sides. This potential will attract developers but have a detrimental effect on the character that the Special Character Overlay and PC26 purport to protect. If many sections are consequently developed in new two-storey buildings, and/or with small yards and greater height, that will greatly increase the density of housing and drastically alter the character of Northcote Point.

The vague language makes it difficult to understand the exact meaning. What does the clause “maintain the relationship of built form” etc actually mean? What is a “reasonable” level of sunlight access and how would they “minimise visual dominance” effects? Who will decide these questions?

For an answer to this, read the following article by Grant McLachlan (NZ Herald 6 March 2018) on decisions and interpretations made by Council officials:

“Simple planning rules like fence height, boundary setbacks, height-to-boundary, site coverage ...are not being complied with and the council is indifferent to it.”

https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12006948

p.7 Height of Buildings in the 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 where:

(a) The site has a frontage length of less than 15m

(1) For corner sites, Standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.

(2) The underlying zone height in relation to boundary standard applies where:

(a) The site has a frontage length of 15m or greater

(b) The site is a rear site.

Comment: The underlying zoning rule is that buildings must not project above a 45-degree recession plane measured from a point 2.5m above ground level. The 3m provision required by the Overlay will result in taller, bulkier buildings causing a general loss of amenity - greater shading, loss of sunlight, loss of open space, loss of privacy and possibly an increase in noise.

If new two-storey houses can be built with equal ease as one-storey buildings, this will be an incentive to demolish existing one-storey buildings in order to build larger two-storey buildings. This will not enhance the character of the area, as the Overlay is supposed to do – it will destroy it.

p.10 D18.6.1.6. Maximum impervious area

Comment: Note that the change of the word “paved” to “impervious” is accounted for by the fact that roofs will now be part of the calculation. The general result is that the existing paved area plus the existing building coverage adds up to the new maximum impervious percentage.

CHANGES SOUGHT:

I therefore seek:

- *that the submission time be extended by at least another month* | 159.1
- *re-wording of the clause:*
 - *“retain the existing built form character of predominantly one to two storeys in the established residential neighbourhoods” to the following:* | 159.2
 - *“retain the existing built form character of historically predominantly one storey in the established residential neighbourhoods*
- *that there be a suitable greater restriction on two-storey houses, e.g. larger yards:* | 159.3
- *that 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.* | 159.4
- *that rear yards be restored to 3m.* | 159.5
- *that everyone living in a Special Character Overlay Area be informed by mail about Proposed Plan Change 26, with a summary list of the changes added to the explanation.* | 159.6

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Helen Louise Phillips-Hill

Organisation name:

Agent's full name:

Email address: helen.phillips@xtra.co.nz

Contact phone number:

Postal address:
1/90 Victoria Road
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

All, especially height to boundary, rear yard setback and the different rules for longer frontages.

| 160.3

| 160.4

| 160.5

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I do not support the plan change in its entirety, and ask that the rules and policies of the North Shore District Plan Residential 3 zone be retained unchanged. The proposals are detrimental to maintaining our heritage built landscape and threaten neighbours with unwanted impacts.

| 160.2

I or we seek the following decision by council: Decline the plan modification

| 160.1

Submission date: 1 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anthony Chapman

Organisation name:

Agent's full name:

Email address: ajchapman@gmail.com

Contact phone number:

Postal address:
40 Williamson Ave
Grey Lynn
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Plan change 26, special character overlay

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Having the overlay supersede the underlying requirements rather than both being applied was clearly the intention, so this fixes an error. I do think that the 1.2m set back for side yards is excessive for the property layouts in Ponsonby/Grey Lynn, and the 1m rule which was consulted on would be far preferable to this rule which was added without public consultation. I also support allowing 2m fences. Being able to securely contain pets seems like a basic requirement for a back yard.

| 161.2
| 161.3

I or we seek the following decision by council: Accept the plan modification with amendments

| 161.1

Details of amendments: Change side yard set back requirements to 1m in special character overlay

Submission date: 1 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kirsty Gillon

Organisation name: Buchanan House Trust

Agent's full name: Grant Gillon

Email address: kgillon09@gmail.com

Contact phone number:

Postal address:

PO Box 32002

Devonport

0748

15 Buchanan St

Devonport

Devonport

Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1, Standards, D18.6.11 Building Heights, D18.6.1.2 Height in relation to boundary and D18.6.1.3 Yards.

Property address: 15 Buchanan St, Devonport, Auckland

Map or maps:

Other provisions:

The Special Character Overlay is the wrong mechanism to protect heritage. It is cumbersome and over complicated to have two sets of rules applying to properties. I would presume that the Character overlay was designed to protect heritage areas, this proposal is too permissive.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Height to Boundary: The Special Ch- The plan change will allow greater building heights and densities in the side and rear of character properties. This will have detrimental effects on the heritage value of the buildings and so will not achieve the aims of protection of the character of the area. Character

Area Overlay rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard of the Single House Zone which is based on a 2.5m vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact. Rear Yard: In the rear yard the proposal is to reduce the current 3m boundary to just 1m. This will allow building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. Relaxing the 3m setback for the rear yard will have a highly detrimental impact in areas of Devonport where sections near corner junctions have rear yards adjacent to side yards. By allowing the Character Overlay to predominate it puts neighbours in heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy. The size and scale of more development to the side and rear of houses in the SCA will add visual bulk that will detract from the character features of the area. The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of facadism and is not genuine heritage protection. Further the changes will add detrimentally to the impervious areas of dwellings.

I or we seek the following decision by council: Amend the plan modification if it is not declined

162.1

Details of amendments: 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. Retain Rear Yard: In the rear yard to the current 3m boundary .

162.2

162.3

Submission date: 2 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

AUCKLAND COUNCIL
28 JUN 2019
CBD - ALBERT ST

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/MS (Full Name)

ROSEMARY BROWN

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

3 ARTHUR ST.
FREEMAN BAY

Telephone:

02777361

Fax/Email:

rosiebrown1@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

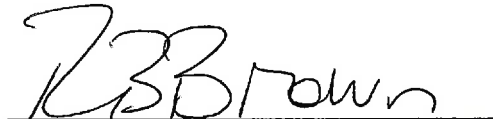
(continue on a separate sheet if necessary)

I seek the following decision by Council:

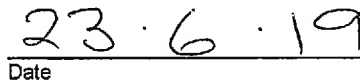
- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

163.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter
(or person authorised to sign on behalf of submitter)



Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alex Findlay

Organisation name: Expanse Ltd

Agent's full name: Alex Findlay

Email address: alex@expanseplanning.co.nz

Contact phone number: 021477177

Postal address:
PO Box 24654
Royal Oak
Auckland 1345

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.2. Height in relation to boundary

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Refer attached file for detail. In summary, the rule and section 32 report do not adequately provide for large properties with traditional buildings we are greater height to boundary flexibility is required. In particular, traditional two level gabled roof dwellings are commonplace within the Residential Isthmus B zone and are often on original rear sites or with a frontage of more than 15m.

I or we seek the following decision by council: Amend the plan modification if it is not declined

164.1

Details of amendments: 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.

164.2

Submission date: 2 July 2019

Supporting documents
Submission PC 26 - Expanse Ltd.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142
ATTN: Planning Technician

2 July 2019

Dear Sir/Madam,

**Submission on PC 26 - Clarifying the Relationship Between the
Special Character Areas Overlay and the Underlying Zone Provisions**

I am a town planning consultant with over 17 years' experience in private practice. I deal extensively with sites within the Special Character Areas. Since the Unitary Plan came into effect in 2016, I have worked on over 60 projects within the Special Character Areas, and I am very familiar with the particular constraints of the existing rules and how the proposed rules may affect potential development.

While I am generally in strong support of Proposed Plan Change 26, I oppose restricting the more flexible height in relation to boundary control to front sites with a road frontage of less than 15 m. This rule disregards the large number of properties within the residential Isthmus B and C areas, and some within the North Shore Special Character Areas, which traditionally have large buildings located in close proximity to boundaries, many of which are on original rear sites.

By way of example, these large areas of older suburbs contain a significant number of rear sites:

- Remuera, including portions of Remuera Road, Seaview Road, Arney Road, Portland Road, Orakei Road, Ranui Road, Kelvin and Victoria Avenue;
- Epsom on Owens Road, Shepherd's Avenue, Mountain Road, Almorah Road, Glenfell Place;
- Mt Albert on Mt Albert Road, Allendale Road, and Lloyd Avenue;
- Significant areas within the Birkenhead Point Special Character Area of the North Shore;

Large areas of the suburbs also contain many lots with a frontage of just more than 15 m. These properties often contain large traditional dwellings, usually of two levels with a high stud, and steep gable roofs, resulting in existing non-compliances with the height in relation to boundary control of the underlying zone. These building typologies contribute to a sense of grandeur which is not

possible to replicate under the provisions of the Unitary Plan. Any further reduction in potential scale would be detrimental to the amenity of the streetscape and the neighbourhood.

In order to protect the historic pattern of development and the heritage character of the streetscape, greater flexibility is required. It is therefore requested that Plan change 26 be amended to remove the height to boundary restriction on rear sites and those with a frontage of more than 15m.

I wish to be heard on this matter.

Regards,

A handwritten signature in blue ink that reads "A Findlay". The signature is written in a cursive, flowing style.

Alex Findlay
Planning Consultant

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Margaret Mary Neill

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

11 Dudley Rd, Mission Bay, Auckland

Telephone:

09 528 3678

Fax/Email:

mmsjneills@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

all

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

refer attached letter.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

165.1

If the proposed plan change / variation is not declined, then amend it as outlined below.


Remove my property from the special characters overlay.

165.2

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing


Signature of Submitter
(or person authorised to sign on behalf of submitter)

30.6.19
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

BEFORE THE ENVIRONMENT COURT

Decision No. [2013] NZEnvC 79

IN THE MATTER of appeals pursuant to Clause 14 of First
Schedule of the Resource Management Act
1991 (**the Act**)

BETWEEN S LATIMOUR
(ENV-2007-AKL-000121)

NEW ZEALAND HEAVY HAULAGE
ASSOCIATION INCORPORATED
(ENV-2007-AKL-000122)

FERNS FAMILY TRUST
(ENV-2007-AKL-000127)

Appellants

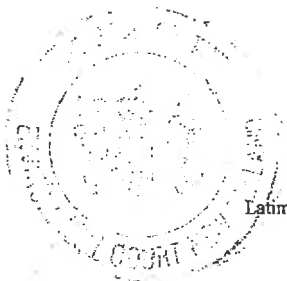
AND AUCKLAND COUNCIL

Respondent

Hearing: At Auckland, Monday 15 April 2013

Court: Environment Judge J A Smith
Environment Commissioner R Dunlop
Environment Commissioner J R Mills

Parties: B I J Cowper for S Latimour and Ferns Family Trust
W S Loutit & R J O'Connor for the Auckland Council (**the
Council**) and as agent for Murray
R E Bartlett for C Gordon & A McAuley
M Savage for G Owen & S Gilbert
G H Brant for E B & M M Benjamin, and M W Daniel
S J Ryan for P & A McLean, and as agent for D Brown
R J Hollyman for A Gambrill
C Kirman for Housing New Zealand Corporation
S Schlaefper for Porter Family Trust
F Frazer for himself
A Body for himself
R Brabant for himself



judgement in respect of individual buildings. To that extent, appropriate experts and members of the public may validly have differing opinions in respect of a particular building.

[25] We are now faced with 21 properties where the Council no longer pursues them being included under the demolition control. In other words, they accept that those buildings should be changed from green to grey. Those properties are:

- 55 Arney Crescent (Group 5)
- 60 Arney Road, Remuera (Group 5)
- 89 Bassett Road, Remuera (Group 5)
- 17 Brilliant Street, St Heliers (Group 1)
- 43 Burwood Crescent, Remuera (Group 6)
- 50 Codrington Crescent, Mission Bay (Group 1)
- 66 Codrington Crescent, Mission Bay (Group 1)
- 9 Dudley Road, Mission Bay (Group 1)
- 11 Dudley Road, Mission Bay (Group 1)
- 2 Glenbrook Street, Remuera (Group 6)
- 122 Ladies Mile, Remuera (Group 7)
- 27 Marine Parade, Herne Bay (Group 13)
- 14 Ranui Road, Remuera (Group 7)
- 178 Remuera Road, Remuera (Group 6)
- 208 Remuera Road, Remuera (Group 6)
- 243 Remuera Road, Remuera (Group 6)
- 36 Shore Road, Remuera (Group 6)
- 11 Tirohanga Avenue, Remuera (Group 6)
- 32 Upland Road, Remuera (Group 7)
- 34 Watling Street, Epsom (Group 9)
- 12 Woodley Avenue, Remuera (Group 7)



| Address | Notes |
|---------------|---|
| Arney Road | |
| 2 | post 1940 |
| 4 | post 1940 |
| 6 | post 1940 |
| 8 | |
| 9 | |
| 11 | |
| 12 | # post 1940 addition |
| 14 | # post 1940 alterations |
| 15 | |
| 16 | post 1940 |
| 16a | ROW/ post 1940 |
| 18 | ROW |
| 18a | ROW |
| 18b | ROW |
| 20 | exceptional Edwardian Villa |
| 21 | # post 1940 alterations |
| 22 | post 1940 |
| 24 | post 1940 |
| 27 | |
| 28 | # post 1940 alterations |
| 30 | # post 1940 alterations |
| 31 | ROW |
| 33 | ROW |
| 35 | post 1940 |
| 37 | ROW |
| 39 | post 1940 |
| 40 | post 1940 |
| 41, 43 | |
| 44 | post 1940 |
| 45/1-4 | ROW |
| 48 | ROW |
| 51 | |
| 52A | post 1940 |
| 54 | |
| 55 | post 1940 |
| 56A | |
| 58 | |
| 60 | # post 1940 garage; obscures house |
| 62 | # post 1940 garage |
| 63 | |
| 65 | empty site (grounds of No 63) |
| 66 | |
| 68 | post 1940 |
| 70 | # house partly concealed by fence; post 1940 garage |
| 71 | ROW |
| 72 | post 1940 |
| 73 | fence 1920s; alteration to original villa |
| 74 | |
| 75 | ROW |
| 75a | ROW |
| 76 | ROW |
| 76a | ROW |
| 78a | ROW |
| 80 | # post 1940 garage |
| 82 | # post 1940 garage |
| 83 | ROW |
| 84 | |
| 85 | |
| 86 | |
| 87 | ROW |
| 88 | |
| 89 | no building - garden of #87 |
| 90 | |
| 91 | post 1940 |
| 94 | |
| 96 | |
| 98 | |
| 100 | |
| 102 | # post 1940 addition |
| 102A | post 1940 |
| 104 | # post 1940 alterations |
| 106 | ROW |
| 106a | ROW |
| 108 | # post 1940 alterations |
| 110 | ROW |
| 112a | ROW |
| 112b | ROW |
| 113 | post 1940 |
| 114 | |
| 115 | |
| 115a | post 1940 / rear of building |
| 116 | concealed by foliage |
| 116a | ROW |
| 119 | ROW |
| 121 | |
| 123 | post 1940 |
| 130 | post 1940 |
| 131 | post 1940 |
| 134 | ROW |
| 139 | vacant site |
| 141 | ROW/ post 1940 |
| 141a | ROW/ post 1940 |
| 143 | # post 1940 garage in front yard |
| 145 | # post 1940 addition |
| 147 | house set at rear of site |
| 147a | ROW |
| 148 | ROW |
| 151 | |
| 151a | ROW |
| 153 | post 1940 |
| 155 | house set back on site |
| 158 | |
| 151 | |
| 16 | post 1940 |
| 26 | post 1940 |
| 28 | |
| Arterton Road | |

| Address | Notes |
|-----------------|---|
| 4 Awaba Road | post 1940 |
| 8 | post 1940 |
| 7 | |
| 8 | |
| 6 | |
| 10 | |
| 11 | |
| 12 | |
| 14 | # post 1940 roof addition |
| 15 | |
| 16 | |
| 18 | |
| 18 | |
| 20 | post 1940 |
| 21 | |
| 22 | 1950 |
| 23 | post 1940 |
| 24 | |
| 25 | |
| 26A | |
| 27 | |
| 29 | |
| 30 | # post 1940 alteration |
| 30 | # post 1940 alteration |
| 31 | RCW |
| 31a | |
| 33 | |
| 34 | holding site |
| 36 | |
| 37 | RCW |
| 38 | post 1940 |
| 40 | post 1940 / RCW |
| 2 Balmoral Road | |
| 53 | |
| 55 | |
| 55A | # post 1940 roof addition |
| 12 Bassett Road | # post 1940 roof addition |
| 20 | |
| 26 | |
| 34 | "Tirumana" - landmark building |
| 34 | post 1940 |
| 37 | RCW |
| 38 | RCW |
| 38a | |
| 40 | # post 1940 roof addition |
| 42 | |
| 44 | RCW |
| 48 | |
| 50 | # post 1940 garage addition |
| 52 | |
| 54 | |
| 61 | # original verandah removed |
| 68 | house obscured by large post 1940 garage |
| 68 | |
| 95 | |
| 67 | RCW |
| 69/1,2,3 | # post 1940 garage |
| 71 | |
| 73 | # post 1940 roof addition |
| 77 | |
| 85 | |
| 87 | |
| 88 | |
| 89 | |
| 95,95A | RCW |
| 97 | old shop building |
| 99 | |
| 23 Beady Street | |
| 32 | # post 1940 garage addition |
| 1 Bell Road | |
| 3 | |
| 5 | |
| 8 | |
| 8A | # large post 1940 alteration |
| 8 | |
| 9 | |
| 12 | # post 1940 addition |
| 14 | |
| 16 | # post 1940 addition; house stuccoed |
| 19 | # post 1940 roof addition |
| 20 | |
| 22 | |
| 23 | |
| 24 | |
| 26 | # post 1940 garage addition |
| 27 | |
| 28 | |
| 30 | RCW |
| 30A | post 1940 |
| 32 | # post 1940 dormers |
| 33 | # post 1940 verandah enclosure; partly concealed by trees |
| 34 | |
| 36 | # front of house "modernised" |
| 37 | |
| 38 | |
| 40 | # original detail removed; post 1940 windows |
| 42 | # post 1940 roof addition |
| 44 | # post 1940 roof addition |
| 46 | # post 1940 roof addition & garage |
| 48 | # post 1940 roof addition |
| 50 | |
| 51 | # house has been modernised |
| 52 | # house has been modernised |
| 53 | house concealed by trees |
| 54 | |
| 55 | |
| 57 | house partly concealed by fence |
| 57A | post 1940 |
| 59 | house partly concealed by fence |
| 61 | # post 1940 garage built into house |
| 63 | # post 1940 garage built into house |
| 68 | |
| 77 | |
| 77A | post 1940 (fronts onto Sheriff Street) |
| 81 | # post 1940 garage |
| 83 | house below street level |
| 83 | post 1940 |
| 85 | # 1970s roof addition |
| 87 | # post 1940 roof addition |
| 93 | post 1940 |
| 93A | house concealed by trees ? Garage |
| 101 | |
| 103 | |
| 105 | |
| 107 | house concealed by trees ? Garage |

11 Dudley Road
Mission Bay
Auckland 1071

Response to the Proposed Plan Change – Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions within the Auckland Unitary Plan

To Whom It May Concern,

We have been notified by Council that under proposed Plan Change: *“Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions within the Auckland Unitary Plan”*, it has been proposed that our residence, 11 Dudley Road, Mission Bay, should be subject to the requirements of a Special Character Area Overlay over its Zone requirements. We wish to apply for a strike out of our property from this classification based on the following grounds and attached evidence.

Our residence has been significantly altered both in the 1970's and 1990's. A third storey with a three-car garage was added to the original house, which both significantly alters the appearance of the architecture and obscures the original facade from the street. The original garage and street-side balcony have been replaced with new rooms. The street facing facade is almost unrecognisable from the original structure as shown by the accompanying photographs. Due to these renovations, the property currently does not comply with the Special Character Area Overlay requirements (including the Proposed Plan Change requirements), we therefore consider it unjustifiable to hold the property to these requirements for future alterations/subdivision/etc. We believe that the property's Zone requirements should take precedence in this case.

Please find attached additional evidence:

- Jeremy Salmond's (Heritage Architect) 2009 assessment records for "streetscape character", which explicitly excludes 11 Dudley Road.
- The relevant dates for building consent applications for 11 Dudley Road.
- Photographs of both the original and existing dwellings.
- Further written evidence from the Architect who performed the 1997 alterations to 11 Dudley Road.
- Further written evidence from a Structural Engineer.
- The Environment Court document, where Auckland Council decided not to pursue demolition control on 11 Dudley Road.

We also refute the classification of the "Special Character Areas Overlay" to Dudley Road in general. As demonstrated by the list below, much of Dudley Road is of modern construction, which does not qualify for "Special Character" as defined by the Council:

- 11 Dudley Road had another storey added in 1997
- 3 Dudley Road was built in 2004
- 5 Dudley Road was built circa 1980
- 16 Dudley Road added another storey in circa 2004
- 18 Dudley was built in 2010

- 17 Dudley was built circa 1980
- 27 Dudley was built circa 1990
- 31 Dudley was built circa 1990
- 37 Dudley was built circa 2000
- 43 Dudley was built circa 2010
- 47 Dudley was built circa 1970
- 49 Dudley was built circa 1970
- 51 Dudley was built circa 1970
- 53 Dudley was built circa 1970
- 40 Dudley was built circa 1990
- 38 Dudley was built circa 1990
- 36 Dudley was built circa 2000
- 34 Dudley was built circa 1990

Restricting the demolition, subdivision and alteration to a large proportion of properties in inner city suburbs is going to have extremely adverse effects on the entire Auckland region in future years. It is also unfounded for Dudley Road, as made evident by the substantial amount of existing modern construction. We propose to remove the Dudley Road Special Character Overlay, and suggest it be considered to remove many of the other Special Character Overlays in central Auckland. There are a number of reasons why these Overlays will have detrimental effects on the further development and growth of New Zealand's largest city:

- The existing housing crisis in Auckland, with an average house price of ~\$900,000. By restricting the ability for subdivision, this issue is being expedited.
- The lack of subdivision is also adding to the public transport problem. Urban sprawl is significantly more difficult to meet public transport needs for than restricted densification.
- Well planned international cities allow for concentrated housing developments that provide community green space for the residents. This style of densification with public green space allows for an efficient use of resources, allows for an efficient public transport system, allows more space for environmental endeavours and encourages community engagement for that housing group. A sense of community provides an unquantifiable sense of character and wellbeing to residents and visitors. I would argue this sense of character is far greater than what the Proposed Plan Change is trying to achieve.

To conclude, there is no evidence that 11 Dudley Road should be classified in a "Special Character Area". The house has significant modifications in the late 1990s, as have many other houses in the street. These proposed plan changes also inhibit the future sustainable development of Auckland City. For these reasons, the Special Character Areas Overlay should not prevail over the corresponding provisions of the underlying residential zone for 11 Dudley Road.

27/06/2019

Yours Sincerely,

Margaret Mary Neill
11 Dudley Road
Mission Bay
Auckland 1071
Email: mmsjneills@xtra.co.nz
Phone: (09) 528 3678

Subject: FW: Dudley Road
From: Matt Leigh <matt@thinking.co.nz>
Date: 13/12/2011 9:51 a.m.
To: "mmsjneills@xtra.co.nz" <mmsjneills@xtra.co.nz>

Matthew Leigh [CONSULTANT]
THINK CONCEPTS LIMITED

TELE_ 0800 4THINK (0800 484 465)
FAX_ 0800 329 844
MOB_ 027 556 9489
POST_ PO Box 8228, Symonds Street, Auckland, NZ
ADD_ 13 Ophir Street, Newton, Auckland, NZ

matt@thinking.co.nz
www.thinking.co.nz

From: richard priest [mailto:richard@richardpriest.co.nz]
Sent: Wednesday, 29 June 2011 6:23 p.m.
To: Margaret Neill
Subject: Dudley Road

Dear Margaret

I was surprised to hear that your house was to become listed by the council.

It is important that they are made aware of the substantial alterations my company did to the building for Matthew and Rosemary Dunning as late as 1998.

I would say that only one quarter of the existing structure remains and that the addition while in keeping with the old house was of a contemporary nature.

Regards Richard

Richard Priest Architecture
Kare Kare Beach
RD2 Auckland 0772
M 0274 301 309
richard@richardpriest.co.nz

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Information from ESET NOD32 Antivirus, version of virus signature database 6260
(20110702)

11 Dudley Road
Mission Bay
Auckland 1071

June 26, 2019

To Whom It May Concern,

Response to the Proposed Plan Change – Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions within the Auckland Unitary Plan

I am writing in response to the proposed Unitary Plan change letter received from Auckland Council, 30th May 2019, with respect to the property at 11 Dudley Road, Mission Bay, Auckland 1071.

It should be noted that a similar proposal of architectural “character” was made by Auckland Council for 11 Dudley Road in 2012. At this time, the property was reviewed by The Environment Court and ultimately deemed by Auckland Council to not require demolition control, please refer attached Court Decision. We can draw from this decision that Auckland Council, at this time, found 11 Dudley Road to hold no heritage value. For these reasons I do not agree with the PC26 proposal: *“Demolition exceeding 30% or more, of buildings within a Special Character Overlay area will require a restricted discretionary resource consent be applied for.”* It has already been deemed by the Council that no demolition controls should apply to 11 Dudley Road.

This recent Proposal has not produced any new evidence or reasoning into the specific heritage or character value of 11 Dudley Road. It is also not evident that any investigation or study post-2012 has occurred to incite these proposed changes. Therefore, I see no reason why a Special Character Areas Overlay should prevail over the corresponding provisions of the underlying residential zone for 11 Dudley Road.

It should also be noted that the existence of a Special Character Areas Overlay over 11 Dudley Road (or Dudley Road collectively for that matter) is unfounded. The house, as well as a large proportion of the houses in the street already possess a substantial amount of modern (post 1970s) construction, that is very evident from the street frontage. This Special Character Areas Overlay has been unjustifiably established on Dudley Road without (as it appears) consultation with the residents, and certainly without agreement or support from the owners.

The following summary provides a commentary on the specific lack of heritage value and character of the property at 11 Dudley Road. This provides evidence against the adequacy of 11 Dudley Road to be included in the Special Character Areas Overlay, as established by Auckland Council. I propose that the Special Character Areas Overlay does not take precedence over this property’s Residential Zone provisions. I also propose that the property should be removed from this Overlay altogether on these grounds.

Heritage New Zealand appear to have found some significance in residential properties constructed prior to 1940, as evident by the "Auckland City Council - Plan Change 163 Site Survey" conducted August 2009, attached. However, it is not evident that 11 Dudley Road was constructed prior to 1940. The original land of the property at 11 Dudley Road was established as number 11 Dudley Road in 1936. The first application for Building Consent on the property was made in 1937; this was to "erect dwelling and garage". Prior to the Building Act 1991, Code Compliance Certificates were not required; this means that there was no formal sign off required for the completion of construction of the structure. Therefore, there is no apparent evidence that the structure was in fact built before 1940. There are a number of reasons why the dwelling may not have been constructed pre-1940, despite the application for consent in 1937. Construction of a house, particularly of this scale and with the limited availability of modern building resources, could take anywhere from 1 to 3 years. Furthermore, the owner could have had financial hardship or the availability of resources may have been further restricted by New Zealand's involvement in World War II (which commenced in 1939), therefore it is possible that the completion of construction may have been further prolonged. For the purposes of this letter, it will be assumed that the construction of the structure was completed circa 1940.

The property has undergone extensive alterations since 1940 (refer Appendix A for the "Issued Consents and Permits" for 11 Dudley Road). In 1972 unspecified alterations to the dwelling were consented for. In 1997 the following items were consented for: "residential alterations to living room, bedroom and garage; private swimming pool; and shed for pool equipment." I am aware that the apparent heritage/character value of the property has been contrived from its streetscape appearance. Therefore, I will focus the list below on significant alterations to the property which are viewable from the street. These alterations are as follows (see photos in Appendix B following this letter for further evidence):

- In 1997 a third storey was added to the house. This third storey is clearly visible from the street.
- The third storey that was added in 1997 is a three-car garage, which has three electric garage doors. Houses circa 1940 did not typically have three garage doors, as it was uncommon for urban home owners to own three personal vehicles.
- The 1997 addition of the three-car garage also blocks and obscures the view of the original structure from the street.
- The 1997 alteration introduced significant modern landscaping to the front of the house. The property no longer has any wide grass berms at its front. The berm has been replaced by terracotta tiles which now line the street facing

entrance steps and general entranceway; as well as 20 series concrete masonry block walls which are a modern construction material.

- The original street-facing windows on the Northern wing of the house have been replaced with a modern double door.
- The original street-facing singular garage no longer exists, and has been replaced by an office with modern street-facing windows.
- The Northern balcony, which is viewable from the street, has been significantly reduced, and the bedroom which opens onto this balcony has been extended with a modern double door added.
- The original singular door which opened onto the Northern balcony (mentioned above) from the second bedroom has been replaced with a modern double door.
- The dark window and door bordering, which was typical of the traditional art deco style, no longer exists.

Given the approximate year of construction of the original structure (circa 1940), the current age of the structure is around 79 years. 79 years is well in exceedance of the standard intended design life of 50 years for any typical structure (refer the New Zealand Building Act, Section B1). Therefore, it would be prudent not to rule out the option of future demolition or alteration to 11 Dudley Road, if at any point the structure is found to be unsafe to occupy. Furthermore, 11 Dudley Road is subject to a corrosive environment, given its proximity to the ocean (approximately 1km).

The street itself (Dudley Road) does not hold any significant heritage status, the majority of properties are modern houses, and there are only a few smatterings of buildings that have been assumed (by Auckland Council) as pre-1940 construction. To be exact, there were 7 properties that were classified in 2012 as "subject to demolition controls" from the 54 houses on the street at the time.

The Heritage Architect who made the original heritage proposal classifications, Jeremy Salmond, did not include 11 Dudley Road in his original August 2009 notes (refer Appendix C), when he was undertaking his "Heritage Expert Assessment". The following properties were included in this assessment: 4, 9, 19, 20a, 23, 24, 30, 32, 46, and 52 Dudley Road, but not number 11. At this time, Mr. Salmond (an expert Heritage Architect) did not consider 11 Dudley Road to hold any "architectural value" or "streetscape character" in term of heritage or character.

The "Special Character Areas Overlay" that has been proposed indicates that a blanket zone requirement has been proposed for this Auckland area, without investigation into the houses and properties that make up that area. I consider the Council's assumption of "Character" in this street to be unfounded. Many of the neighboring houses on

Dudley Road were constructed or significantly modified recently to reflect modern architectural styles. For example, 3 Dudley Road was built in 2004, 5 Dudley Road was built circa 1980, 16 Dudley Road added another storey in circa 2004, 18 Dudley was built in 2010, 17 Dudley is circa 1980, 27 Dudley is circa 1990, 31 Dudley is circa 1990, 37 Dudley is circa 2000, 43 Dudley is circa 2010, 47 Dudley is circa 1970, 49 Dudley is circa 1970, 51 Dudley is circa 1970, 53 Dudley is circa 1970, 40 Dudley is circa 1990, 38 Dudley is circa 1990, 36 Dudley is circa 2000 and 34 Dudley is circa 1990. All of these houses are street facing, making the modern renovations evident to the streetscape.

The majority of the "Standards for buildings in the Special Character Areas Overlay" in the Proposed Plan Changes 26, are already breached by 11 Dudley Road, largely due to the modern alterations to the house in 1997/1998. The house is over 8m tall, it is over two storeys, it has not maintained the original relationship of built form to the street and open space, much of the property is tiled -exceeding the maximum impervious area, the front fence and landscaping is all of modern construction, and the original house setback has been reduced by the addition of a garage. As 11 Dudley Road already has a significant number of non-compliances with respect to the Special Character Areas Overlay requirements, it seems nonsensical to hold the house to the restrictions of the Special Character Areas Overlay for future development.

By imposing these proposed restrictions on properties in the inner-city suburbs, like Mission Bay, the Unitary Plan is in direct violation of the Resource Management Act, Section 5.2.a: *"In this Act, sustainable management means ...sustaining the potential of natural and physical resources ... to meet the reasonably foreseeable needs of future generations"*. It is not possible for the Council to provide zones for housing and zones for natural resources to thrive, if housing densification is prevented, especially in the inner-city suburbs, where access to public transport, work/employment, and infrastructure is concentrated.

To conclude, there is no evidence that 11 Dudley Road holds the heritage status of construction pre-1940; the structure was altered in 1972 and then again significantly altered in 1997. The result is that the original form of the circa 1940's art deco architecture has been lost by a mix-match of modern construction. Therefore, there is no evidence that 11 Dudley Road has architectural value, there is no evidence that the property contributes to the streetscape character and there is no evidence that Dudley Road has distinctive streetscape character. It also a potential structural hazard, as well as a potential violation of the RMA, to enforce restrictions on subdividing, building alterations and building additions. For these reasons, the Special Character Areas Overlay should not prevail over the corresponding provisions of the underlying residential zone for 11 Dudley Road.

11 Dudley Road, Mission Bay

June 26, 2019

Sincerely,

Sarah Neill
Structural Engineer
BE (Hons) Civil Engineering, MS Structural Engineering

Phone: 021 0850 2881

Email: sn1335@berkeley.edu

Appendix A:

Auckland City LIM: RI/01/12893 7/11/2001

ISSUED CONSENTS AND PERMITS

The following Building, Plumbing & Drainage, Town Planning and Subdivision Permits/Consents have been issued. Note: Some consents may have conditions.

BUILDING, PLUMBING & DRAINAGE CONSENTS and PERMITS

Address: 11 Dudley Road, Mission Bay 1005

| Summary | Date | Application# | Status (Note) |
|--|------------|--------------|-------------------|
| amendment to HC96/10640 add shed for pool equipment | 28/10/1997 | HC/97/09706 | CCC Issued |
| PRIVATE SWIMMING POOL | 21/02/1997 | HC/97/00839 | CCC Issued |
| RESIDENTIAL ALTERATIONS - TO LIVING ROOM, BEDROOM & GARAGE 611342 1:257864 | 14/01/1997 | HC/96/10640 | CCC Issued |
| Alter dwelling | 24/07/1972 | O/9523/03 | Approved: Note(1) |
| Erect dwelling & garage attached | 25/08/1937 | O/11156/03 | Approved: Note(1) |

Notes:

- (1) Prior to the Building Act 1991, Code Compliance Certificates were not required.
- (2) Consent approved but a final Code Compliance Certificate has not been issued. An inspection to confirm compliance with the approved plans and standards should be sought.
- (3) Special inspection for work performed without a Consent.

TOWN PLANNING CONSENTS

Address: 11 Dudley Road, Mission Bay 1005

| Summary | Date | Application# | Status |
|--|------------|--------------|----------|
| POOL EXCAVATIONS BEYOND 1:2 M. Campbell | 17/03/1997 | HO/97/00846 | Approved |
| Ext to existing house (GC) JN.11801 P.Mavor. | 19/09/1996 | HO/96/03926 | Approved |

SUBDIVISION CONSENTS

*** No SUBDIVISION CONSENTS recorded

COMPLIANCE SCHEDULES

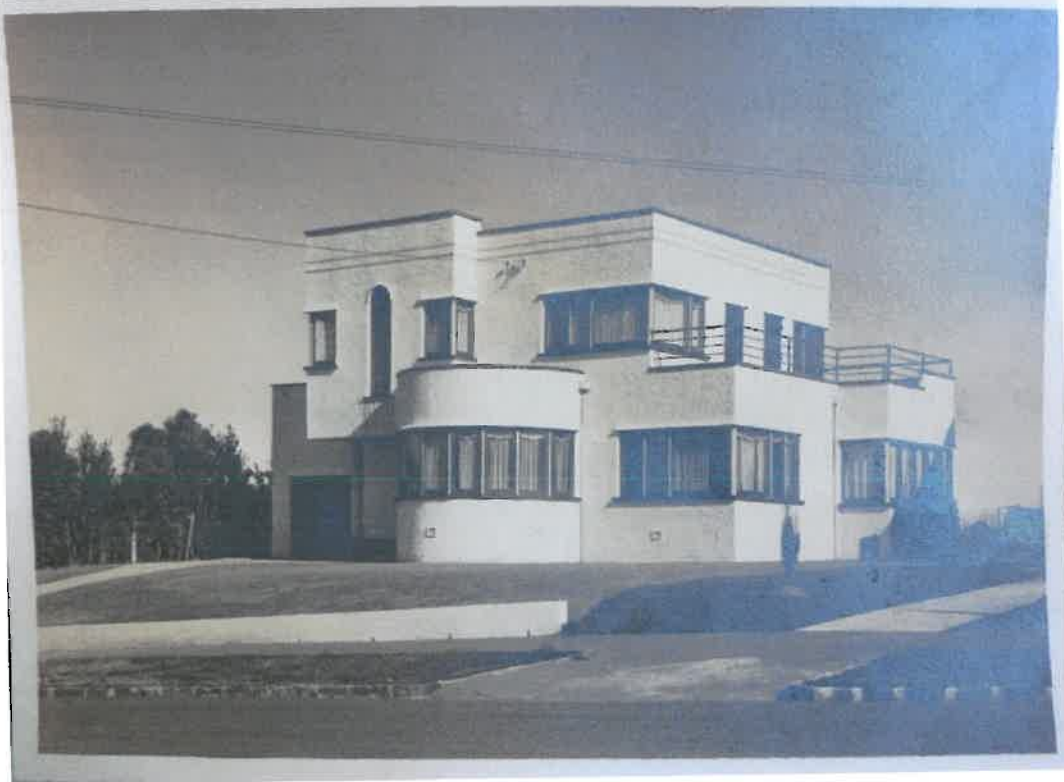
*** No Compliance Schedules recorded

LICENCES

*** No Licences recorded

Appendix B:







Appendix C:

| | | | | | | | | | | | | | | |
|-----------------|-----|---|---|---|---|---|--|---|--|---|--|--|---|---|
| 17 | ▲ | | ▲ | | ▲ | | | | | | | | ▲ | |
| 18 | ▲ | | ▲ | | ▲ | | | | | | | | ▲ | ▼ |
| 2/18 | | ▼ | | ▼ | | | | | | | | | ▲ | |
| 20 | ▲ | | ▲ | | ▲ | | | | | | | | ▲ | ▼ |
| 22 | ▲ | | ▲ | | ▲ | | | | | | | | ▲ | |
| 24 | ▲ | | ▲ | | ▲ | | | | | | | | ▲ | |
| 26 | ▲ | | ▲ | | ▲ | | | | | | | | ▲ | |
| Dudley Road | 4 | ▲ | | ▲ | | ▲ | | | | | | | ▲ | |
| | 9 | ▲ | | ▲ | | ▲ | | | | | | | ▲ | |
| | 19 | ▲ | | ▲ | # | ▲ | | | | | | | ▲ | |
| | 20a | | ▼ | | | | | | | | | | ▲ | ▼ |
| | 23 | ▲ | | | | | | ▲ | | ▲ | | | ▲ | ▼ |
| | 24 | ▲ | | | | | | | | | | | ▲ | ▼ |
| | 30 | | ▼ | | | | | | | | | | ▲ | ▼ |
| | 32 | ▲ | | | | | | | | | | | ▲ | ▼ |
| | 46 | ▲ | | | | | | | | | | | ▲ | ▼ |
| | 52 | ▲ | | | | | | | | | | | ▲ | ▼ |
| Dromsme Road | 6 | ▲ | | | | | | | | | | | ▲ | ▼ |
| Duncomb Street | 1 | ▲ | | ▲ | | ▲ | | | | | | | ▲ | ▼ |
| Dunholme Road | 8 | ▲ | | | | | | | | | | | ▲ | ▼ |
| | 10 | ▲ | | | | | | | | | | | ▲ | ▼ |
| Eastbourne Road | 6 | ▲ | | | | | | | | | | | ▲ | ▼ |
| | 10 | ▲ | | | | | | | | | | | ▲ | ▼ |
| | 17 | ▲ | | ▲ | | ▲ | | | | | | | ▲ | ▼ |
| | 40 | ▲ | | | | | | | | | | | ▲ | ▼ |
| 42a, b, c, d | | | ▼ | | | | | | | | | | ▲ | ▼ |
| 44 | | | | | | | | | | | | | ▲ | ▼ |

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Manurewa Local Board



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

JOHN ANDREW SILVA

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

14 LAWRENCE CRESCENT
HILL PARK, MANUREWA

Telephone:

(09) 268 1150

Fax/Email:

john.s.48@hotmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PPC25

Plan Change/Variation Name

Warkworth North

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

[Empty box]

Or

Property Address

14 LAWRENCE CRESCENT, HILL PARK, MANUREWA

Or

Map

[Empty box]

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

Since there are a range of fence heights along front boundaries in Hill Park, many of which are ~~more~~ over 1.2 M in height. So therefore I am seeking that more appropriate fence heights be applied to Hill Park.

(continue on a separate sheet if necessary)

166.3

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

166.1

Because of security reasons I therefore amend the fence heights to be about 2M in heights

166.2

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Signature of Submitter
(or person authorised to sign on behalf of submitter)

02/07/2019
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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Auckland 1142

| |
|-------------------------------|
| For office use only |
| Submission No: |
| Receipt Date: |
| RECEIVED |
| 28 JUN 2019 |
| AUCKLAND COUNCIL GRAHAM ST |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Beryl Jack

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

22 Paget Street Freemans Bay

Telephone:

0210633609

Fax/Email:

jackaranda@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

~~PC 24~~ PC 26

Plan Change/Variation Name

~~Waitemata Shores~~ Clarifying the relationship between the special character Areas overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

D18 - Special character overlay / E38 - Subdivision urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

The plan change will clarify the standards for development in the area by SCO area in order to preserve this heritage area. These rules should not be subject to someone's interpretation, dependent upon a site's underlying zone. SCO rules should replace conflicting rules. (continue on a separate sheet if necessary)

167.2

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

167.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Benjall

Signature of Submitter
(or person authorised to sign on behalf of submitter)

21 June 19

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

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I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



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Auckland Council
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Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |



Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Janelle COSTLEY

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

23 Paquet Street Freemans Bay.

Telephone: Fax/Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)


168.2

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

168.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing


Signature of Submitter
(or person authorised to sign on behalf of submitter)

25.6.19
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142



| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Mary + Jonathan Mason

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

16 Entrican Ave
Remuera Auckland

Telephone: 021 611 798 Fax/Email: marymillermason@hotmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 26

Plan Change/Variation Name Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) height in relation to boundary + rear yard set back

Or
Property Address

Or
Map

Or
Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are: see attached

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

169.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Murray Mason
Smith P. Mason

Signature of Submitter
(or person authorised to sign on behalf of submitter)

25 June 2019
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

We purposely bought a property in a Special Character Area Overlay Zone due to the restrictions we understood it entailed. We whole-heartedly support guidelines that help maintain Auckland's heritage for the future. While we generally support that the Special Character Area Overlays should prevail over the corresponding provision in the underlying zone as outlined by the Unitary Plan, we do not support the following modifications to the Special Character Area Overlays as proposed in Plan Change 26.

We do not support the proposed change in Plan Change 26 to height in relation to boundary for SCAO areas to 3m vertical height then a 45 degree incline. Instead, we believe a 2.5m vertical height and then a 45 degree incline in keeping with standards for the Single Housing Zone will better provide special character protection. Many Special Character areas consist primarily of single houses, and deserve comparable protection from imposing neighbouring structures. We believe that this is integral to maintain the special heritage of these areas.

169.2

In addition, we oppose reducing the rear yard setback from 3m to 1m as proposed in Plan Change 26. This would have significant visual impact of new building as seen from neighbouring properties and further erode the special character and heritage of what should be a protected neighbourhood.

169.3

While we support that SCAO should prevail over underlying zone guidelines, we absolutely do not support relaxing any of the guidelines of the SCAO. This will not result in maintaining the important heritage of Auckland and will further erode the character of our city. More protection is needed to protect our architectural, historical and heritage gems. Not less.

169.4

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Joe Martin

Organisation name:

Agent's full name: Joe Martin

Email address: josephmartin@xtra.co.nz

Contact phone number: 0274326731

Postal address:

josephmartin@xtra.co.nz

Devonport

Devonport 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

As detailed on attached Document.

Property address: Business Zoned Buildings in Special Character Overlay Residential North Shore Devonport and Stanley Point

Map or maps: North Shore Devonport and Stanley Point (with a Business Zoning) Special Character Overlay

Other provisions:

As Per Attached Document

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

As Per Attached Document

I or we seek the following decision by council: Amend the plan modification if it is not declined

170.1

Details of amendments: As Per Attached Document

Submission date: 4 July 2019

Supporting documents
Submission PC26 J Martin.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Proposed Plan Change 26 - Submission

1. This document supports the submission from Joe Martin on Proposed Plan Change 26 (**PC26**) to the Auckland Unitary Plan.

Provisions Subject to this Submission.

2. This submission concerns the entire PC26 and specifically the following provisions
 - D18.1 Background
 - D18.4. Activity table
 - D18.4.2 Activity Table (Introduction)
 - Table D18.4.2 Activity table – Special Character Areas Overlay – Business
 - D18.6. Standards
 - D18.6.2. Standards for buildings

Reasons for Submission

3. Introduction

4. Overall the direction the direction of PC26 is supported as it provides a solution to the complicated situation currently facing applicants dealing with proposals that are subject to the Special Character Area overlay. To the extent that PC 26 resolves the current cumbersome requirements, the plan change is supported.
5. I am concerned however that in situations where there are sites that area zoned business that are also subject to the Overlay – Residential : North Shore – Devonport and Stanley Point. The effect of the plan change is to remove the balance between the current situation where the development standards in the underlying business zone and the overlay rules are balanced. If the plan change goes ahead as notified residential rules will apply to business zoned land. This severely constrains the development potential of these sites in an unnecessary manner.
6. It is submitted that the sites within the Overlay – Residential : North Shore – Devonport and Stanley Point should be treated in a similar manner to the ‘General’ overlay where the business sites are treated differently to the residential sites. In the ‘General’ overlay the underlying business zone development standards apply to those sites that are zoned business zone. It is therefore requested that the business zoned sites within the Overlay – Residential : North Shore – Devonport and Stanley Point are treated in the same manner as in the ‘General’ overlay.

170.2

7. Changes Requested.

8. I seek the following changes to PC26 (Additions underlined and deletions struck through). These changes seek to clarify how the proposed changes to the rules should work and to give effect to this submission.

1. D18.1 Background

.....

Areas in the Special Character Areas Overlay - General and Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point 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.

170.3

2. D18.4. Activity table

.....

.....

Areas in the Special Character Areas Overlay - General and Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point 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.

170.4

3. D18.4.2 Activity Table (Introduction)

Areas in the Special Character Areas Overlay - General and Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point 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.

170.5

5. Table D18.4.2 Activity table – Special Character Areas Overlay – Business

| | | |
|---|-------|--|
| <p>Special Character Areas Overlay – Business with no identified character defining or character supporting buildings and Special Character Areas Overlay – General (with a business zoning) and Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point (with a business zoning).</p> | | |
| (A8) | | |

6. 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) and Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point (with a Residential Zoning)

170.6

7. 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) and Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point (with a business zoning).

170.7

9. Other Changes

10. Any alternative and additional changes to PC26 that would provide for the matters set out in this submission.

170.8

11. Any other consequential or alternative amendments arising from these changes.

170.9

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Linda whitcombe

Organisation name: Devonport heritage

Agent's full name:

Email address: celticfiddle@gmx.com

Contact phone number:

Postal address:
2A North Avenue
Narrow Neck
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Boundary and height

Property address: General

Map or maps: Devonport

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

It is important to retain the character of Devonport and to retain the current height regulations. It is also important to retain the boundary regulations.

| 171.2

| 171.3

I or we seek the following decision by council: Decline the plan modification

| 171.1

Submission date: 5 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

We are opposed to the proposed changes to the unitary plan.

| 172.1

-The existing plan has worked well enough.

-The changes will alter neighbourhood appearances detrimentally by changing their historic appearance and by changing / hindering in some cases outlooks and views from some properties.

- Some views and sight lines will be affected negatively.

-Height to boundary rules should not be altered for the above reasons specifically.

| 172.2

Sam & Rhonda Mojel

samandrondam@gmail.com

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



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Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

John Childs,
John Childs Consultants Limited

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

P.O 46015

Herne Bay Auckland 1147

Telephone:

0274731550

Fax/Email:

john.childs@extra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC: 26

Plan Change/Variation Name

Special Character Areas
Overlay - Residential D18

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Height in relation to boundary, yards, building coverage etc

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

John Childs 2
John Childs
Consultants

X
see attached
material

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

-
-
-
-

173.1

refer a attached material

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

-
-
-

Director John Childs
Consultants Ltd

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

7 July 2019

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

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If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

SUBMISSION JOHN CHILDS/JOHN CHILDS CONSULTANTS LIMITED

PLAN CHANGE 26

ISSUES RESIDENTIAL OVERLAY

- Height in relation to boundary omitting rear sites etc.
- The Yard rules are confusing.
- Building coverage on larger sites needs to be amended.

HEIGHT TO BOUNDARY

1. The submitter's reasons for this submission are:

That the D18 Special Character Areas Overlay – Residential and Business proposed Height in relation to boundary rule, D18.6.1.2 will not meet the aims of the Resource Management Act 1991, in particular it:

- Is contrary to Part II and other provisions of the Act;
- Will not meet the reasonably foreseeable needs of future generations;
- Will not enable social, economic and cultural wellbeing;
- Is otherwise contrary to the purposes and provisions of the Act and other relevant planning documents; and
- Is inappropriate and inconsistent with the purpose and principles of the Act.

Without limiting the generality of the above:

SUBMISSION JOHN CHILDS/JOHN CHILDS CONSULTANTS LIMITED

4

1. The proposed overlay omits rear sites and sites more than 15 metres wide from this rule.
2. The rule unfairly discriminates against rear sites in the overlay.
3. The Isthmus District Plan had in its Residential 1 Zone for over 10 years a 3 metre plus distance height in relation to boundary requirement on any site regardless of the site type. No obvious problems with that rule arose on rear sites.
4. A similar rule applied in the overlay as notified.
5. The omission of rear lots will give rise to problems when buildings erected, under the earlier rules are altered or added to.
6. The character of many overlay sites is one which often consists of a built form of buildings located close to site boundaries. This included on rear sites.
7. Yard and height rules will ensure a reasonable level of sunlight access and minimize visual dominance.
8. The omission is inconsistent with the objectives and policies of the Special Character Areas overlay and the UP (OP).

YARDS

The submitter's reasons for this submission are:

It is submitted that the D18 Special Character Areas Overlay – Residential and Business proposed Yards rule, D18.6.1.3 will not meet the aims of the Resource Management Act 1991, in particular it:

SUBMISSION JOHN CHILDS/JOHN CHILDS CONSULTANTS LIMITED

- Is contrary to Part II and other provisions of the Act;
- Will not meet the reasonably foreseeable needs of future generations;
- Will not enable social, economic and cultural wellbeing;

- Is otherwise contrary to the purposes and provisions of the Act and other relevant planning documents; and
- Is inappropriate and inconsistent with the purpose and principles of the Act.

Without limiting the generality of the above:

1. The change removes rear yards specifically from Table 18.6.1.3.1 but cross references it to the underlying zoning yard rules.
2. The table etc. is confusing.
3. The table should add a rear yard rule being 1 metre for convenience and to avoid confusion.
4. The amendment would ensure front site rear yards and rear lot yards have a clear dimension.

COVERAGE**The submitter's reasons for this submission are:**

It is submitted that the D18 Special Character Areas Overlay – Residential and Business proposed Building coverage rule, D18.6.1.4 will not meet the aims of the Resource Management Act 1991, in particular it:

SUBMISSION JOHN CHILDS/JOHN CHILDS CONSULTANTS LIMITED

- Is contrary to Part II and other provisions of the Act;
- Will not meet the reasonably foreseeable needs of future generations;
- Will not enable social, economic and cultural wellbeing;
- **Other** relevant planning documents; and
- Is inappropriate and inconsistent with the purpose and principles of the Act.

Without limiting the generality of the above:

1. The rules proposed unfairly discriminate against larger sites in the overlay.
2. This is inconsistent with the overlay's objectives and policies and will give rise to unnecessary/ unintended planning consequences not related to the control of actual and potential adverse environmental effects and which will not be commensurate with site size.

RELIEF

1. Include rear sites width requirement in the D18.6.1.2 by deleting Clause (2). | 173.2
2. Include the rear yard of 3 metre rule in Table 18.6.1.3. | 173.3
3. **Adjust the Building Coverage rule (D18.6.1.4), Landscaped Area rule (D18.6.15) and Paved Impermeable Surface for sites over 1000m² to:**
 - **35% Building coverage.** | 173.4
 - **40% Landscaped area.** | 173.5
 - **60% Maximum paved area.** | 173.6
4. **Any further or consequential relief in accordance with the reasons for this submission.** 173.7

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kevin Bligh

Organisation name:

Agent's full name:

Email address: kmbligh@gmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

The whole plan change and in particular the amendments to Chapter E38 Subdivision.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The changes proposed by the Plan Change are consistent with Part 2 RMA and the policy direction of the Unitary Plan as it relates to special character.

I or we seek the following decision by council: Accept the plan modification

174.1

Submission date: 7 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Coralie Ann van Camp

Organisation name:

Agent's full name:

Email address: coralie.vancamp@gmail.com

Contact phone number: 520 0362

Postal address:
19 Garden Road
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Height to boundary reduction from three metres to one in Character areas and a change in the rules for building expansion on a property without notification to neighbours.

175.2
175.3

Property address: All of the properties surrounding me at 19 Garden Road/Victoria Avenue

Map or maps: All of them relating to Special Character Areas Overlay Residential

Other provisions:

I was the recipient of an Auckland Council letter advising me that I resided in a zone the proposed plan change applies to and that I could make a submission on the proposed changes. Remuera Heritage have elaborated on the wording used in that letter to oppose the changes in their submission and I follow their lead that the changes would be totally unacceptable.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The area in Remuera I reside in has combined sewage/stormwater facilities that at times are overloaded. To allow extra intensification hard up against our boundaries, changing the rules to exacerbate water runoff with extra impervious surfaces plus privacy issues with neighbours extending closer to existing windows etc. is the opposite to protecting the Character area we currently enjoy, pay high rates for the value of and which makes it desirable to live in.

I or we seek the following decision by council: Decline the plan modification

175.1

Submission date: 8 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Margot Jane McRae

Organisation name: Devonport Heritage 2017

Agent's full name:

Email address: mmcrae@xtra.co.nz

Contact phone number: 09 4451 274

Postal address:
11 St Aubyn Street
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1, Standards, D18.6.11 Building Heights, D18.6.1.2 Height in relation to boundary, D18.6.1.3 Yards, D18.6.1.4 Coverage

Property address:

Map or maps:

Other provisions:

The Special Character Overlay is the wrong mechanism to protect heritage. It is cumbersome and over complicated to have two sets of rules applying to properties. Instead the council should establish residential zonings for specific heritage areas. This Plan Change simply cements the problems that led to the 2017 Environment Court ruling into the Unitary Plan.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The plan change will allow greater building heights, coverage and densities in the side and rear of character properties. This will have detrimental effects on the heritage value of the buildings and so will not achieve the aims of protection of the character of the area. HTB: The SCAO rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard of the SHZ for all of Auckland which is based on a 2.5m vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that

buildings can be built higher with greater bulk and visual impact. Rear Yard The proposal is to delete the SCAO 3m boundary and revert to the SHZ 1m for rear yards. This will allow building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. Reducing the 3m setback for the rear yard to 1m will have a detrimental impact on the heritage streetscape in Devonport where sections near corner junctions have rear yards adjacent to side yards. Coverage: We oppose the plan change because it cements the greater coverage for sites of between 300m – 500m to 40%. Under previous residential rules these sites were allowed 35% coverage and now it will increase to 40%. This will encourage and promote the building of larger houses and extensions on small sites. These changes combined will allow for greater height, bulk and building coverage in small sites in heritage areas like Devonport. It will put neighbours in heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy. The size and scale of more development to the side and rear of houses in the SCA will add visual bulk that will detract from the character features of the area. The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of facadism at the expense of genuine heritage protection. When the Auckland Unitary Plan was first mooted we were told it would respect the unique development patterns and heritage values of older suburbs. It failed to do that and instead introduced standardisation of rules across the city. Plan change 26 continues the special character overlay approach and will only imbed this system and its overly complicated methods.

I or we seek the following decision by council: Accept the plan modification with amendments

176.1

Details of amendments: HTB - 2.5m vertical height and 45 degrees angle. Rear yard building setback be 3 metres. Building Coverage on 300m-500m sites be 35%.

176.2

176.3

176.4

Submission date: 8 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Francesca Wilson, William Porter

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

16 Dudley Rd, Mission Bay, Auckland 1071

Telephone:

09 5218220

Fax/Email:

dudley16@slingshot.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

All

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes No

The reasons for my views are: See Letter Attached.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

Remove our property from the
Special Character Overlay.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Wilson

Signature of Submitter
(or person authorised to sign on behalf of submitter)

1-7-19
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

177.1

177.2

1st July 2019

F Wilson and W Porter
16 Dudley Rd
Mission Bay
Auckland 1071

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert St
Private Bag 92300
Auckland 1142

Dear Sir/Madam,

We wish to make a submission in response to the proposed plan change PC 26.

Our house does not fit the requirements of "Special Character".

We added another level to the house in 2006.

The front facade has been significantly modified which affects street frontage therefore provisions of special character overlay should not apply to our property.

We wish to have our property struck out from the special character areas overlay, as we believe the zone requirements should take precedence.

Yours sincerely

F Wilson and W Porter

095218220
021554413

**SUBMISSION ON PLAN CHANGE 26 TO THE AUCKLAND UNITARY PLAN
UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO THE
RESOURCE MANAGEMENT ACT 1991**

To: Auckland Council
Attn: Planning Technician
Level 24, 135 Albert Street
Private Bay 92300
AUCKLAND 1142

unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: Trustees of the KCH Trust and Ifwersen Family Trust

Address: c/- MinterEllisonRuddWatts
PO Box 3798
AUCKLAND 1140
Attention: Bianca Tree

Introduction

1. This is a submission on behalf of the trustees of the KCH Trust and the Ifwersen Family Trust (**the Trustees**) on proposed Plan Change 26 (**Plan Change**) to the Auckland Unitary Plan (**Unitary Plan**). The Plan Change was notified by Auckland Council (**Council**) on 30 May 2019.
2. The Trustees own a number of properties in central and south Auckland which are located within the Special Character Areas Overlay (**SCA Overlay**) subject to the Plan Change.
3. The Trustees oppose the Plan Change in part and support the Plan Change in part. | 178.1
4. This submission relates to the following provisions of the Plan Change:
 - (a) The purpose statements included at the beginning of the development standards in section D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential and in the Special Character Areas Overlay – General (with residential zoning).

- (b) The following development standards:
 - (i) D18.6.1.2 Height in relation to boundary;
 - (ii) D18.6.1.5 Landscaped Area;
 - (iii) D18.6.1.6 Maximum Impervious Area; and
 - (iv) D18.6.1.7 Fences, Walls and other structures.

Trade competition

- 5. The Trustees could not gain an advantage in trade competition through this submission.

Submission in opposition

- 6. The Trustees oppose the inclusion of purpose statements at the beginning of each standard in D18.6.1 of the SCA Overlay.

Reasons for submission in opposition

- 7. The reasons for the Trustees' opposition includes the following.
- 8. In general, the inclusion of purpose statements at the beginning of each standard in D18.6.1 of the SCA Overlay:
 - (a) is inconsistent with the relevant objectives and policies and framework of the Unitary Plan;
 - (b) is inconsistent with the purpose and principles of the Resource Management Act 1991 (**RMA**);
 - (c) does not meet the requirements to satisfy the criteria of section 32 of the RMA;
 - (d) will not meet the reasonably foreseeable needs of future generations; and
 - (e) is contrary to sound resource management practice.

9. Further, without derogating from the generality of the above, the inclusion of purpose statements at the beginning of each of the development standards in section D18.6.1 of the SCA Overlay is inappropriate for the following reasons:
- (a) the purpose statements generally take a restrictive interpretation to the standards, which is not consistent with the plain wording of the standards;
 - (b) the effect of the standards in the SCA Overlay may be altered in a manner not anticipated by the Council as the standards would need to be interpreted in light of the purpose statements;
 - (c) the purpose statements are unnecessary because the introductory section in the SCA Overlay clearly identifies the purpose of the SCA Overlay, which is to retain and manage the identified special character values of specific residential and business areas;
 - (d) it is inconsistent with the purpose of Plan Change 26 because it introduces uncertainty about the interpretation of these standards in light of the purpose of the SCA Overlay;
 - (e) it is inconsistent with the rest of the Unitary Plan, as no other overlays in the Unitary Plan include purpose statements within the standards section. This approach to drafting was only applied with zones and precincts, which prescribe the underlying rules and establish the overall nature of development in an area.

Submission in support

10. The Trustees conditionally support the amendments to the following development standards in D18.6.1 of the SCA Overlay (subject to the removal of the purpose statements):
- (a) D18.6.1.2 Height in relation to boundary;
 - (b) D18.6.1.5 Landscaped Area;
 - (c) D18.6.1.6 Maximum Impervious Area; and
 - (d) D18.6.1.7 Fences, Walls and other structures.

Reasons for submission in support

11. The reasons for the Trustees' conditional support includes the following.
12. In general, the amendments to the development standards in D18.6.1 of the SCA Overlay set out at 10(a)-(d) above:
 - (a) are consistent with the relevant objectives and policies of the Unitary Plan;
 - (b) are consistent with the sustainable management of physical resources and are otherwise consistent with the purpose and principles of the RMA;
 - (c) will maintain and enhance amenity values and the quality of the environment;
 - (d) meet the requirements to satisfy the criteria of section 32 of the RMA;
 - (e) will meet the reasonably foreseeable needs of future generations; and
 - (f) are consistent with sound resource management practice.
13. Further, without derogating from the generality of the above, the amendments to the development standards in D18.6.1 of the SCA Overlay set out at 10(a)-(d) above are appropriate because they:
 - (a) appropriately enable the purpose of the SCA Overlay;
 - (b) would effectively manage change and encourage ongoing maintenance of buildings in areas subject to the SCA Overlay;
 - (c) reduce uncertainty in the application of the development standards; and
 - (d) would be effective for retaining the physical attributes that define, contribute and support the special character of areas subject to the SCA Overlay, including streetscape qualities and cohesiveness.

Decision sought

14. The decision sought by the Trustees is:

- (a) That the proposed purpose statement in each of the standards in the Special Character Areas Overlay be removed; | 178.2
- (b) Subject to the removal of the purpose statements;
 - (i) that the amendments to the height in relation to boundary standard D18.6.1.2 be allowed; | 178.3
 - (ii) that the amendments to the landscaped area standard D18.6.1.5 be allowed; | 178.4
 - (iii) that the amendments to the maximum impervious area standard D18.6.1.6 be allowed; | 178.5
 - (iv) that the amendments to the fences, walls and other structures standard D18.6.1.7 be allowed; and | 178.6
- (c) Such relief and/or amendments to the Plan Change as may be necessary to address the Trustees' concerns, as outlined above. | 178.7

15. The Trustees wish to be heard in support of their submission.

16. If others make a similar submission, the Trustees will consider presenting a joint case with them at a hearing.

DATED this 8th day of July 2019

**The trustees of the KCH Trust and
Ifwersen Family Trust** by its solicitors and
duly authorised agents
MinterEllisonRuddWatts



B J Tree

Address for service of submitter

The trustees of the KCH Trust and Ifwersen Family Trust

c/- MinterEllisonRuddWatts

P O Box 3798

AUCKLAND 1140

Attention: Bianca Tree

Telephone No: (09) 353 9700

Fax No. (09) 353 9701

Email: bianca.tree@minterellison.co.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Rachel Scott Wilson

Organisation name:

Agent's full name:

Email address: rachel.scott.wilson@gmail.com

Contact phone number: 02102358785

Postal address:
2B High Street
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

I do not support the plan change in its entirety, and ask that the rules and policies of the North Shore City District Plan Residential 3 Zone be retained unchanged.

179.2

Property address:

Map or maps: DEVONPORT

Other provisions:

Heritage. Culture. Security. Children's safety. Values. We don't want any more density. An ongoing fight for Devonport to remain residential, quaint, picturesque, and charming.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Heritage. Culture. Security. Children's safety. Values. We don't want any more density. An ongoing fight for Devonport to remain residential, quaint, picturesque, and charming.

I or we seek the following decision by council: Decline the plan modification

179.1

Submission date: 8 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Glen Frost

Organisation name: Hillpark Resident's Association

Agent's full name:

Email address: glen.frost@gmail.com

Contact phone number:

Postal address:
16 Scenic Drive
Hillpark
Auckland 2102

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

I am writing in support of all proposed clarifications. I have however noticed an error outside of the proposed changes - please refer 'other provisions'.

Property address: NA

Map or maps: NA

Other provisions:

It appears there was an error / omission when the AUP was finalised. Under the former Manukau Council Heritage 8 overlay Hillpark had a minimum lot size of 750sqm, which was carried through to the PAUP (2.3.1 Table 3: Additional subdivision controls). To my knowledge this was never contested, and I can't find any record of when this was removed, however the plan was largely re-formatted from the PAUP to the IHP recommendations version, where the Hillpark Special Character overlay was introduced. In the IHP and later versions, there is a new table that generally replicates the PAUP table (Table E38.8.2.4.1 Subdivision of sites identified in the Subdivision Variation Control) – but Manurewa is no longer listed, however a new table for Special Character areas is added (Table E38.8.2.6.1 Special Character Areas Overlay – Residential and Business subdivision controls) and I suspect Manurewa / Hillpark should have been on that table. It appears all of the other Special Character areas that had additional subdivision controls did make it on to that table (those areas were already Special Character areas in the PAUP - perhaps Hillpark being a new Special Character area was missed).

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

As above, we support the proposed changes, in so far as they are largely clarifications and minor corrections only. We would however like 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 as we believe it was left off in error. This is an important control when considered alongside the Special Character statement (pattern of subdivision, native bush cover, balance of built and natural environments etc).

I or we seek the following decision by council: Accept the plan modification with amendments

180.1

Details of amendments: As listed above, amendment / correction of Table E38.8.2.4.1 Subdivision of sites identified in the Subdivision Variation Control is sought

180.2

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alison McMinn

Organisation name:

Agent's full name:

Email address: minn@xtra.co.nz

Contact phone number:

Postal address:
21 B Hastings Pde
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC26

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
Not in keeping with area

I or we seek the following decision by council: Decline the plan modification

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

| 181.1

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Michael Snowden

Organisation name:

Agent's full name: Philip Brown - Campbell Brown Planning

Email address: philip@campbellbrown.co.nz

Contact phone number: 3941694

Postal address:
172 Remuera Road
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
HIRB and Fencing

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The proposed 15m frontage threshold is considered arbitrary the 1.2m fence height restriction on both frontages of a corner site does not allow for privacy to outdoor living areas

I or we seek the following decision by council: Accept the plan modification with amendments

| 182.1

Details of amendments: Refer to attached amended wording

Submission date: 9 July 2019

Supporting documents
Submission - PC26.pdf
Appendix A and C.pdf
Appendix B_20190709114023.198.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

SUBMISSION ON PROPOSED PLAN CHANGE 26

AUCKLAND UNITARY PLAN

To: Auckland Council
Private Bag 92300
Auckland 1142

Name of Submitter: Michael Snowden

Michael Snowden provides this submission on Proposed Plan Change 26 (“**PC26**”) to the Auckland Unitary Plan (Operative in Part).

The Submitter could not gain an advantage in trade competition through this submission and the submission does not raise matters that relate to trade competition or the effects of trade competition.

The submission relates to the proposed amendments to the text and provisions of the Auckland Unitary Plan set out in PC26. The Submitter generally **supports** the amended provisions, but seeks some amendments to the following standards:

- D18.6.1.2 Height in relation to boundary; and
- D18.6.1.7 Fences and walls

Reasons for submission

- The proposed amendments will clarify and resolve the current situation which gives rise to duplication and conflict between the standards in the underlying zone and those in the Special Character Areas Overlay (SCA Overlay). The Submitter considers that the standards of the SCA Overlay should prevail and replace the standards of the zone;
- The proposed 15m frontage threshold in Standard D18.6.1.2 is considered to be arbitrary, unwieldy, unnecessary, and unfairly impacts on larger sites and corner sites;
- There is no obvious or compelling resource management reason for the distinction in height in relation to boundary (HIRB) standards that would apply to sites above and below the 15m frontage threshold, yet the obvious option of using the SCA Overlay HIRB standard for all sites in the SCA Overlay was not considered in the s32 evaluation report;
- It will often be difficult to distinguish any material difference between adjacent sites that are subject to different HIRB standards (refer, for example, to **Appendix A**);

- The potential effects arising from the relatively small 0.5m additional height enabled by the SCA Overlay HIRB compared with the zone HIRB do not justify the administrative complexity and inequity that will result from implementation of the proposed SCA Overlay standard;
- For example, there will be streets within the SCA Overlay that have the two HIRB standards effectively alternating from site to site as a result of frontage widths. There will also be cases where wedge shaped sites are required to use the HIRB standard from the underlying zone because of a frontage exceeding 15m but the site quickly narrows to less than that width (for examples, refer **Appendix B**), or the reverse of that situation where sites with a frontage less than 15m are predominately wider than that threshold;
- The bulk of a building is primarily controlled by the building coverage standard, which enables a lower percentage coverage within the SCA Overlay for larger sites. It does not seem either equitable or justifiable to limit the HIRB of a larger site when all adjoining sites are able to take advantage of a relatively more generous HIRB standard and the larger site has less building coverage available;
- The combination of a more restrictive building coverage allowance and a larger site size will result in a lower proportion of the site’s boundaries having buildings located in close proximity to them, relative to smaller sites that have higher proportional coverage enabled. This situation will offer increased amenity to neighbouring sites. The Submitter considers that it would not be appropriate to further restrict the development potential that can be achieved on sites with frontages over 15m, and supports the use of the 3.0m+45° HIRB standard for all sites located within the SCA Overlay;
- The Submitter generally supports the restriction of front boundary fences to a maximum height of 1.2m, under standard D18.6.1.7. However, the Submitter considers that some recognition should be provided for corner sites in order to enable fencing of sufficient height to maintain privacy for outdoor living spaces. As such, the Submitter seeks that the standard be amended to allow fencing of one frontage of a corner site to a height of 2m (the same height as is enabled for side and rear boundaries under the standard).

Relief sought

The Submitter seeks the following decision from Auckland Council in respect of PC26:

- That, subject to the amendments set out below, PC26 be confirmed;
- That standard D18.6.1.2 be amended so that all sites within the SCA Overlay are subject to a 3.0m+45° HIRB standard (refer **Appendix C** for specific amendments);
- 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 (refer **Appendix C** for specific amendments); and
- Such other amendments to the provisions of the AUP as may be necessary to give effect to the relief sought in this submission.

| 182.2

| 182.3

| 182.4

The Submitter wishes to be heard in support of this submission. If other parties make a similar submission, the Submitter would consider presenting a joint case with them at any hearing.



Philip Brown
Campbell Brown Planning Limited
For and on behalf of Michael Snowden as his duly authorised agent.

12 July 2019

Address for service of submitter:

C/- Campbell Brown Planning Limited
PO Box 147001
Ponsonby
AUCKLAND 1144

Attention: Philip Brown

Telephone: (09) 394 1694

Mobile: 021845327

Email: philip@campbellbrown.co.nz

APPENDIX A

Example of a site in the SCA Overlay that would be subject to the 2.5m+45° HIRB standard when similar sites surrounding it would be subject to the 3m+45° standard



APPENDIX C

PROPOSED AMENDMENTS TO PC26 STANDARDS

Proposed amendments are shown below in underline and ~~strikethrough~~.

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

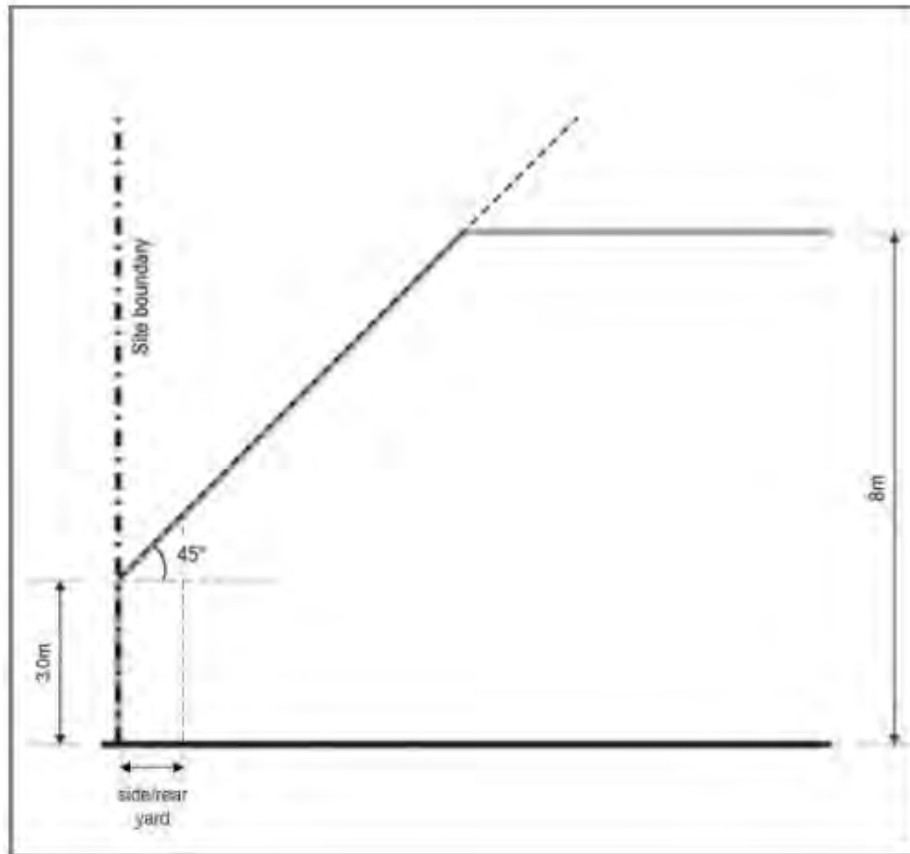
- retain the character of the streetscape;
- enable a built form that reflects the identified character of the area; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects.

(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 side and rear boundaries of the site where:-, as shown in Figure D18.6.1.2.1 Height in relation to boundary below.

(a) The site has a frontage length of less than 15m

(i) For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.

Figure D18.6.1.2.1 Height in relation to boundary



(2) The underlying zone height in relation to boundary standard applies where:

(a) The site has a frontage length of 15m or greater; or

(b) The site is a rear site.

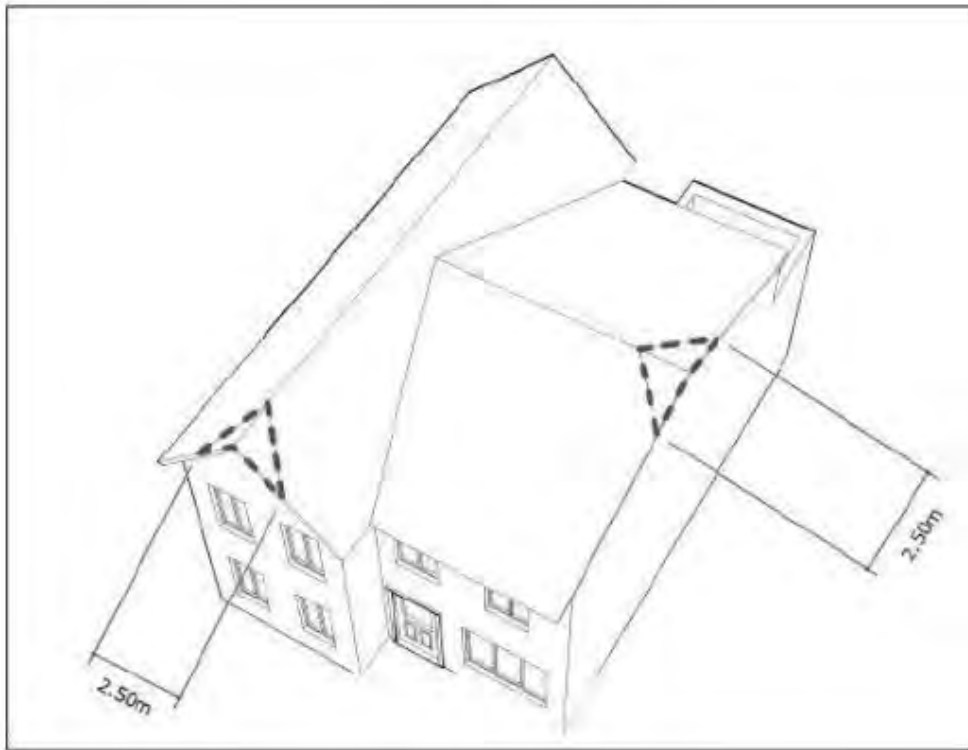
(3) Standard D18.6.1.2(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

(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 1.5m² in area and no greater than 1m in height; and
- (b) no greater than 2.5m cumulatively in length measured along the edge of the roof.

Figure D18.6.1.2.2 Exceptions for gable ends and dormers and roof projections


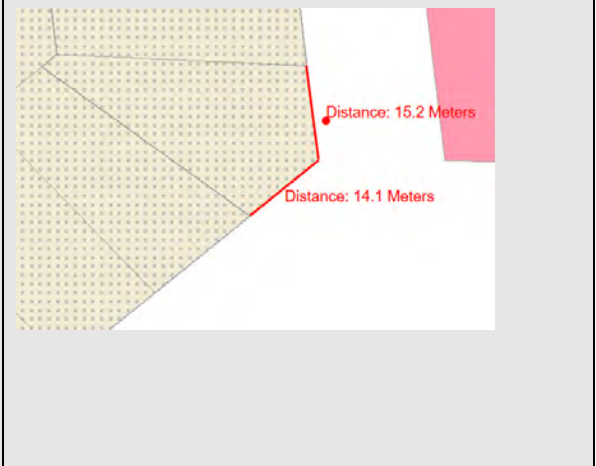
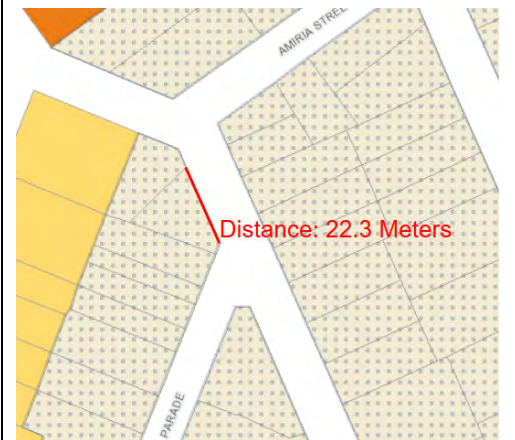
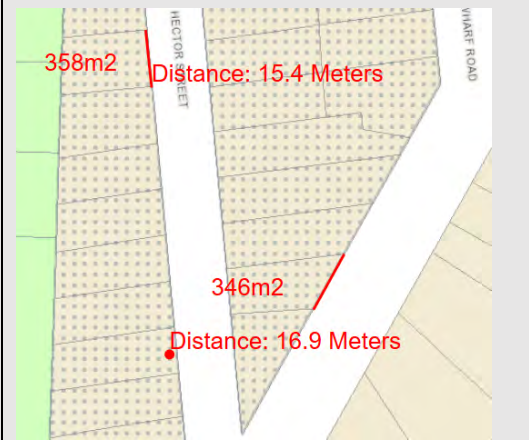


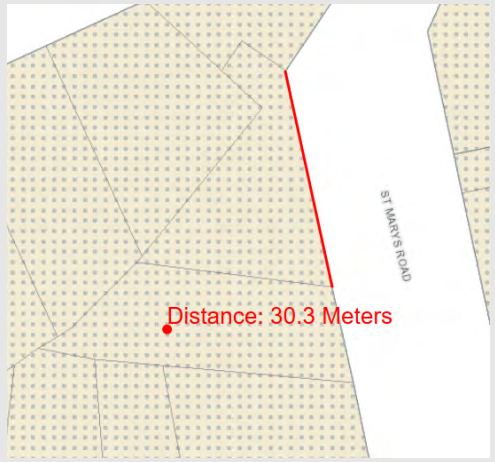
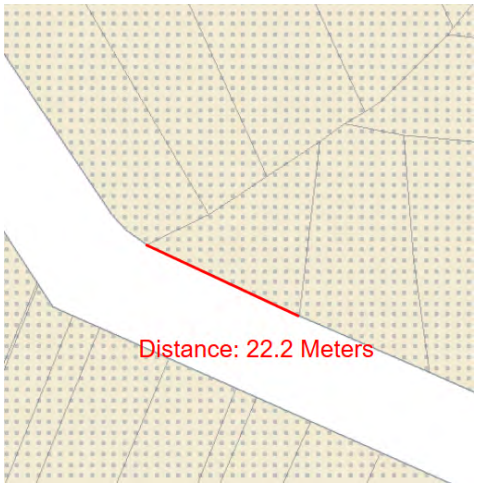
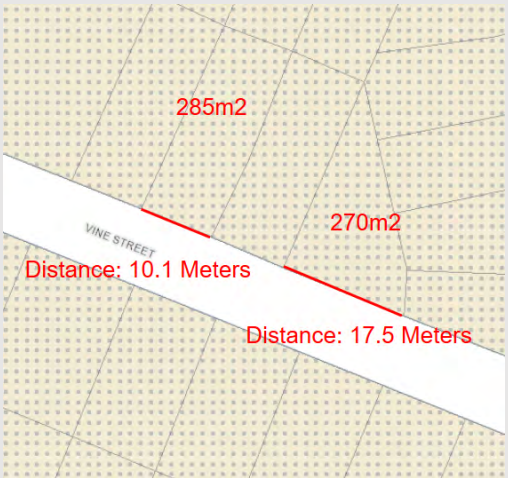
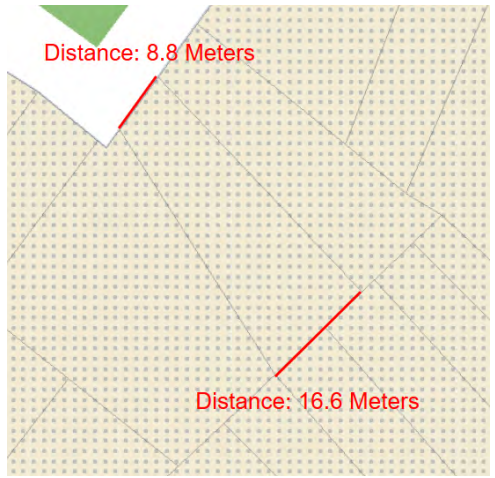
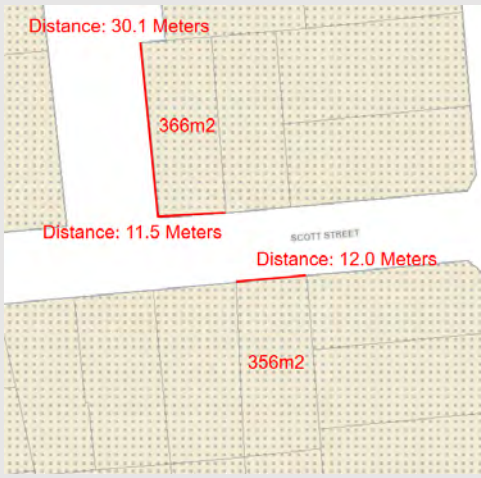
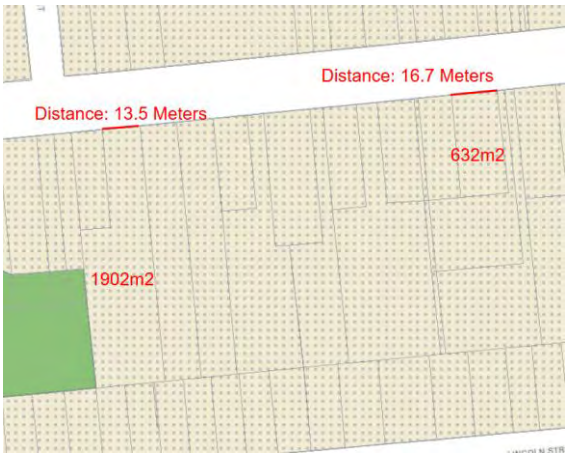
(65) No more than two gable ends, dormers or roof projections are allowed for every 6m length of site boundary.

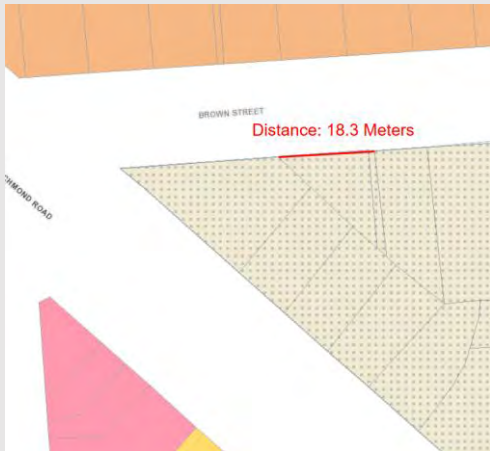
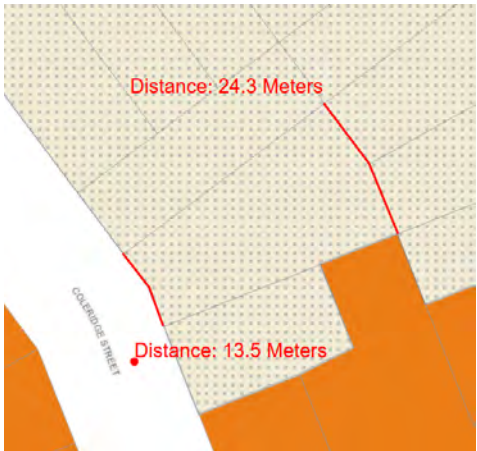
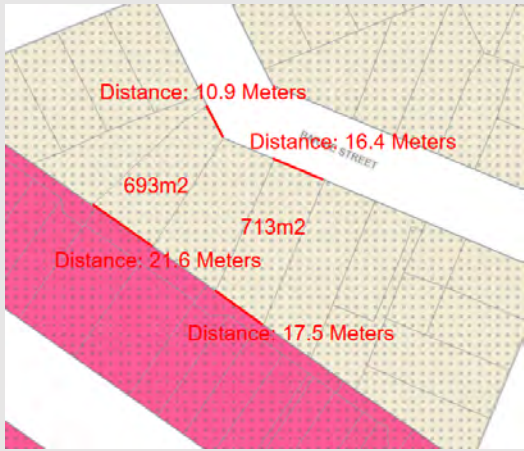

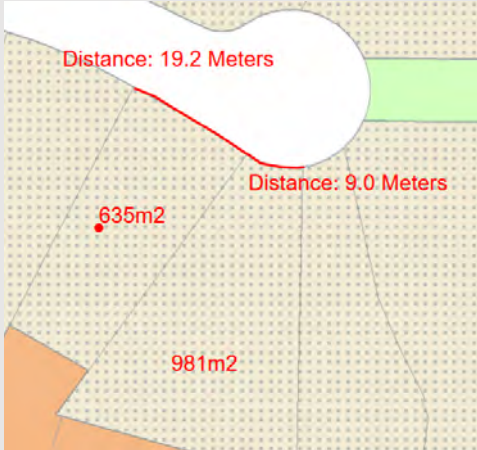
D18.6.1.7. Fences and walls

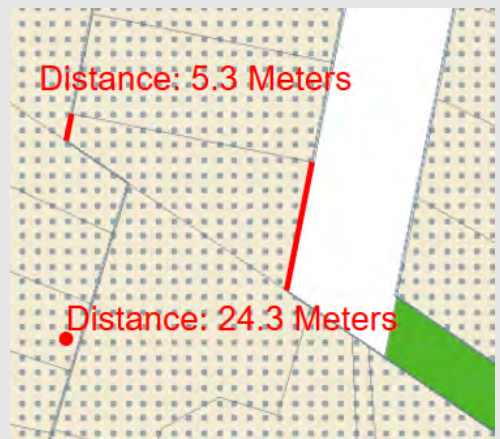

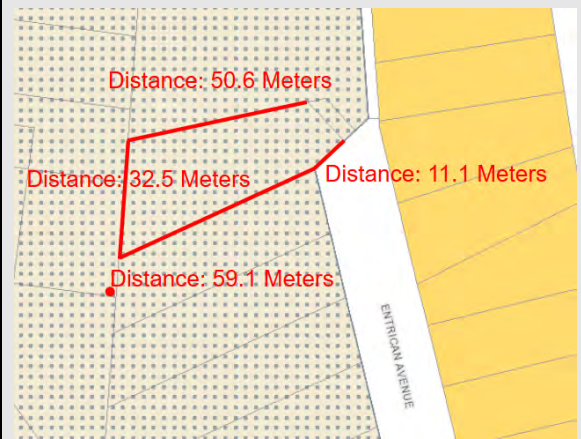
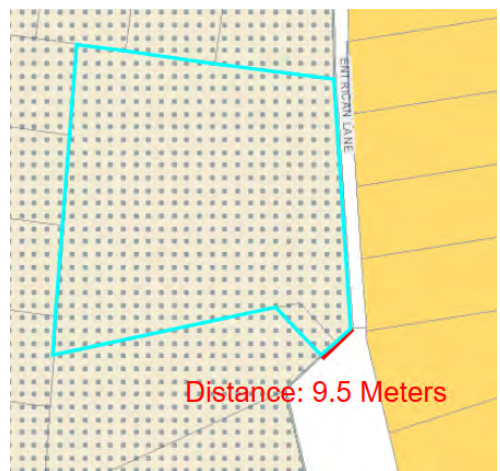
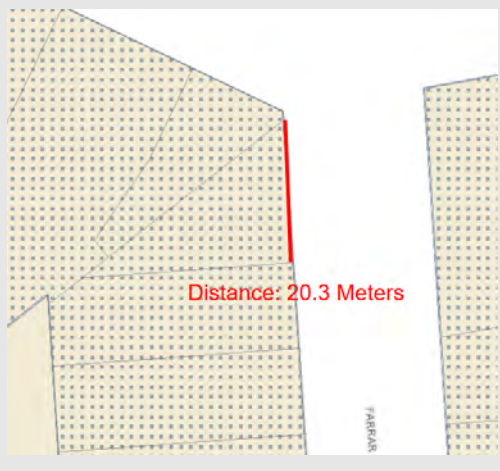
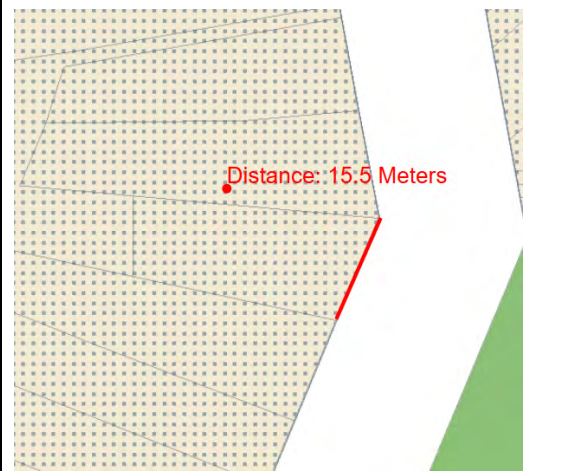
Purpose:

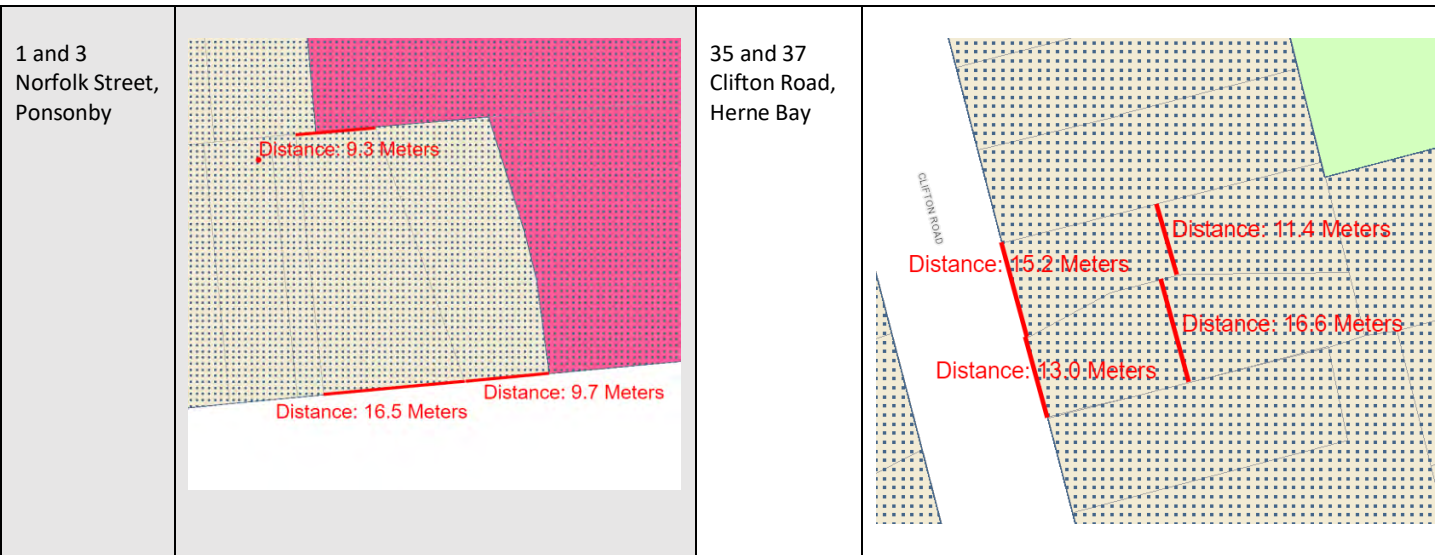
- To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.
- (1) Fences and walls, or any combination of these, in the Special Character Areas Overlay - Residential must not exceed the height specified below, measured from 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.
 - (c) 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. ~~Houses on corner sites have two front facades.~~ On corner sites, where more than one frontage exists, the foregoing requirements of this standard shall only apply to one frontage. Heights of boundary fences and walls on any additional frontages may be in accordance with (d) below.
 - (d) On any other boundary or within any other yard not described above, 2m in height.

| | | | | | |
|---|--|---|---|--|--|
| <p>34 Bella Vista Road, Herne Bay (655 m²)</p> |  | <p>16 Marina Parade, Herne Bay (620m²)</p> |  | <p>2 Herne Bay Road, Herne Bay (645m²)</p> |  |
| <p>50 Hackett Street, Ponsonby (258m²)</p> |  | <p>11 Hector Street & 22 Hector Street, Herne Bay</p> |  | <p>34 Bella Vista Road, Herne Bay (655m²)</p> |  |

| | | | | | |
|--|--|--|---|---|--|
| <p>80 St Marys Bay Road, Ponsonby (412m²)</p> |  | <p>5 Hackett Street, Ponsonby (231m²)</p> |  | <p>1 Vine Street vs 5 Vine Street, Ponsonby</p> |  |
| <p>9 Selby Square, Ponsonby (503m²)</p> |  | <p>2 Scott Street vs 3 Scott Street, Ponsonby</p> |  | <p>82 Vermont Street vs 56 Vermont Street, Ponsonby</p> |  |

| | | | | | |
|---|--|---|---|--|--|
| <p>88 Brown Street, Ponsonby (187 m²)</p> |  | <p>3 Coleridge Street, Grey Lynn (759 m²)</p> |  | <p>8 Barrie Street vs 12 Barrie Street, Freemans Bay</p> |  |
| <p>4 Smith Street vs 5 Tahuna Street, Freemans Bay</p> |  | <p>25 Cleghorn Avenue vs 27 Cleghorn Avenue, Three Kings</p> |  | <p>21-23 Ngaroma Road vs 49 Ngaroma Road, Epsom</p> |  |

| | | | | | |
|---|--|--|---|--|--|
| <p>19 Belvedere Street, Epsom (675 m²)</p> |  | <p>42A Orakei Road, Remuera (607 m²)</p> |  | <p>44 Entrican Avenue, Remuera (1390m²)</p> |  |
| <p>48 Entrican Avenue, Remuera (3714 m²)</p> |  | <p>1 Farrar Street, Grey Lynn (300m²)</p> |  | <p>105 Brighton Road, Parnell (419m²)</p> |  |



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stephanie Mary May

Organisation name:

Agent's full name:

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Contact phone number:

Postal address:
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Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC 26: Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
I do NOT support the plan change in its entirety and ask that the rules and policies of the North Shore City District Plan Residential 3 Zone be retained unchanged." | 183.2

I or we seek the following decision by council: Decline the plan modification | 183.1

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991 FORM 5

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician Auckland Council, Level 24, 135 Albert Street
Private Bag 92300 Auckland 1142

Submitter details

Full Name or Name of Agent (if applicable)

Ms Denny Boothe

Organisation Name (if submission is made on behalf of Organisation)
Address for service of Submitter 19 Logan Terrace Parnell Aucalnd 1052

Telephone: Fax/Email: dennyboothe@gmail.com

Mob 02102318842 ph (09)3032001

Contact Person: Denny Boothe

Scope of submission:

PC 26

The specific provisions that my submission relates to are: (Please identify the specific parts of the proposed plan change / variation)

Plan provision(s):

Ch D18 Special Character-residential provisions

Single Housing Zone provisions

Ch.E Natural resources

Property Address 19 Logan Terrace Parnell and surrounding neighbourhood

Submission I oppose the plan change PC26

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The provisions in the Special character area overlay(SCAR) even with the proposed amendments to consider neighbour's amenity, are too narrow in purpose to allow consideration and protection of natural heritage. Allowing corresponding SCAR provisions to prevail with the amendments proposed, could result in larger houses with smaller planted areas surplanting the nineteenth century houses and destroying landform and vegetation..Therefore they 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

| | |
|---|-------|
| <i>Purpose statements of the Single House zone in the AUP are important and should prevail</i> | 184.2 |
| <i>Site coverage of the Single housing zone should prevail.</i> | 184.3 |
| <i>Maximum impervious area of the Single house zone standards should prevail.</i> | 184.4 |
| <i>The 3m back yard provision of the Special character overlay standards should remain.</i> | 184.5 |
| <i>The Special Character overlay provisions should remain but be considered with all the provisions of the Single House zone provisions.</i> | 184.1 |
| <i>Where there are corresponding provisions, such as site coverage, heights, maximum impervious areas, the most restrictive individual conditions on building should prevail in</i> | 184.6 |

order to protect the natural and built heritage of the area and amenity values of immediate neighbours..

The reasons for my views are:

Protection of all the amenity values of our neighbourhood, sunshine, privacy and views and including the particular natural heritage value of the distinctive landform of Parnell : the gullies leading down to Hobson Bay.

The underlying Single house zone provisions in general protect heritage including natural heritage more fully than the narrower Special character provisions(SCAR). and can be considered with the SCAR, which are useful in terms of built form and streetscape.

One exception to this is the 3 m rear yard rule of the Special Character zone should not be deleted, and should prevail because the accumulated backyard planted areas are an important to our natural heritage – the gully leading down to the bay, in the case of the streets in my area of Parnell.

The Special Character Area provisions are mainly to protect streetscape, building character and with the amendments suggested by PPC26 some amenity values of houses neighbouring development .Buildings and streetscape however are only part of the heritage. In Parnell, the gullies trees and multiple outlooks to Hobson Bay must also be considered, which the underlying Single House zone protects better than the narrower SCAR.

The suggested amendments to the SCAR are insufficient and unnecessary if the Single House zone provisions are considered in full in the planning applications process An exception to this is the rear yard of 3m in the SCAR which should not be deleted because it is necessary to keep the planted areas of multiple back gardens have cumulatively preserved the most important landform of our area – the gully leading down to Hobson Bay. So keep the SCAR as it is.

The PC 26 may lead to larger houses to be built on the small sections destroying the heritage natural values and amenity of the are, .as well as immediate neighbours amenity values.

Decline the proposed plan.

I wish to be heard in support of my submission. If others make a similar submission, I will consider presenting a joint case with them at a hearing

 Submitter Date Signature of

I seek the following decision by Council: Decline the PPC26

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

Submission of Denny Boothe Proposed Plan Change 26 (PPC26)

Introduction

As a very long-time resident and land-owner of 19 Logan Terrace, and before that of Takutai Street, Parnell, I am concerned about this plan change as it threatens to diminish the special character of Logan Terrace and the amenity values of the neighbourhood in particular the sunshine, views, privacy, trees, gardens and landform of the gully leading the eye of the viewer to Hobson Bay with its fringe of pohutukawas and Mt Hobson beyond.

These amenities of Logan Terrace are enjoyed by residents of this street, also the frequent visitors who come to walk here and the residents of neighbouring streets such as Takutai and Lichfield whose properties look out over our back gardens and towards Hobson Bay.

I am concerned that the PPC26 does not in its purposes or provisions, sufficiently protect these amenity values as well as the previous plans used to, nor as well as the existing Unitary Plan (AUP) purports to do. The PPC 26 would be a change for the worse in a number of ways which could result in rapid and progressive degradation of our heritage. I cannot support it as it stands.

Description of the area and relationship to previous planning controls

The special character and pleasantness of my neighbourhood comes from the single 3-4 bedroomed houses mostly pre 1940, many dating back to nineteenth century, and equally it comes from trees, gardens and the natural assets of Parnell. The distinctive natural asset of our area is the leafy gully leading the eye through a mixture of native and mature exotic trees downhill to Hobson Bay.

The gully which Logan Terrace overlooks is overlaid by back gardens of residential properties but nevertheless is a very important feature of its special character because of the nature of the nineteenth century subdivision and cumulative effect of most of the consequent development. Trees have been preserved and planted to enhance the natural environment. On the southside of Logan Terrace, our long narrow sections with houses built near the street, have long backyards and gardens with back decks and fruitful gardens that have outlooks downhill towards the focal point of the Bay.

The accumulated effect of our multiple back gardens has been preservation of a gem of natural heritage - the green corridor leading down to the bay. The southside subdivisions and subsequent developments have mostly achieved a pleasing balance with nature, and neighbouring properties, preserving the leafy outlooks.

This is why my parents bought here, and I have lived here for a majority of my adult life. It is the reason many people live here and visitors come to walk in the neighbourhood. Logan Terrace is part of the Parnell Trust Streams and Gullies Heritage walk. The outlook to Hobson Bay is often cited in real estate ads as a feature of properties for sale in the street.

The houses though close to each other have been carefully designed and planted to optimize the privacy, sunshine, and outlook, while respecting neighbours' rights to the same amenities. They are built close to the road, and the back of the house is usually a lean-to style allowing uphill properties to look over them to Hobson Bay..

The existing Single House (SH) Zone provisions such as maximum height, height in relation to boundary, maximum site coverage and maximum impervious area and yards, as a package, support this heritage.

For example in the purpose statements of H3.6.9, the AUP explains that the purposes of this provision of the SH Maximum impervious area are:
“to manage the amount of stormwater runoff generated by development.”
“to limit paved areas on a site to improve the site’s appearance and cumulatively maintain amenity values in the neighbourhood”.
“to support the functioning of riparian yards, lakeside yards and coastal protection yards, water quality and ecology.”

Inadequacy of the PPC26 provisions

The above purposes of the existing AUP protecting our environment and amenity need to be preserved, and given priority, but are left out of the PPC26 in the corresponding provisions of the Special Character overlay. It is a serious flaw of the PPC26. that it omits these purposes of protecting the environment.

There are further serious flaws and omissions of the PPC26 .

For example:

1. The 35 % maximum site coverage standard of the Single house zone would no longer apply, thus allowing larger houses and much less garden space.
2. The 3 m backyard provision of the existing Special Character overlay would be deleted. The 3 metre back yard is little enough to protect the trees and the green corridor. It needs to remain.

I am very concerned that the effect of PPC26 if implemented would be to override the corresponding Single House Zone provisions and even eliminate existing provisions of the Special Character overlay, such as the 3m. rear yard. These provisions all together have shaped and preserved the heritage, including the natural heritage. The PPC26 however, seems to be written to only preserve the historic character of the streetscape and built forms. But it could result in be destructive of the natural environmental heritage if the amenity values that I have described above are not considered as important in granting resource consents.

Planning consent process

In recent well publicized cases when the narrower aims of the Special Character Area (such as preserving the streetscape), were prioritized, the corresponding Single House zone provisions were not adequately applied by planners considering the proposals. The resource consent process was done behind closed doors and consent granted on a non-notified basis. The result was well described by the public media as a botch-up, favouring newcomer developers.

We have seen this happen in Logan Terrace where consents have been granted for proposals that have dismayed the neighbourhood, because of the disregard for the values of the area.

While the PPC26 may appear to correct this situation by requiring planners to consider the effects on neighbours' amenity, it is written for narrower purposes than the purposes of the underlying Single House zone. Consents will still be considered behind closed doors, without input from neighbours, unless the Council decides to notify, applying the criteria it deems relevant,

Because it has a narrower focus and set of provisions than the SH zone, the PPC26 implemented under the same Resource management process could result in degradation and loss of the distinctive legacy of our neighbourhood for the sake of building large expensive houses, and allow neighbours no opportunity to have a say about it. This is because the criteria considered relevant are too narrow and the controls over adverse effects on the environment are diminished or deleted all together.

As an example, take what could have happened at no 21a Logan Terrace if that resource consent had not been set aside: a proposal for a massive three storied house requiring huge excavation of the coastal edge, exceeding SH zone standards, and having potentially significant adverse effects on the neighbourhood was granted consent non-notified basis. The justification was that since it was down a right of way section with no street frontage, it was said to have "less than minor" adverse effects as the Special Character provisions were deemed to prevail over the Single House Zone provisions. After the flawed nature of this reasoning was revealed via the Environment Court, the resource consent was subsequently set aside to the huge relief of longtime residents of both Logan Terrace and Takutai Street.

Had this gone ahead it would have begun a chain of developments on the southside of Logan Terrace, when the owner of 21 obtained a consent to counteract the proposal at 21a. Again the same reasoning was argued by Council. Special character standards were said to "trump" the underlying zone provisions. Without notification there was no fair or open consideration of how seriously the basic values of the area would be affected. The case of 21a and the no.21 subsequent resource consent, demonstrates that the Special Character overlay provisions in the AUP on their own, are not sufficient to preserve the amenity and delicate balance of our built and natural environment.

The provisions of PPC26 contain some reference in the purpose statement to consider neighbours' amenity values. These however are insufficient as I have already discussed.

It is unfair if planners making crucial consent decisions, do not have to consider *all* of the long existing purposes and standards of both the Special character *and* Single House Zone in its corresponding provisions. It is unfair if planners do not have the ability to evaluate proposals from the point of view of the

immediate neighbours and the neighbourhood amenity values, as well as the point of view of developers.

Conclusion

Just and equal handed planning decisions must give as much weight to all of the provisions of the underlying zone and its standards which have long shaped and constrained development, as to the Special Character overlay provisions. Superficialities of the built form and streetscape, while they do add much to the character, certainly do not alone define all the heritage cumulatively preserved and nurtured by our neighbourhood. The Special Character provisions are only part of the picture and must *not* exclude the corresponding provisions, their purposes, as well as all the other provisions, policies, purpose statement and so on of the underlying Single House zone. For these reasons, I do not support the PPC26.

Denny Boothe

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The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sonya Marx

Organisation name:

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Email address: redsonya58@gmail.com

Contact phone number:

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Mt Eden
Auckland 1024
Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

My submission supports the Special Character Considerations that the Unitary Plan upholds and enforces to ensure that collections of special and unique residential areas are respected and remain intact.

Property address: Thames Street, Mt Eden, Auckland 1024

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Thames Street is a complete, un-compromised collection of fourteen, 100 year old bungalows in a Mt Eden culdesac. The heritage value of these family homes is a significant part of our city's history. Although intensifying housing density is important to accommodate population growth, these special areas need to be actively preserved as something irreplaceable and protected.

I or we seek the following decision by council: Accept the plan modification

| 185.1

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: TOM ANG

Organisation name:

Agent's full name:

Email address: tomang@orcon.net.nz

Contact phone number: 0210314924

Postal address:
45 CRUMMER ROAD
GREY LYNN
AUCKLAND 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC 26, D18.6.1.2; PC 26, D18.6.1.4; PC 26, D18.6.1.6

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I object to the increase of HIRB from 2.5m to 3m (at PC 26, D18.6.1.2). In Special Character Areas, in which houses are already tightly packed, such as Grey Lynn, any increase in height of house impacts that are substantially more than minor on visual amenity, blocking of sun leading to increase in shade. I object to the increases in building coverage, and maximum impervious area (at PC 26, D18.6.1.4, PC 26, D18.6.1.6). With already tightly placed houses, with changes in climate (see NIWA reports), loss of urban trees leading to loss of ecosystem resilience (to point to but three issues), it is unacceptable to allow even small increases in building coverage and impervious area. I object to any reduction in the threshold for notifiability of consent. Non-notified consents breed bad neighbour relations, encourage nefarious double-dealing and are not conducive to civil society. Non-notifiable consents are a license for developers to do what they like without regard for neighbours. All resource consents should b

I or we seek the following decision by council: Accept the plan modification with amendments

186.1

Details of amendments: Existing thresholds for Special Character Areas should be kept.

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Dear Sir

Proposed Proposed Unitary Plan Change 26

I am submitting this text as your form is not fit for purpose. It is, nonetheless, attached.

This is a preliminary remark regarding the documentations provided at [PC 26: Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions](#) on the council website. I will make a separate submission when I've understood what Council is saying.

I have a degree in Philosophy, supervised Masters' theses and written 40 books. Yet I find it very difficult to understand the Council's documentation and even 'synopsised' explanations sent to fellow residents.

SUBMISSION

1. In circulating a highly technical, opaquely written, confusing set of documents for 'consultation' the Council has failed in its duty of care and obligations under the Local Government Act 1974 (LGA) to be 'comprehensible', and to "provide enough information to enable the person consulted to be adequately informed so as to be able to make intelligent and useful responses."
2. The documentation, or even any summary, appears not to be available in any other language. On top of the needlessly complicated texts, this further disenfranchises immigrant members of the community with a little or no grasp of English, in breach of Council's obligations under the LGA to recognise "the existence of different communities in New Zealand".
3. Council's consultation is also flawed in that Council correspondence (see Appendix 1) I've seen state that the "plan change is a technical plan change which seeks to alter the wording". That is patently incorrect; there are substantive changes.
4. Council's consultation is fake and flawed in the misleading nature of statements in Council correspondence (see Appendix 1) stating that "If you are not planning on undertaking any development on your property, the proposed plan change will not have any effect." This is patently incorrect and disingenuously offers false comfort. The plan changes as to notifiability could affect what a contiguous neighbour constructs which will impact on my property, and my amenities such as access to sunlight as well as my ability and right to appeal.
5. I object to the increase of HIRB from 2.5m to 3m (at PC 26, D18.6.1.2). In Special Character Areas, in which houses are already tightly packed, such as Grey Lynn, any increase in height of house impacts that are substantially more than minor on visual amenity, blocking of sun leading to increase in shade.
6. I object to the increases in building coverage, and maximum impervious area (at PC 26, D18.6.1.4, PC 26, D18.6.1.6). With already tightly placed houses, with changes in climate (see [NIWA reports](#)), loss of [urban trees](#) leading to loss of ecosystem resilience (to point to but three issues), it is unacceptable to allow even small increases in building coverage and impervious area.

186.6

186.2

186.3 186.4

7. I object to any reduction in the threshold for notifiability of consent. Non-notified consents breed bad neighbour relations, encourage nefarious double-dealing and are not conducive to civil society. Non-notifiable consents are a license for developers to do what they like without regard for neighbours. All resource consents should be notifiable as a matter of course.
8. I wish to heard at the Hearing.

Appendix 1

Hello M....

Thank you for your email enquiring after plan change 26. I appreciate how frustrating this letter was and your feedback will be passed on to our communications team.

To put this in context, below is a screen shot of an aerial of your property at 18 West View Road within the context of the neighbourhood. It shows that the properties along both sides of the street sit within the Single House Zone (pale cream) and the blue dots over these properties is the Special Character Overlay.

Under the Single House Zone, there are rules (standards) around how your site can be developed. For example, it covers such matters like:

how much space your building can take up on your site;

how high your building can be;

how close your building can be to a boundary;

· how much landscaped area your site is meant to have?

Here is a guide called 'Your Easy Guide to understanding the Residential Standards' which should explain what the standards (rules) are.

The plan change is a technical plan change which seeks to alter the wording of rules within the Special Character overlay chapter (hyperlinked) of the Unitary Plan.

Please click on the hyperlink for the Single House Zone chapter to see what base rules apply to your property; then click on the hyperlink for the Special Character Overlay chapter to see what additional rules affect your property.

Reading each chapter side by side you will notice that there are rules in both chapters on

Building height,

Height in relation to boundary,

Yards,

Building coverage,

Maximum impervious area,

Landscaped area or Landscaping and

Fences and walls.

Although the rules are the same, the thresholds for the rules may be different.

As the Unitary Plan currently operates, it poses problems for people who wish to develop their property as well as for council planners processing resource consents. Each are faced with the question of which of the corresponding rules under the Single House Zone Chapter and under the Special Character Overlay Chapter prevails over the other. This is the one of the main drivers behind the plan change

To see what changes council are proposing to the Special Character chapter, I suggest that you open the hyperlink here: proposed plan change to the Special Character Overlay chapter and read that alongside the Special Character Overlay chapter.

Notwithstanding, following is a summarised version of the proposed changes:

Activity table:

An activity table sets out what types of activities are anticipated within an area covered by the Special Character Overlay. The preamble to the Activity Table is proposed to be modified and is to state that where the activity status of an activity specified in the Special Character Overlay chapter is different to the corresponding activity status in the underlying residential zone, then the activity status in the Special Character Overlay chapter takes precedence over the activity status in the underlying residential zone (whether or not that activity status is more restrictive).

Following are the proposed additions to the activity table:

Fences and walls

(incorrectly omitted from the current Activity Table)

New fences and walls, and alterations to existing fences and walls that comply with the updated Special Character Overlay fences and walls standard are permitted.

New fences and walls and alterations to existing fences and walls that do not comply with the updated Special Character Overlay fences and walls standard will require a restricted discretionary resource consent be applied for.

Notwithstanding the following activities in the activity table remain unchanged:

Demolition of buildings

Demolition exceeding 30% or more, of buildings within a Special Character Overlay area will require a restricted discretionary resource consent be applied for.

Additions and alterations

External additions and/or alterations to a building within a Special Character Overlay area will require a restricted discretionary resource consent be applied for.

New Buildings

Construction of a new building within a Special Character Overlay area will require a restricted discretionary resource consent be applied for.

Development standards:

The proposed plan change intends to make it clearer for people to understand which rule to apply to their developments on residential sites that sit under the Special Character Overlay.
For the following standards, those residential sites covered by the Special Character Overlay are to apply the rule from the Special Character Overlay chapter and disregard the corresponding rule found within the underlying residential zoning chapter. Each standard has been modified by adding a purpose statement.

Building Height

Maximum height of 8m.

This rule has been modified by adding a purpose statement.

The rule and its specified height has not changed.

Height in relation to boundary

Height in Relation to Boundary standard of 3m and a 45° recession plane to apply to sites with a road fronted boundary less than 15m in width.

This standard has been modified by specifying the 15m front boundary length trigger.

For sites 15m and wider, the underlying residential zone height in relation to boundary standard applies. This is not applicable to rear sites such as your properties.

The Height in relation to boundary specified dimensions have not changed.

Yards

The average front yard setback dimension and the 1.2m side yard standard is to apply.

The 3m rear yard requirement is to be deleted deferring to the underlying zoning rear yard standard being 1m.

For rear sites then the 1m rear yard rule of the Single House Zone will apply.

Building Coverage

The standard stipulates building coverage maximums informed by the existing net site area. Net site area is the area of the body of the site less the area of the entrance strip (driveway less than 7.5m in width)

The rule and its specified coverages have not changed.

Landscaped area

The standard stipulates minimum required landscaped area percentages relative to the existing net site areas.

The rule and its specified percentage coverages have not changed.

Maximum impervious area

The standard stipulates Maximum impervious area coverage maximums informed by the existing net site area regardless of the corresponding Maximum impervious area standard.

This rule in the Special Character Overlay chapter has been modified by substituting 'impervious' for 'paved'.

The percentage coverage maximums listed now include the building coverage and other impervious areas such as driveways.

Fences and walls

The standard stipulates that any new fences to be constructed forward of the line of the front façade of the building are to be to a maximum height of 1.2m.

All other fencing behind the line of the front façade of the building shall be 2m in height.

· This rule in the Special Character Overlay chapter has been modified by clarifying at what point the fence heights are different along the side fence.

Other proposed changes:

· Additional matter of discretion & assessment criteria for restricted discretionary activities requiring that infringement of the aforementioned standards require additional assessment against the matters of discretion & assessment criteria of the underlying zoning.

Subdivision

Those residential sites covered by the Special Character Overlay - Sub Areas (e.g. Isthmus A – North Shore Area A) are to apply the Special Character Overlay subdivision standards from the Subdivision - Urban chapter which stipulates minimum vacant lot site areas.

This is to replace the corresponding minimum vacant lot site areas of the underlying residential zoning found in Table E38.8.2.3.1

Minimum net site area for subdivisions involving parent sites of less than 1 hectare.

The rule and its specified minimum vacant lot site areas have not changed.

If you are not planning on undertaking any development on your property, the proposed plan change will not have any effect.

Submissions & Hearing

Regretfully your email cannot be considered as a formal submission to proposed plan change 26 because there is no information in your email stating what aspect of the proposed plan change that you take issue with.

I suggest that once you have reviewed the proposed plan change to the Special Character Overlay, then you can prepare a submission document, detailing the aspects of the plan change that you are opposing or supporting.

Once you have that then I suggest that you click on this link: Auckland Unitary Plan online submission form and fill out all of the fields that are required and upload your submission document.

The period of submission has been extended to the 12th of July.

The public notice will appear in the New Zealand Herald on Thursday the 27th and the Auckland Council Plan Change 26 webpage will also be updated to reflect this extended submission period.

This provides you with an extra two weeks to consider the details of the plan change and gives you time to prepare a submission should you want to.

If you want to make a submission to the plan change, you can do so here.

I trust this will be of assistance to you.

Regards,

Ciarán Power | Planner

Unitary Plan Enquires team

Email: unitaryplan@aklc.govt.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Michael Craddock

Organisation name: Mr

Agent's full name: Michael Craddock

Email address: mike.craddock.uk@gmail.com

Contact phone number:

Postal address:

mike.craddock.uk@gmail.com

Pakuranga

Pakuranga 2010

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Howick's lack of protection and absence of special character area overlay needs to be addressed.

Property address:

Map or maps: Howick

Other provisions:

Howick's lack of protection and absence of special character area overlay needs to be addressed. This is a historical village/suburb that needs to be protected from building intensification.

187.2

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Howick is a historic village and residents enjoy the village feel to the suburb. Proposed multilevel developments are not in keeping with the character of the area and additional planning protections are required to prevent the historic nature of the area being damaged irreparably. Housing intensification from high-rise should be planned in say Highland park (instead of two Supermarkets) and have good access to recent public transport setup at Lloyd Ellsmore.

I or we seek the following decision by council: Accept the plan modification

187.1

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Rhys Armstrong

Organisation name:

Agent's full name:

Email address: Rhysarmstrong@gmail.com

Contact phone number:

Postal address:

Rhysarmstrong@gmail.com

Highland park

Auckland 2010

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Howick needs to be classed as a special character area overlay

188.2

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

It is one of the oldest villages in auckland and has great character. We need to protect that

I or we seek the following decision by council: Decline the plan modification

188.1

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Andrea Lee Blondel

Organisation name:

Agent's full name:

Email address: andreablondeldesign@gmail.com

Contact phone number: 0274332216

Postal address:
23b Luplau Crescent
Howick
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Howick MUST be included in Plan Change 26. We can't consider this plan change until Howick has the Special Character Statements, both Residential and Business overlays agreed and locked in.

189.2

Property address: Stockade Hill and surrounds

Map or maps:

Other provisions:

Howick MUST be included in Plan Change 26 - We can't consider this plan change until Howick has the Special Character Statements, both Residential and Business overlays agreed and locked in.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Howick is one of very few villages with special character and history - Stockade Hill represents this history and also provides recreational space for Howick residents and visitors to relax. We do not want our right to the views and space ruined by the proposed apartment blocks. The Auckland Council needs to listen to the Ratepayers of this area who oppose the ruination of this special reserve.

I or we seek the following decision by council: Decline the plan modification

189.1

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Mari Pettersson

Organisation name:

Agent's full name:

Email address: mari.j@slingshot.co.nz

Contact phone number:

Postal address:
19E Papanoa Road
Cockle Bay
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

How can it be that Howick has been excluded from PC26 and does not have a Special Character Overlay, despite being one of the oldest villages in Auckland? Howick has special characteristics which need protection under PC26. Howick MUST be included in Plan Change 26! Do the right thing and fix this. Thank you.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I live in Howick area and have lived in Auckland since 2004. I know how unique and beautiful Howick is. It needs to be protected from capitalist urbanisation, there are plenty of better and less unique places for that kind of growth.

I or we seek the following decision by council: Accept the plan modification with amendments

I 190.1

Details of amendments: Howick has special characteristics which need protection under PC26. Howick MUST be included in Plan Change 26.

190.2

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Catherine Wade

Organisation name:

Agent's full name:

Email address: catdee@hotmail.com

Contact phone number:

Postal address:

4 lastel place
Shelly park
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address:

Map or maps: Howick

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
Howick must be included in PC26

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 191.1

Details of amendments: Howick must be included in PC26

| 191.2

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Shona Stilwell

Organisation name:

Agent's full name:

Email address: shona.stilwell@gmail.com

Contact phone number:

Postal address:
5c Eton Avenue
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

Property address: N/A

Map or maps: N/A

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I do NOT support the plan change in its entirety and ask that the rules and policies of the North Shore City District Plan Residential 3 Zone be retained unchanged.

192.2

I or we seek the following decision by council: Decline the plan modification

192.1

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jackie Daw

Organisation name:

Agent's full name:

Email address: jackielaurasmith@hotmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Howick needs to be added to the PC 26 as it is very historic and this is part of the reason locals choose to live here

193.2

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The charm of howick and what makes it unique needs to be retained

I or we seek the following decision by council: Accept the plan modification

193.1

Submission date: 9 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Plan Change 26.

My name is Jim DONALD, of 111 MacLeans Road, Bucklands Beach. I have been living in the Howick area for 46 years and our family have enjoyed and appreciated all that living in this Eastern Suburb has to offer.

I am submitting on Plan Change 26 and request to be heard at any hearing regarding this subject.

I support Plan Change 26, but express my very deep concern at Howick being excluded from the plan, an inconsistency that is not acceptable given that Auckland as a region, has equal opportunities and historical perspectives.

| 194.1

As I look over the historical characteristics of other Auckland communities now preserved under Plan Change 26, Howick's historical characteristics are just as valuable and so need to be retained through this plan change:

- When;
- * Howick's history is over 1000 years long.
 - The Fencible history of Howick is known, has been recorded and is being retained in the Village from Selwyn Church to Stockade Hill and from the Eastern Coast to the Western Coast of New Zealand.
 - The views to Stockade Hill and from Stockade Hill are an integral part of our Howick History that needs to be retained and preserved for future generations.

I am the present Town Crier of Howick. I promote Howick and its history to visitors and am involved with the Howick Historical Village. I travel to Australia and take part in its Town Crier Festivals promoting tourism in Howick, the Auckland Region and New Zealand.

From Stockade Hill in Howick, I am able to explain the historical characteristics of the Village and surrounding points of interest for the community as well as tourists. A 360 degree experience of the Eastern Suburbs to and from the Hill.

I acknowledge and capitalize on the voluntary efforts of others in retaining Howicks history and character, in my role as Town Crier. (There are plenty of examples of Howickians preserving our valuable history.)

Many Howick Village events include Stockade Hill. The Village enjoys a number of important meeting points and observation platforms.

Community events around Christmas and New Year, Easter (Good Friday and Easter Sunday morning), the two ANZAC Parades, midnight madness, turning on the lights in the Village, Martariki and midwinter celebrations have a Village wide involvement that is advertised by the lite pine Christmas Tree land mark, with its Fencible history going back to our early beginnings.

Howicks unique character needs protection. If Parnell, Northcote, Ponsonby, Saint Marys Bay Road, Freemans Bay, Arch Hill, Grafton and other areas of Auckland can be protected – why not Howick.

Howick Fencible history is one of the earliest in Auckland, and was influence by the “1875 Plans of Towns Regulations Act” of New Zealand.

Plan Change 26 must include Howick, don't exclude our Village. This Plan Change 26 names other Auckland centers enabling those communities to preserve their characteristic history. Their future generations have the incentive to retain their history and characteristics, Howick demands the same treatment and consideration.

194.2

Jim DONALD,
111 MacLeans Road,
Howick, 2014.
Phone 095358711

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sally Cooper

Organisation name:

Agent's full name:

Email address: s.cooper13@sky.com

Contact phone number:

Postal address:
83b Sale Street
Cockle Bay
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

That Howick, specifically the area that fully surrounds Stockade Hill, should also be included in Special Character Area overlay. Whilst I recognise that this submission is not the actual PC26 remit, Auckland Council needs to be aware of the wish for Howick Stockade Hill to be subject to PC26.

| 195.2

Property address:

Map or maps: already submitted

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Howick's Stockade Hill has been recognised as an area with Special Character by the recent agreement to restrictions, and therefore the Area needs to be protected by becoming subject to the SCAO regulation. Whilst I recognise that this is not the actual PC26 remit, Auckland Council needs to be aware of the wish for Howick Stockade Hill to be subject to PC26.

I or we seek the following decision by council: Accept the plan modification with amendments

| 195.1

Details of amendments: *NB general usage in PC26 - please be consistent:- Special Character Areas Overlay, then Special Character Overlay area used later.

Submission date: 10 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Grace Hood-Edwards

Organisation name:

Agent's full name:

Email address: graceh-e@hotmail.com

Contact phone number:

Postal address:
62a Uxbridge Road
Howick
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Property address: Howick

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Howick has been excluded from PC26 and does not have a Special Character Overlay - even though we are one of the oldest villages in Auckland. Howick has special characteristics which need protection under PC26, yet we have not received any of this protection. Howick MUST be included in Plan Change 26, and we can't consider this plan change until Howick has the Special Character Statements, both Residential and Business overlays, agreed and locked in.

I or we seek the following decision by council: Accept the plan modification with amendments

| 196.1

Details of amendments: Include Howick and Howick Village in PC26 and grant Howick a Special Character Overlay

| 196.2

Submission date: 10 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jennifer Ivy Helander

Organisation name:

Agent's full name:

Email address: sybilz01@gmail.com

Contact phone number:

Postal address:
49 Orakei road
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
All of the rules listed

Property address: 49 Orakei road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
I find it confusing I'm sure it is unintentional It does seem there is no Big Picture or Long term formal Town Planning I am surprised that this is not solely for the benefit of Developers

I or we seek the following decision by council: Decline the plan modification

197.1

Submission date: 10 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Naomi Maureen Forrester

Organisation name:

Agent's full name:

Email address: naomi@speakingolutions.co.nz

Contact phone number:

Postal address:
202/24 Wellington Street
Howick
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC 26. Howick needs to be included

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
Cannot understand why Howick has been overlooked

I or we seek the following decision by council: Accept the plan modification with amendments

| 198.1

Details of amendments: Add Howick

| 198.2

Submission date: 10 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Bryan Bates

Organisation name: Western Bays Community Group Inc

Agent's full name:

Email address: bryanbates@xtra.co.nz

Contact phone number: 021510115

Postal address:
c/o 19 Cowan Street
Ponsonby
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

1. The Western Bays Community Group (WBCG) generally supports the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers much of the Western Bays area and the underlying zoning which is predominantly Single House Zone. 2. At Rule D18.6.1.7 the WBCG seeks to retain the inclusion of the words – "and other structures". 3. The inclusion in Rule D18.8.1.1(3) of consideration for the maintenance of dwellings within an SEA overlay to ensure there is enough space between adjacent walls of existing or new dwellings to allow the maintenance and decoration of the adjacent façades on both properties. It is considered that a minimum distance of 1200 millimetres between adjacent walls of dwellings on separate sites, regardless of the location of the intervening title boundary, is adequate space to allow the erection of scaffolding or other equipment for the maintenance, repair and painting of the adjacent facades. 4. Related to the additional matter of discretion set out above the Association requests an amendment to Rule D18.8.2.1(4) by inserting a minimum distance between adjacent walls or façades of existing or proposed buildings to ensure maintenance of those walls can be achieved.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

1. In respect of Rule D18.6.1.7 the WBCG requests the inclusion of the words – “and other structures” because there are many structures other than fences and walls which are able to adversely affect the amenities of neighbouring properties. The provision for “and other structures” was included by the Independent Hearings Panel following submissions made by the other community groups during the hearings on submissions arising from the proposed Auckland Unitary Plan. There is no explanation or reason for the omission of these words which have been in Rule D18.6.1.7 since the AUP was made operative. There is no s32 explanation. 2. The matter of discretion which the WBCG requests be added to Rule D18.8.1.1(3) is to ensure that any infringement of the side yard standard includes the consideration of whether the façade of an adjoining dwelling/building can continue to be maintained (repairs, maintenance and painting) in the event that the infringement is granted consent. This is a simple matter that has been in the previous legacy Auckland District Plan and previous Auckland District Schemes for at least 40 years. No infringement should be considered without a full assessment of its effect on the maintenance and amenity of the closes façade/wall of an adjacent house/building. 3. In support of the requested matter of discretion set out above, the WBCG requests that the following assessment criterion is added to Rule D18.8.2.1(4) as follows: (c) Maintaining a building services space of not less than 1200mm between the walls of existing or proposed dwelling/buildings on adjacent sites regardless of the location of the intervening site boundary.

I or we seek the following decision by council: Accept the plan modification with amendments

199.1

Details of amendments: See attached

Submission date: 10 July 2019

Supporting documents
Amendments Requested for the Reasons set out above.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Amendments Requested for the Reasons set out above –

1. Amend Rule D18.6.1.7 to include the words “and other structures” wherever they are struck out in the text of PC26. | 199.2
2. 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. | 199.3
3. Amend Rule D18.1.2.1(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. | 199.4

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) MS Wendy Gray

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

45 Crummer Road AK 1021

Telephone:

Fax/Email:

wendzgray@orcon.net.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

PC 26, D18.6.1.2; PC 26, D18.6.1.4; PC 26, D18.6.1.6

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I object to the increase of HIRB from 2.5m to 3m (at PC 26, D18.6.1.2). In Special Character Areas, in which houses are already tightly packed, such as Grey Lynn, any increase in height of house impacts that are substantially more than minor on visual amenity, blocking of sun leading to increase in shade.

~~I object to the increases in building coverage, and maximum impervious area (at PC 26, D18.6.1.4, PC 26, D18.6.1.6). With already tightly placed houses, with changes in climate (see NIWA reports), loss of urban~~

~~leading to loss of ecosystem resilience (to point to but three issues), it is unacceptable to allow even small increases in building coverage and impervious area.~~

- ~~Accept the proposed plan change / variation~~
- Accept the proposed plan change / variation with amendments as outlined below 200.1
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

10 July 2019

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Dear Sir

Proposed Proposed Unitary Plan Change 26

I am submitting this text as your form is not fit for purpose. It is, nonetheless, attached.

This is a preliminary remark regarding the documentations provided at [PC 26: Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions](#) on the council website. I have a degree in law. Yet I find it very difficult to understand the Council's documentation and even 'synopsised' explanations sent to fellow residents.

SUBMISSION

1. In circulating a highly technical, opaquely written, confusing set of documents for 'consultation' the Council has failed in its duty of care and obligations under the Local Government Act 1974 (LGA) to be 'comprehensible', and to "provide enough information to enable the person consulted to be adequately informed so as to be able to make intelligent and useful responses." | 200.6
2. The documentation, or even any summary, appears not to be available in any other language. On top of the needlessly complicated texts, this further disenfranchises immigrant members of the community with a little or no grasp of English, in breach of Council's obligations under the LGA to recognise "the existence of different communities in New Zealand".
3. Council's consultation is also flawed in that Council correspondence (see Appendix 1) I've seen state that the "plan change is a technical plan change which seeks to alter the wording". That is patently incorrect; there are substantive changes.
4. Council's consultation is fake and flawed in the misleading nature of statements in Council correspondence (see Appendix 1) stating that "If you are not planning on undertaking any development on your property, the proposed plan change will not have any effect." This is patently incorrect and disingenuously offers false comfort. The plan changes as to notifiability could affect what a contiguous neighbour constructs which will impact on my property, and my amenities such as access to sunlight as well as my ability and right to appeal.
5. I object to the increase of HIRB from 2.5m to 3m (at PC 26, D18.6.1.2). In Special Character Areas, in which houses are already tightly packed, such as Grey Lynn, any increase in height of house impacts that are substantially more than minor on visual amenity, blocking of sun leading to increase in shade. | 200.2
6. I object to the increases in building coverage, and maximum impervious area (at PC 26, D18.6.1.4, PC 26, D18.6.1.6). With already tightly placed houses, with changes in climate (see [NIWA reports](#)), loss of [urban trees](#) leading to loss of ecosystem resilience (to point to but three issues), it is unacceptable to allow even small increases in building coverage and impervious area. | 200.3 200.4
7. I object to any reduction in the threshold for notifiability of consent. Non-notified consents breed bad neighbour relations, encourage nefarious double-dealing and are not conducive to civil society. Non-notifiable consents are a license for developers to do what | 200.5

they like without regard for neighbours. All resource consents should be notifiable as a matter of course.

8. I wish to heard at the Hearing.

Yours faithfully
Wendy Gray

Appendix 1

Hello M....

Thank you for your email enquiring after plan change 26. I appreciate how frustrating this letter was and your feedback will be passed on to our communications team.

To put this in context, below is a screen shot of an aerial of your property at 18 West View Road within the context of the neighbourhood. It shows that the properties along both sides of the street sit within the Single House Zone (pale cream) and the blue dots over these properties is the Special Character Overlay.

Under the Single House Zone, there are rules (standards) around how your site can be developed. For example, it covers such matters like:

how much space your building can take up on your site;

how high your building can be;

how close your building can be to a boundary;

· how much landscaped area your site is meant to have?

Here is a guide called 'Your Easy Guide to understanding the Residential Standards' which should explain what the standards (rules) are.

The plan change is a technical plan change which seeks to alter the wording of rules within the Special Character overlay chapter (hyperlinked) of the Unitary Plan.

Please click on the hyperlink for the Single House Zone chapter to see what base rules apply to your property; then click on the hyperlink for the Special Character Overlay chapter to see what additional rules affect your property.

Reading each chapter side by side you will notice that there are rules in both chapters on

Building height,

Height in relation to boundary,

Yards,

Building coverage,

Maximum impervious area,

Landscaped area or Landscaping and

Fences and walls.

Although the rules are the same, the thresholds for the rules may be different.

As the Unitary Plan currently operates, it poses problems for people who wish to develop their property as well as for council planners processing resource consents. Each are faced with the question of which of the corresponding rules under the Single House Zone Chapter and under the Special Character Overlay Chapter prevails over the other. This is the one of the main drivers behind the plan change

To see what changes council are proposing to the Special Character chapter, I suggest that you open the hyperlink here: proposed plan change to the Special Character Overlay chapter and read that alongside the Special Character Overlay chapter.

Notwithstanding, following is a summarised version of the proposed changes:

Activity table:

An activity table sets out what types of activities are anticipated within an area covered by the Special Character Overlay. The preamble to the Activity Table is proposed to be modified and is to state that where the activity status of an activity specified in the Special Character Overlay chapter is different to the corresponding activity status in the underlying residential zone, then the activity status in the Special Character Overlay chapter takes precedence over the activity status in the underlying residential zone (whether or not that activity status is more restrictive).

Following are the proposed additions to the activity table:

Fences and walls

(incorrectly omitted from the current Activity Table)

New fences and walls, and alterations to existing fences and walls that comply with the updated Special Character Overlay fences and walls standard are permitted.

New fences and walls and alterations to existing fences and walls that do not comply with the updated Special Character Overlay fences and walls standard will require a restricted discretionary resource consent be applied for.

Notwithstanding the following activities in the activity table remain unchanged:

Demolition of buildings

Demolition exceeding 30% or more, of buildings within a Special Character Overlay area will require a restricted discretionary resource consent be applied for.

Additions and alterations

External additions and/or alterations to a building within a Special Character Overlay area will require a restricted discretionary resource consent be applied for.

New Buildings

Construction of a new building within a Special Character Overlay area will require a restricted discretionary resource consent be applied for.

Development standards:

The proposed plan change intends to make it clearer for people to understand which rule to apply to their developments on residential sites that sit under the Special Character Overlay.
For the following standards, those residential sites covered by the Special Character Overlay are to apply the rule from the Special Character Overlay chapter and disregard the corresponding rule found within the underlying residential zoning chapter. Each standard has been modified by adding a purpose statement.

Building Height

Maximum height of 8m.

This rule has been modified by adding a purpose statement.

The rule and its specified height has not changed.

Height in relation to boundary

Height in Relation to Boundary standard of 3m and a 45° recession plane to apply to sites with a road fronted boundary less than 15m in width.

This standard has been modified by specifying the 15m front boundary length trigger.

For sites 15m and wider, the underlying residential zone height in relation to boundary standard applies. This is not applicable to rear sites such as your properties.

The Height in relation to boundary specified dimensions have not changed.

Yards

The average front yard setback dimension and the 1.2m side yard standard is to apply.

The 3m rear yard requirement is to be deleted deferring to the underlying zoning rear yard standard being 1m.

For rear sites then the 1m rear yard rule of the Single House Zone will apply.

Building Coverage

The standard stipulates building coverage maximums informed by the existing net site area. Net site area is the area of the body of the site less the area of the entrance strip (driveway less than 7.5m in width)

The rule and its specified coverages have not changed.

Landscaped area

The standard stipulates minimum required landscaped area percentages relative to the existing net site areas.

The rule and its specified percentage coverages have not changed.

Maximum impervious area

The standard stipulates Maximum impervious area coverage maximums informed by the existing net site area regardless of the corresponding Maximum impervious area standard.

This rule in the Special Character Overlay chapter has been modified by substituting 'impervious' for 'paved'.

The percentage coverage maximums listed now include the building coverage and other impervious areas such as driveways.

Fences and walls

The standard stipulates that any new fences to be constructed forward of the line of the front façade of the building are to be to a maximum height of 1.2m.

All other fencing behind the line of the front façade of the building shall be 2m in height.

· This rule in the Special Character Overlay chapter has been modified by clarifying at what point the fence heights are different along the side fence.

Other proposed changes:

· Additional matter of discretion & assessment criteria for restricted discretionary activities requiring that infringement of the aforementioned standards require additional assessment against the matters of discretion & assessment criteria of the underlying zoning.

Subdivision

Those residential sites covered by the Special Character Overlay - Sub Areas (e.g. Isthmus A – North Shore Area A) are to apply the Special Character Overlay subdivision standards from the Subdivision - Urban chapter which stipulates minimum vacant lot site areas.

This is to replace the corresponding minimum vacant lot site areas of the underlying residential zoning found in Table E38.8.2.3.1

Minimum net site area for subdivisions involving parent sites of less than 1 hectare.

The rule and its specified minimum vacant lot site areas have not changed.

If you are not planning on undertaking any development on your property, the proposed plan change will not have any effect.

Submissions & Hearing

Regretfully your email cannot be considered as a formal submission to proposed plan change 26 because there is no information in your email stating what aspect of the proposed plan change that you take issue with.

I suggest that once you have reviewed the proposed plan change to the Special Character Overlay, then you can prepare a submission document, detailing the aspects of the plan change that you are opposing or supporting.

Once you have that then I suggest that you click on this link: Auckland Unitary Plan online submission form and fill out all of the fields that are required and upload your submission document.

The period of submission has been extended to the 12th of July.

The public notice will appear in the New Zealand Herald on Thursday the 27th and the Auckland Council Plan Change 26 webpage will also be updated to reflect this extended submission period.

This provides you with an extra two weeks to consider the details of the plan change and gives you time to prepare a submission should you want to.

If you want to make a submission to the plan change, you can do so here.

I trust this will be of assistance to you.

Regards,

Ciarán Power | Planner

Unitary Plan Enquires team

[Email: unitaryplan@aklc.govt.nz](mailto:unitaryplan@aklc.govt.nz)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jesma Leigh Magill

Organisation name: Passionate Half Moon Bay resident with a huge passion for Howick.

Agent's full name:

Email address: jes.magill@xtra.co.nz

Contact phone number:

Postal address:
12 Endymion Place
Half Moon Bay
Auckland 2012

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Howick must be included in Plan Change 26 - we can't consider this plan change until Howick has the Special Character statements, both residential and business overlays, are agreed and locked in.

201.2

Property address: Stockade Hill, Howick - Historic Area of Howick

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Howick's historic Stockade Hill plan changes are the result of inept and scullous dirty deals on behalf of leading council figures that go years back. A lack of moral fibre and poor town planning skills should not harm the built landscape of Howick for years to come. Come on Auckland Council - do the right thing. Please.

I or we seek the following decision by council: Decline the plan modification

201.1

Submission date: 10 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

PROPOSED PLAN CHANGE 26 – SPECIAL CHARACTER AREAS OVERLAY (the Overlay)

Chapter D18, special character areas overlay - residential and chapter E38, subdivision - urban of the Auckland Unitary Plan.

SUBMISSION BY REMUERA HERITAGE INC

10 July 2019

1. Introduction

1.1. Remuera Heritage is an incorporated society, the purpose of which is to recognise, appreciate, preserve and share Remuera's past and present. This includes Remuera's built heritage as an early 19th and 20th century suburb and shopping centre of large sections with villas, bungalows, English style houses and cottages as well as Arts & Crafts style houses with leafy gardens and berms. From the 1980s there has been much infill housing and intensification building on these larger sections. Most of the "northern slopes" of Remuera are zoned Single House.

1.2. First we would like to note the following:

- Remuera Heritage did not receive a notification letter for Plan Change 26, despite there being a large area in Remuera covered by the Overlay.
- The timeline for submissions is too tight. Plan Change 26 appeared in the council's Our Auckland publication which was seen on 28 May 2019 but with no links to any information.- <https://ourauckland.aucklandcouncil.govt.nz/articles/news/2019/05/proposed-plan-change-26/>. The proposed plan change 26 didn't even appear on the relevant council webpage. But submissions could be made from 30 May to 28 June = only 28 days being allowed for digesting something of a very technical nature.
<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/proposed-plan-changes/Pages/default.aspx>

In comparison, Remuera Heritage received a letter dated 27 May 2019 in relation to proposed Plan Change 27 – Amendments to Schedule 14.1 Historic Heritage Schedule (Errors, anomalies and information update and deletion of 11 places) to the Auckland Unitary Plan (operative in part). The closing date for submissions is given as 11 July 2019 = i.e. 46 days is allowed for submissions on something less complex than PC 26. *Remuera Heritage notes that the deadline has been extended to 12 July 2019, more in keeping with other plan changes.*

1.3. The language used is a barrier to understanding what PPC 26 is all about. "Refining standards", for example, is vague and uninformative. And this paragraph is unintelligible:

Other changes: • Additional matter of discretion & assessment criteria for restricted discretionary activities requiring that infringement of the aforementioned standards require additional assessment against the matters of discretion & assessment criteria of the underlying zoning.
<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/proposed-plan-changes/Documents/pc-26-overview-simplified-explanation.pdf>

2. Plan Change 26

2.1. In general, we 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. The proposed change appears to support the protection of special character and heritage through recommending that the provision in the Special Character Areas Overlay will prevail over the corresponding provision in the underlying zone. However, in actual fact, the SCAR Overlay is less restrictive in allowing anyone wanting to develop their property greater freedom to do so. It is not clear how the proposed change will assist owners who want to protect the character and amenity of the Special Character Area where the Single House Zone also applies. It allows more lenient rules about heights and yards, which will lead to much greater density, bulk and heights to the side and rear of properties. 202.1

2.2. For example:

2.2.1. Height to Boundary: The Special Character Area Overlay rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline, where the sites have a road fronted boundary less than 15m in width. This is far more imposing than the standard of the Single House Zone which is based on a 2.5m vertical height and then a 45 degree incline.

The outcome of this proposed more lenient rule is that buildings can be built higher with great bulk and visual impact. It is not clear why bulkier houses should be allowed when the width of the property is less. 202.2

2.2.2. Rear Yard: In the rear yard the proposal is to reduce the current 3m boundary to just 1m. This will allow building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. Relaxing the 3m setback for the rear yard will have a highly detrimental impact in areas where sections near corner junctions have rear yards adjacent to side yards.

By allowing the Character Overlay to predominate, it puts neighbours in special character and heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy.

2.3. The size and scale of more development to the side and rear of houses in the SCAR Overlay will add visual bulk that will detract from the character features of the area.

The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of facadism and is not genuine heritage protection.

2.4. 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. Remuera Heritage submits that the current 3 metre rear yard should be retained. This will maintain character and amenity values in the area. Having rear yards of only 1 metre will reduce the privacy, tree cover, landscaping, views and general amenity of neighbours and neighbourhoods. 202.3

2.5. Regarding fencing height, the maximum heights for fencing from a house to the rear yard should be retained at a 1.8m maximum not 2m. 202.4

2.6. The Special Character Areas overlay rules allow for a "larger building envelope" (e.g. a bigger extension in your neighbour's backyard). Also, the council would not have to consider the effects on neighbours, which it does under the Single House Zone rules. The council has to consider the effects on the streetscape and character of the area, but not the neighbours. We do not support that.

2.7. Environmental effects and privacy. The plan needs to take into account the effects of development on neighbours as well as on streetscape. In particular, we wish to note that when special character and heritage houses were built in the 19th and early 20th centuries, privacy was much easier to maintain. Then there was significantly less light, air and noise pollution from radio, television, music, technology, outdoor living, recreational facilities and traffic. We want to retain respect for our neighbours and social and community wellbeing in the 21st century. These are now universally acknowledged as being of primary 202.5

importance to a healthy society. The more restrictive requirements should apply regarding rules, standards and provisions which affect these environmental factors in our communities. | 202.6

3. Also, Remuera Heritage does not support anything which will make special character and heritage buildings more easily able to be demolished and special character areas to be eroded. | 202.7

3.1. Remuera Heritage wants all neighbours in special character areas to be notified when there is development proposed on their boundary. | 202.8

4. In summary, the proposed plan change 26 is less about protecting special character and heritage and more about protecting property rights to develop character / heritage houses to the detriment of neighbours, community wellbeing and zoning values in traditional areas like Remuera. Remuera Heritage seeks that the underlying zone, the Single House zone, prevail over the rules, standards and provisions of the Special Character Areas Overlay, where both are applicable.

Chair Sue Cooper
Remuera Heritage
P O Box 28-556
Remuera 1050
Ph: 027 276 9847

admin@remueraheritage.org.nz

PROPOSED PLAN CHANGE 26 – SPECIAL CHARACTER AREAS OVERLAY (the Overlay)

Chapter D18, special character areas overlay - residential and chapter E38, subdivision - urban of the Auckland Unitary Plan.

SUBMISSION BY CHARACTER COALITION

7 July 2019

1. Introduction

The Character Coalition is an umbrella group representing 60+ heritage, historical and special interest groups and residents associations who care deeply about protecting and promoting the heritage of Auckland's built environment.

2. Plan Change 26

2.1. In general, the Character Coalition supports 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. The proposed change appears to support the protection of special character and heritage through recommending that the provision in the Special Character Areas Overlay will prevail over the corresponding provision in the underlying zone. However, in actual fact, the SCAR Overlay is less restrictive in allowing anyone wanting to develop their property greater freedom to do so. It is not clear how the proposed change will assist owners who want to protect the character and amenity of the Special Character Area where the Single House Zone also applies. It allows more lenient rules about heights and yards, which will lead to much greater density, bulk and heights to the side and rear of properties. | 203.1

2.2. For example:

2.2.1. Height to Boundary: The Special Character Area Overlay rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline, where the sites have a road fronted boundary less than 15m in width. This is far more imposing than the standard of the Single House Zone which is based on a 2.5m vertical height and then a 45 degree incline.

The outcome of this proposed more lenient rule is that buildings can be built higher with great bulk and visual impact. It is not clear why bulkier houses should be allowed when the width of the property is less. | 203.2

2.2.2. Rear Yard: In the rear yard the proposal is to reduce the current 3m boundary to just 1m. This will allow building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. Relaxing the 3m setback for the rear yard will have a highly detrimental impact in areas where sections near corner junctions have rear yards adjacent to side yards.

By allowing the Character Overlay to predominate, it puts neighbours in special character and heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy.

2.3. The size and scale of more development to the side and rear of houses in the SCAR Overlay will add visual bulk that will detract from the character features of the area.

The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of facadism and is not genuine heritage protection.

2.4. The 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. Remuera Heritage submits that the current 3 metre rear yard should be retained. This will | 203.3

maintain character and amenity values in the area. Having rear yards of only 1 metre will reduce the privacy, tree cover, landscaping, views and general amenity of neighbours and neighbourhoods.

2.5. Environmental effects and privacy. The plan needs to take into account the effects of development on neighbours as well as on streetscape. In particular, we wish to note that when special character and heritage houses were built in the 19th and early 20th centuries, privacy was much easier to maintain. Then there was significantly less light, air and noise pollution from radio, television, music, technology, outdoor living, recreational facilities and traffic. We want to retain respect for our neighbours and social and community wellbeing in the 21st century. These are now universally acknowledged as being of primary importance to a healthy society. The more restrictive requirements should apply regarding rules, standards and provisions which affect these environmental factors in our communities. | 203.4

2.6. Also, The Character Coalition does not support anything which will make special character and heritage buildings more easily able to be demolished and special character areas to be eroded. | 203.5

2.7. The Character Coalition wants all neighbours in special character areas to be notified when there is development proposed on their boundary. | 203.6

3. In summary, the proposed plan change 26 is less about protecting special character and heritage and more about protecting individual property rights to develop character / heritage houses to the detriment of neighbours, community wellbeing and zoning values in traditional areas. The Character Coalition seeks that the underlying zone, the Single House zone, prevail over the rules, standards and provisions of the Special Character Areas Overlay, where both are applicable. | 203.7

4. The Character Coalition seeks to be heard at the forthcoming hearing.

Address for service:

Chair Sally Hughes
Character Coalition
PO Box 25 971
St Heliers
Auckland 1740
sally@charactercoalition.org.nz
Ph. 0272 843 344

10 July 2019

To whom it may concern:

Re: Submission from Mount St John Residents' Group Incorporated on Auckland Council's Plan Change 26: Clarifying Special Character Areas Overlay and underlying zone provisions

The Mount St John Residents Group is an Incorporated Society representing most of the residents who live close to Mount St John, Epsom. Our membership draws from Mount St John Avenue, Belvedere St, Margot St, Halifax Avenue, Ranfurly Rd, and the western side of Market Rd alongside Mount St John.

In general, we are supportive of Plan Change 26. This plan change seeks to clarify how the Special Character Areas Overlay works with underlying zones in some areas of Auckland. | 204.1

Largely, we think it achieves its purpose.

In particular:

- **C2A and B1 zoning:** We 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'. | 204.2

We note this zoning began as an initiative of the owners of land surrounding Mount St John who sought to preserve the character of the area, and views and sightlines to the cone.

We support reinforcement of this zoning.

- **Impervious Areas.** We support the clarification of the overlay in relation to zoning for impervious areas. We note that the total impervious area now takes into account the area of the building as well as paving, decks, driveways etc. This is a sensible clarification of this requirement. | 204.3
-
- **Height to boundary rules.** We 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. This will allow for greater development of more constrained sites. | 204.4

We do not support:

- **The change to front fence heights.** We note that these have been restricted to only fences of 1.2 metres. Under current rules, front fences can be 1.8 metres high providing there is 50% visibility through the fence or only 50% of the frontage is fenced. Under the proposed rules,

the current 1.8 metre fence height is rescinded. We ask that Auckland Council retains the current options for the 1.8 metre high front fence rule.

- We believe that a 1.2 metre fence would not prohibit a medium or large sized dog jumping over it. Nor would a 1.2 metre fence constrain a small, medium or large sized dog from (potentially) negatively interacting with passing public and causing a nuisance.
- The proposed changes conflict with the Dog Control Act 1996, which require that dogs be kept under control at all times. A 1.2 metre fence would not ensure this Act is properly given effect.
- The proposed changes also conflict with the advice given by Auckland Council on its website as follows and its policy on responsible dog ownership:
<https://www.aucklandcouncil.govt.nz/dogs-animals/problems-dogs/Pages/control-your-dog.aspx>

Ways to confine your dog

- *Fencing – without holes or gaps and tall enough so your dog cannot jump over it.*

AND

Check that there is nothing your dog can climb on, like a compost bin or wood pile, to jump over a fence.

Our group would like to thank Council for this opportunity to have a say. We wish to be heard by way of an oral submission at the appropriate time.

Yours faithfully,



Aaron Beer
Chairman
Mount St John Residents Group Incorporated

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Richard Graham Poole

Organisation name:

Agent's full name:

Email address: richardpoole@xtra.co.nz

Contact phone number:

Postal address:
12 Endymion Place
Half Moon Bay
Auckland 2012

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Plan Change 26

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Howick must be included in Plan Change 26 - we can't consider this Plan Change until Howick has the Special Character statements, both residential and business overlays, agreed and locked in.

| 205.2

I or we seek the following decision by council: Decline the plan modification

| 205.1

Submission date: 11 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Jonathan Hardie-Neil
53 Kelvin Road,
Remuera,
Auckland 1050

LOT 19 DP 19744

10 July 2019

Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

By email: unitaryplan@aucklandcouncil.govt.nz

Attn: John Duguid

Dear John,

Proposed Plan Change 26

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions within Auckland Unitary Plan

We are in receipt of your letter of 30th May, 2019.

This letter has raised a number of questions for us. I phoned the council to speak to your department about this but was told I could not expect a call back within 5 days and the best approach is to list my points in this letter and they could probably all be addressed together.

Whilst we understand the intention of this letter is to clarify how the Unitary Plan interacts with a Special Character Overlay we would require the Council to provide clarity as to how our property is included in this issue in the first place and whether this is a valid inclusion.

We are not aware of when this came into effect and when our property received such classification. This has never been formally communicated to us by Council. We have never had any council member visit our site, nor any formal communication from Council to inform us of the issues related to the Special Character Overlay and how this will impact us as landowners or how and when our land was subject to such a classification. How did it become included, what was the process undertaken, and when?

If our property has been in fact correctly properly designated and legally included in the overlay under the plan, we now seek to understand this and understand how and when this came into effect and what conditions this then places on our opportunity to use this land into the future – either for development or subdivision.

Furthermore, if in fact our land is subject to this designation, then we wish to both strongly object to the process that has been undertaken and we wish to understand more thoroughly whether any subsequent restrictions on the land should have had an impact to the rates we have been charged since the inclusion.

Our rateable value increased dramatically in 2014 (+1million) and then further increased with the valuations done in 2017 (+1.5million). We assumed at the time that these increases were due largely to the value of the land and must have been based on the section size and perceived potential of site development value as assessed by the valuation algorithm given the issues with land and housing in the Auckland isthmus. If this Special Character Overlay provides for any restrictions on the extent and nature of development (and any other restrictions on development on this property that are not imposed on similarly rated properties) then I would like to seek compensation and ask that our rates be reassessed and adjusted accordingly and refunded for the years since the change.

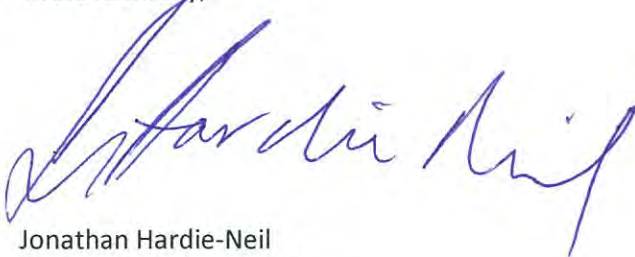
We would be willing to engage our own registered valuer to determine the real value which we can use to reassess the value and calculate what impact the restrictions have had on the valuation if it is possible to negotiate a new rates assessment.

We originally purchased the property for both the location and the section size and obvious potential for multi-site development in the future. If this has been eroded by reclassifications that we have not been a party to or agreed with then it is unacceptable to us that our investment has been impacted.

Therefore, we do want to engage with the Council on this issue. We could for example reluctantly, and on an expressly without prejudice basis, accept a potential limited classification or inclusion of the property within a Special Character Area Overlay on the basis that we or future owners can discuss with you what development (including subdivision, compensation, opportunities for transferrable rights to development) rights can be retained.

We do understand that some balance could be struck. For example, we accept that the property may be correctly classified, however, that in and of itself should not be a reason why all rights to the land should be curtailed or extinguished, and the rateable value should be adjusted accordingly.

Yours faithfully,



Jonathan Hardie-Neil
Trustee of the Jonathan Trust

Jonathan jon@edwardsnz.co.nz 021 834227

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Alfred Richard (Dick) Bellamy

Organisation Name (if submission is made on behalf of Organisation)

South Plan Planning Group Inc

Address for service of Submitter

6 Lands cape Rd, Mt Eden, Auckland 1024

Telephone:

021 869 148

Fax/Email:

d.bellamy@auckland.ac.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

all "as attached"

all "as attached"

The reasons for my views are:

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

207.1

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

AP Bell

11 July, 2019

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I ~~could~~ could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

11 July 2019

Submission by the South Epsom Planning Group on Proposed Plan Change 26

1. The South Epsom Planning Group Inc (SEPG) is a neighbourhood group based in South Epsom. The approximate area of interest for the Society is bounded to the north by St Leonards and Empire Roads, to the west by Mt Eden and Rewa Roads, to the east by Coronation and Buckley Roads, and to the south by the steep escarpment formed by the explosion crater of the Three Kings volcanic system. In general terms this area encompasses the elevated land form known as the St Andrews Rd/Landscape Rd hill area. The Society has approximately 50 members.
2. SEPG was instrumental in achieving character and amenity protection for the area in previous plans, and submitted to have that protection retained in the Unitary Plan.



3. The SEPG area is currently zoned Single House Residential and is subject to a Special Character Area – Residential (SCAR) Overlay (Isthmus B2). In general terms lot sizes in this area of the city are large with most in excess of 1,000 square metres dating from the time of residential settlement (post 1920) when many lots were ¼ acre in size. There is one substantial property on the hilltop (approximately 5 acres) which serves as the local administrative centre for the Tongan Government. The large lot size of the hill area has enabled the neighbourhood to maintain its ‘garden suburb’ ambiance with many notable

large trees. Significant views are afforded to houses on the hilltop and slopes and are valued by residents.

4. The Society is generally supportive of the intention of Proposed Plan Change 26 (PPC26) in so far as it has been crafted to remove the confusion initially generated by differences between the zoning rules and those of the overlay, now clarified by the Environment Court.
5. However the Society is concerned at the potential impacts likely to be created by some proposed changes including those to yards. Specifically, the Society opposes the intention to reduce the requirement for a sufficient space to be provided in rear yards to separate housing and ancillary buildings from the rear boundary of sites. The Society submits that the current 3 metre rear yard) should be retained. We submit that retention of the current separation distance is required in maintain important character and amenity values in the area. We oppose the outcome that would be provided by having rear yards of 1 metre, being rear yard buildings within 2 meters of each other. The effect would be to reduce the privacy, tree cover, views and general amenity of adjoining owners and neighbourhoods.
6. 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. In our view the approach we have taken better embraces the broader content of the SCAR Objectives and Policies. Similar proposed amendments have been made to matters for discretion. Other proposed amendments are technical and/or refine the text. Proposed amendments are attached in Appendix One.
7. The s32 Report is incomplete with respect to its consideration of issues and development of options:
8. The s32 Report states:
"PPC 26 clarifies that where there are equivalent provisions (such as development standards) in the underlying zone and in the SCA overlay, that the provision in the SCA Residential Overlay will take precedence over those equivalent provisions within the underlying zone."
As indicated above this intention is supported by the Society. The report also states:
"The Plan Change also makes some amendments to some of the development standards in the SCA overlay to ensure that they are appropriately tailored to the special character values in the areas to which they relate."
In our view PPC26 as presented does not achieve this.
9. The PPC 26 document, and on our parse the s32 Report, do not include a complete copy of the current SCAR Objectives and Policies. In our view the problem with this is that there is a danger that the proposed plan change has not provided for a full consideration

| 207.2

| 207.3

| 207.4

of what the objectives and policies are. The objectives and policies inform all matters under consideration.

10. A full statement of the objectives would include, at 2c:

“The physical attributes that define, contribute to, or support the special character of the area are retained, including the relationship of built form to landscape qualities and/or natural features including topography, vegetation, trees, and open spaces.”

The objective provides that special character is not limited to architecture (2a) and streetscape (2b) but also *“the relationship of built form to landscape qualities and/or natural features including topography, vegetation, trees, and open spaces.”*

This aspect of (2c) is largely overlooked in both the s32 analysis and in PPC26 itself.

11. A full statement of the policies would include, at 2c:

“ .. new buildings, alterations and additions to existing buildings, infrastructure and subdivision ... respond positively to the design, scale, height, setback and massing of existing development, any distinctive pattern of subdivision, intensity of development... ”

Again, there is no limitation to architecture and streetscape in Policies, although that is where there is an over-concentration of emphasis when developing the new ‘purpose statements’ and amending assessment matters in PPC26.

12. Our submission proposes, by addition, amendments which take into account all SCAR Objectives and Policies.

13. The Society reserves its position with respect to “common walls” and their appropriateness or otherwise in the SCAR Overlay.

14. The Society reserves its position with respect to Objectives and Policies in the SCAR Overlay and underlying zones, given that it is not clear in all cases whether the overlay or underlying zone takes precedence.

Relief Sought by SEPG

The Society seeks changes to the wording of PPC26 as provided in Appendix One.

The Society seeks to be heard at the forthcoming hearing.

Address for Service:

A.R. Bellamy

6 Landscape Rd, Mt Eden

Auckland 1024

Email: d.bellamy@auckland.ac.nz

Phone: 021 869 148

Appendix One - Proposed Changes to PPC26

The following includes proposed text changes to PPC26 at the time of submission.

Red text – additions

Red strikethrough text – proposed deletions

Commentary, questions and explanations where required are provided to the right hand side of the page.

Proposed Text Change 1

207.5

D18.6 Development Standards

Commented [A1]: Improve the D18.6 heading.

D18.6.1 Development Standards for buildings in the ...

Commented [A2]: Improve the D18.6.1 heading. The standards are not limited to buildings. There are also standards about yards, fences, impervious area etc

Proposed Text Change 2

207.6

D18.6.1.1. Building height

Purpose: to manage the height of buildings in relation to all boundaries to:

Commented [A3]: The importance of street and streetscape is recognised. This addition provides balance by drawing attention to all boundaries.

- retain the existing built form character of predominantly one to two storeys in the established residential neighbourhoods, with new buildings, alterations and additions to existing buildings responding positively to the design, scale, height, setback and massing of existing development;

Commented [A4]: Strengthening the purpose with text from Policy 2c

- maintain the relationship of built form to the street, yards and open space; and

Commented [A5]: Our submission is concerned that PPC26 overlooks the importance of yards in the SCAR Overlay

- maintain a reasonable level of sunlight access to adjoining properties and minimise avoid, remedy, or mitigate visual dominance and shading effects on adjoining properties.

Commented [A6]: The use of “avoid, remedy or mitigate” is more consistent with the RMA

Proposed Text Change 3

207.7

D18.6.1.2. Height in relation to boundary

Commented [A7]: We support in principal para (2) which applies the underlying zone HIRB standard when the frontage is 15m or greater.

Purpose: to manage the height and bulk of buildings in relation to all boundaries to:

We query that this would appear to remove the front boundary HIRB standard in the SCAR Overlay.

- retain the character of the streetscape and yards;

- enable a built form that reflects the identified character of the area with new buildings, alterations and additions to existing buildings responding positively to the design, scale, height, setback and massing of existing development and

- maintain a reasonable level of sunlight access to adjoining properties and minimise avoid, remedy, or mitigate visual dominance and shading effects on adjoining properties.

Proposed Text Change 4

D18.6.1.3. Yards

207.8 Purpose: to retain the historical built character of the streetscape area by managing the building setback from and the relationship of the buildings to the street all boundaries.

In Table D18.6.1.3.1 Yards, re-instate in the last row:

Rear 3m

(2) Standard D18.6.1.3.1 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.

(3) The underlying zone yard standards apply for all other yards not specified within Table D18.6.1.3.1

Proposed Text Change 5

Table D18.6.1.4.1

In D18.6.1.4.1, for the table heading:

Table B18.6.1.4.1 Maximum building coverage ...

In the column one heading, Net site area

Proposed Text Change 6

D18.8. Assessment – Restricted discretionary activities

D18.8.1. Matters of discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary resource consent application.

D18.8.1.1. Special Character Areas Overlay - Residential

(1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:

(a) the effects on the streetscape and special character context as outlined in the special character area statement;

(b) the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts as well as its contribution to the streetscape character;

(c) the building's relationship to other adjacent buildings, and if it contributes to a group in such a way that its loss or relocation would result in the loss of a character value attributable to the group;

(d) the condition of the building, and the practicality and cost of any necessary rehabilitation, and the ability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act 2004;

Commented [A8]: The SCA Overlay is not concerned only with streetscape and front yards, rear yards are also important.

Commented [A9]: The s32 report (p9) states that Council's position through the IHP process was that "standards for yards, building coverage, landscaped area and paved surfaces also varied for the different special character areas to reflect different subdivision and development patterns." 3m was adopted for rear yards in the overlay, and contributes to maintaining special character values.

PPC26 now proposes to drop 3m. The s32 report (at 5.4) does not provide any credible rationale for why this significant change has been proposed.

Special consideration needs to be given to rear sites.

Commented [A10]: Issues raised here are similar to those in Proposed Text Change 4 above.

Commented [A11]: (3) is deleted because all yards are now specified in the table.

Commented [A12]: And for following tables where applicable

Commented [A13]: What if it is overall status of an application is, for example, Non-Complying. Do these matters of discretion still apply? An alternative could be: The Council will restrict its discretion to all the following matters when assessing a restricted discretionary activities. resource consent application.

Commented [A14]: As written both the principal and minor dwellings would be included. Accessory buildings could potentially have effects as great or greater than minor dwellings.

207.10 (e) where a replacement building is proposed, its design, quality, purpose and amenities and the contribution that such as building might make to the qualities of streetscape character; ~~and~~

(f) the effect on landscape and vegetation;

(g) the ~~social, environmental, economic, and amenity effects on adjoining sites and the area of the design, scale, height, setback and massing of the proposed building; and~~

(h) the social, environmental, economic, and amenity effects, for adjoining sites and the area, on landscape qualities and/or natural features including topography, outlook, vegetation, trees, and open spaces.

(2) for external alterations or additions to buildings; or for the construction of a new building or the relocation of a building onto a site:

(a) the effects on the streetscape and special character context as outlined in the ~~Special Character Area Statement;~~

(b) the building and its contribution to streetscape character; including its design, quality, purpose and amenities including matters of scale, form, massing, materials, setbacks and the relationship to the street; ~~and~~

(c) ~~the effects on landscape and vegetation.~~ the social, environmental, economic, and amenity effects on adjoining sites and the area of the design, scale, height, setback and massing of the proposed building; and

(h) the social, environmental, economic, and amenity effects, for adjoining sites and the area, on landscape qualities and/or natural features including topography, outlook, vegetation, trees, and open spaces.

(3) for an infringement of the any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:

~~(a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement; and~~

(a) the matters listed in D18.8.1.1(2) above.

Note 1

Where more than one standard will be infringed, the effects of all infringements ~~on the streetscape and special character context as outlined in the special character area statement~~ will be considered both individually and together.

~~(b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.~~

(b) the matters of discretion for the standard (or equivalent standard) in the underlying zone, ~~noting that if there is a conflict the matters listed in (a) above take precedence.~~

Commented [A15]: For clarity (a broad range of effects should be considered)

Commented [A16]: Capitalisation consistency to be maintained throughout

Commented [A17]: This is redundant as it is already captured, both in the old (b) and new (a) below

Commented [A18]: The effects of all infringements should be considered.

Commented [A19]: More simply stated in the new (a) above

Commented [A20]: To capture the principal of the SCAR Overlay taking precedence.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Frank and Celia Visser

Organisation name: Celia Visser Design

Agent's full name:

Email address: celiav@visserdesign.com

Contact phone number: 021907627

Postal address:

54 College Hill
Freemans Bay
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1 Standards for buildings in the Special Character Overlay - Residential

Property address: 60 and 62 College Hill Freemans Bay

Map or maps:

Other provisions:

Number 60 College Hill has been built under previous consents, it is out of character and conflicting with the Special character Overlay of our street. It has lost all of the visual appeal associated with 1890's and early 1900's period character cottages and our property and neighbours have lost much of it's street appeal as a result. The previous house on this site was demolished and current premises erected on this site several years ago. We understand that the owner of 60 College Hill, also owns 62 College Hill which is in a state of disrepair. We are concerned that the owner will demolish this by neglect and build a modern style premises as he did at no. 60 College Hill out of keeping with the Special Character overlay that other residents are trying to adhere to. Visually no.60 is very modern in appearance. We do not know how it gained consent in a Special Character Overlay. Behind us on no.12 Georgina St, almost the entire section has been taken up with building additions. This seems to conflict with Special Character plan overlays D18.6.1.4.1 requiring the maximum coverage area being 35% for a property of approximately 600 sqm

208.2

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We just want consistency from The Auckland Council. Some how an exception has been made for 60 College Hill and we do want any further changes to the Special Character overlay of the area to be approved. A great deal of money has been spent by our neighbour, the owner of 56 College Hill, to restore this cottage to something of its former splendour. No.62 will soon require demolition by neglect as it is in a significant state of repair. The character of these cottages must be retained with front veranda/ porch and central doorway expressing the era's design.

I or we seek the following decision by council: Decline the plan modification

| 209.1

Submission date: 11 July 2019

Supporting documents
Number 62 and 60 College Hill.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: John and Sarah Walker

Organisation name:

Agent's full name:

Email address: johnwalkerblacklabel@outlook.com

Contact phone number:

Postal address:
5 Palmer Crescent
Mission Bay
Auckland 1071

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Fencing rules should only be as per the Single House zone H3.6.12. The SCAR overlay rules of D18.6.1.7 are overly restrictive of 1.2m maximum with no provision of what boundary it is. Need to look at whether front/ side or rear. A fence of only that height offers no privacy nor security as that is a fence that can be jumped by dogs or people. Why is it considered that the residents want to have passive surveillance of the street. This is just an assumption . Many people are away all day at work and want privacy and security inside their homes rather than looking out the window at the street to keep the street safe somehow ! If it is streetscape that is of concern and you want the houses to be seen from the street then all people will do is plant large trees that will continue to grow and then the house cannot even be seen from the street in the end. The overlay used to be ...just an overlay . Then suddenly it was to be read together and of equal weight and now with the Plan Change you wish for it to prevail. It is too confusing and onerous. If the overlay is a prevailing document why then isn't there a separate zone. Yards D18.6.1.3- Is confusing with respect to sites either side. What if your adjoining sites are rear sites ? Is this only relevant to counting front sites ?

Property address: 5 Palmer Crescent, Mission Bay

Map or maps: Site is zoned Single House Zone - Special Character Area on AUP Maps.

Other provisions:

Maybe the owner of the site should be able to pick and choose which rules they wish to apply on their site. Most fences in the street are between 1.5 metres and 1.8 metres already and for continuity purposes and for the best appearance adjoining sites also wish to follow the fencing patter. Just because a fence is high doesn't mean it is unattractive. One opposite site has their pool for their children in their front yard and has a fence of 1.8 metres in concrete but all these fences are planted with a small leafed clinging climber that has now covered this exterior. it is now of an attractive dark

green appearance. They need security and privacy for their children in this front yard pool. This is perfectly understandable. Another neighbour has a great dane dog. They also need a high fence to keep the dog in. Fences are often also only effective for noise reduction from traffic at a height of 1.8 metres and close boarded. They are not left in there raw state but are painted charcoal or black and are a recessive and not dominant feature. Often they offset the green foliage. Retaining walls often need a greater height also to stabilise the land.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The rules of the SCAR are totalitarian in approach especially the fencing rules. The rules of the Single House zone are more reasonable and their should be a choice between the two where there is a reasonable explanation. If you need a more definitive approach, then go out and identify those specific/ particular sites and houses with an extent of place study rather than a broad brush approach. There is confusion of yards especially where the SHZ adjoins a Mixed Housing Zone. Does Table D18.6.1.3.1 Yards only apply if all sites are all Single House zone and all also SCAR overlay ?

I or we seek the following decision by council: Amend the plan modification if it is not declined

209.1

Details of amendments: Amend Yards D18.6.1.3/ Amend Fences D18.6.1.7/ Amend SCAR and make it a different zone.

209.2

209.3

209.4

Submission date: 11 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Susan Andrews

Organisation name: Heritage New Zealand Pouhere Taonga

Agent's full name:

Email address: sandrews@heritage.org.nz

Contact phone number: 09 307 9920

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

The entire plan change.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Please see attached submission.

I or we seek the following decision by council: Accept the plan modification

210.1

Submission date: 11 July 2019

Supporting documents

HNZPT Submission PC26 - Clarifying the Relationship Bwtn the SCA Overlay and Underlying Zone Provisions 11th July 2019.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



11th July 2019

File ref:

Auckland Council
Unitary Plan
Private Bag 92300
Auckland 1142
Attention: Planning Technician

Dear Sir or Madam

SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA

PROPOSED PLAN CHANGE 26: CLARIFYING THE RELATIONSHIP BETWEEN THE SPECIAL CHARACTER AREAS OVERLAY AND UNDERLYING ZONE PROVISIONS

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

1. This is a submission on the following proposed change to the Auckland Unitary Plan (Operative in Part) (the proposal):

Proposed Plan Change 26: Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions: To clarify that where there are corresponding provisions (including activities and standards) in the Special Character Areas Overlay and in the underlying zone, the provision in the Special Character Area Overlay will prevail over the corresponding provision in the underlying zone.

2. Heritage New Zealand could not gain an advantage in trade competition through this submission.

3. The specific provisions of the proposal that Heritage New Zealand's submission relates to are:

The entire proposed plan change.

4. Heritage New Zealand's submission is:

4.1. Heritage New Zealand is an autonomous Crown Entity with statutory responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage.

4.2. Heritage New Zealand supports the intention of this plan change to provide clarity as to how the Special Character Area Overlay and the underlying residential zone provisions are intended to interact, and that in instances of corresponding provisions in the Special Character Areas Overlay and in the underlying zone, the provision in the Special Character Area Overlay will prevail.

5. The reasons for Heritage New Zealand's position are as follows:

5.1. Heritage New Zealand considers the amendments proposed to provide clarification will enable improved protection, retention and management of Special Character Areas identified as having collective and cohesive values, significance, relevance and interest to the communities both locally and within the wider Auckland region.

6. Heritage New Zealand seeks the following decision from the local authority:

That the plan change be adopted in entirety as notified.

7. Heritage New Zealand does wish to be heard in support of our submission.

Yours sincerely



Sherry Reynolds
Director Northern Region

Address for Service:
Susan Andrews
PO Box 105 291, Auckland
09 307 9920
sandrews@heritage.org.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stephanie Jane Barnett

Organisation name:

Agent's full name:

Email address: stephbarnettnz@gmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Howick needs to be included as a special character area, is has great historical value to both Maori and Pakeha.

I or we seek the following decision by council: Accept the plan modification with amendments | 211.1

Details of amendments: Include the Howick in the special character | 211.2

Submission date: 11 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Julia Foster

Organisation name: Save stockade hill views

Agent's full name:

Email address: abfabbubbles@hotmail.com

Contact phone number:

Postal address:

Howick
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Include pc 26 to stockade hill to save the views

| 212.2

Property address: Stockade hill Howick

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
So everyone can enjoy the views without obstruction

I or we seek the following decision by council: Accept the plan modification

| 212.1

Submission date: 11 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Grey Power



HOWICK PAKURANGA & DISTRICTS
ASSOCIATION INC.
P O Box 38-281, Howick, Auckland 2145

11 July 2019

Submission to PC26 to: unitaryplan@aucklandcouncil.govt.nz

1. **Submitter Details** – Peter Bankers, President, Grey Power Howick Pakuranga & Districts Association Inc
2. **Scope of Submission:**

PC26 Plan Change/Variation: clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.

The specific provisions that the Association's submission relates to are:

Plan Provisions –

1. *We generally support the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers some parts of Howick which have a variety of underlying business and residential zones.*
2. *In Part D18.1 the exception of Howick from the Special Character Area Overlay considerations is not acceptable and should be deleted.*
3. *The Special Character Area at Howick is requested to be expanded over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.*
4. *A Special Character Area description for Howick covering residential and business areas is required to be inserted into Part D18.1 of PC26 and in Schedule 15 at Part 15.1.6.1.*
5. *In all other respects we support PC26 and seek to have the controls and standards within PC26 available to cover the expanded Special Character Area shown on the attached Plan.*

Submission: *We oppose the specific provisions identified above which exclude Howick from consideration under PC26 and wish to have the following provisions amended:*

- (a) *The removal of the exemption of Howick from Part 18.1 Background.*
- (b) *The expansion of the Special Character Area at Howick to cover the properties identified on the attached plan.*
- (c) *The inclusion of a description for the existing and expanded Special character Areas of Howick into the table within D18.1 and within Schedule 15 at Part 15.1.6.1.*

The reasons for our views are –

1. *Howick has several special characteristics that require particular protection in the manner provided for in Part D18 of the Auckland Unitary Plan (AUP). For that reason it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1.*
2. *We see that PC26 is an opportunity to address this long-standing omission in respect of Howick.*

We seek the following decision by the Council:

We accept the proposed Plan Change with the amendments outlined below.

213.1

Amendments Requested for the Reasons set out are –

1. *Amend Part D18.1 by removing the words “other than Howick”.* 213.2
2. *Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan.* 213.3
3. *Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.* 213.4
4. *Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes.* 213.5
5. *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.* 213.6

We wish to be heard in support of our submission.

PETER BANKERS
President

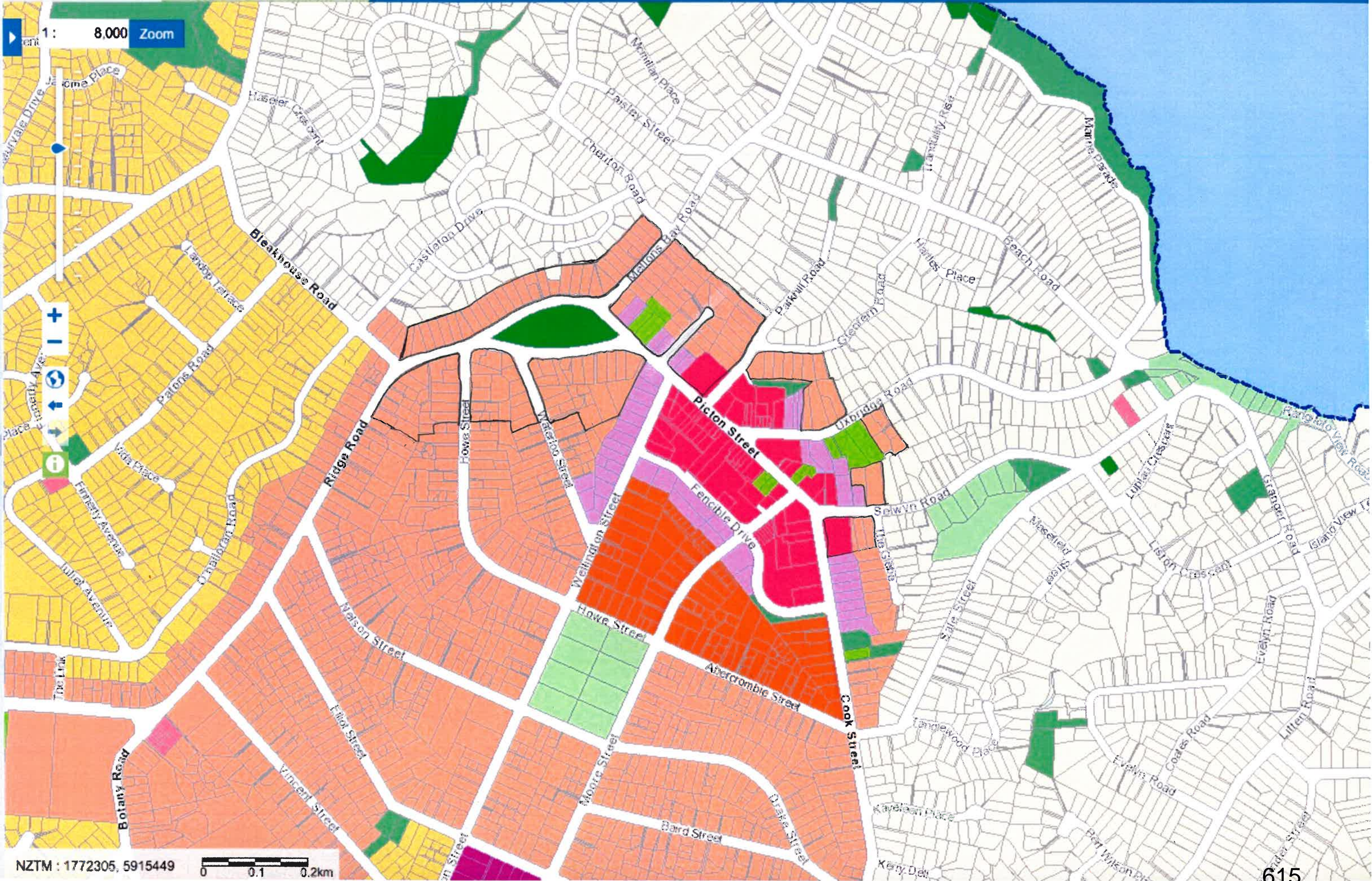
Phone: 09 534 7634

Mobile: 021 763 404

Email: peter.bankers@allianceit.co.nz



1: 8,000 Zoom



NZTM : 1772305, 5915449 0 0.1 0.2km

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: John O'Grady

Organisation name:

Agent's full name: Ashleigh O'Grady

Email address: johnogrady@xtra.co.nz

Contact phone number:

Postal address:
152 Hinemoa Street
Birkenhead
Auckland 0626

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Proposed rules to the Special Character Areas overlay

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The proposed Plan Change 26 seeks changes to the Auckland Unitary Plan to make it clear that certain planning provisions of the Special Character Areas Overlay would prevail over the corresponding provisions of the underlying residential zones. The Unitary Plan passed in 2016 was a massive overhaul in zoning rules to deliver better and more affordable housing for Auckland. The Unitary Plan's more permissive zoning was to ensure a faster, less expensive consenting process to provide more affordable developments and to deliver housing for Aucklanders. However in the case of Special Character Areas this is not the case with consenting being expensive and time consuming. In many areas it is hard to define where the Special Character Areas and underlying residential zones physically change. With specific reference to Birkenhead we have streets such as Hinemoa, Rawene, Huka road and the like where properties with Residential-Terrace Housing and Apartment Building zones meet with properties of Residential -Single House zones. In these areas the intensive housing

will continue to dominant the single house with street scape and vista continually being over-shadowed by the terrace housing and apartment developments. Planning rules in these areas need to be more flexible to allow clever construction and design techniques to allow property owners to mitigate the effects of the more dominant zone. To a significant degree we have lost the desired effect of the Special Character areas with mixed housing already within the zones now further impacted with terrace and apartment style housing. In short the provisions become a significant liability for property owners in the Special Character zones with planning provisions in many circumstances best handled under the provisions of the underlying residential zones. To summarise, the Special Character in some areas are not warranted as any special character has been lost and further compromised by the Unitary plan changes. The provisions become a significant liability and impediment to the property owners rights and enjoyment of their property. 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.

214.2

I or we seek the following decision by council: Decline the plan modification

214.1

Submission date: 11 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Submission to PC26 to: unitaryplan@aucklandcouncil.govt.nz

1. **Submitter Details** – Catherine Linton: 3/24 Selwyn Road, Cockle Bay, Auckland. Tel: 021 274 6142

2. **Scope of Submission :**

PC26 Plan Change/Variation: clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.

The specific provisions that my submission relates to are:

Plan Provisions –

1. I generally support the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers some parts of Howick which have a variety of underlying business and residential zones.
2. In Part D18.1 the exception of Howick from the Special Character Area Overlay considerations is not acceptable and should be deleted.
3. The Special Character Area at Howick is requested to be expanded over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.
4. A Special Character Area description for Howick covering residential and business areas is required to be inserted into Part D18.1 of PC26 and in Schedule 15 at Part 15.1.6.1..
5. In all other respects the I support PC26 and seek to have the controls and standards within PC26 available to cover the expanded Special Character Area shown on the attached Plan.

Submission: I oppose the specific provisions identified above which exclude Howick from consideration under PC26.

I wish to have the following provisions amended:

- (a) The removal of the exemption of Howick from Part 18.1 Background.
- (b) The expansion of the Special Character Area at Howick to cover the properties identified on the attached plan.
- (c) The inclusion of a description for the existing and expanded Special character Areas of Howick into the table within D18.1 and within Schedule 15 at Part 15.1.6.1.

The reasons for my views are –

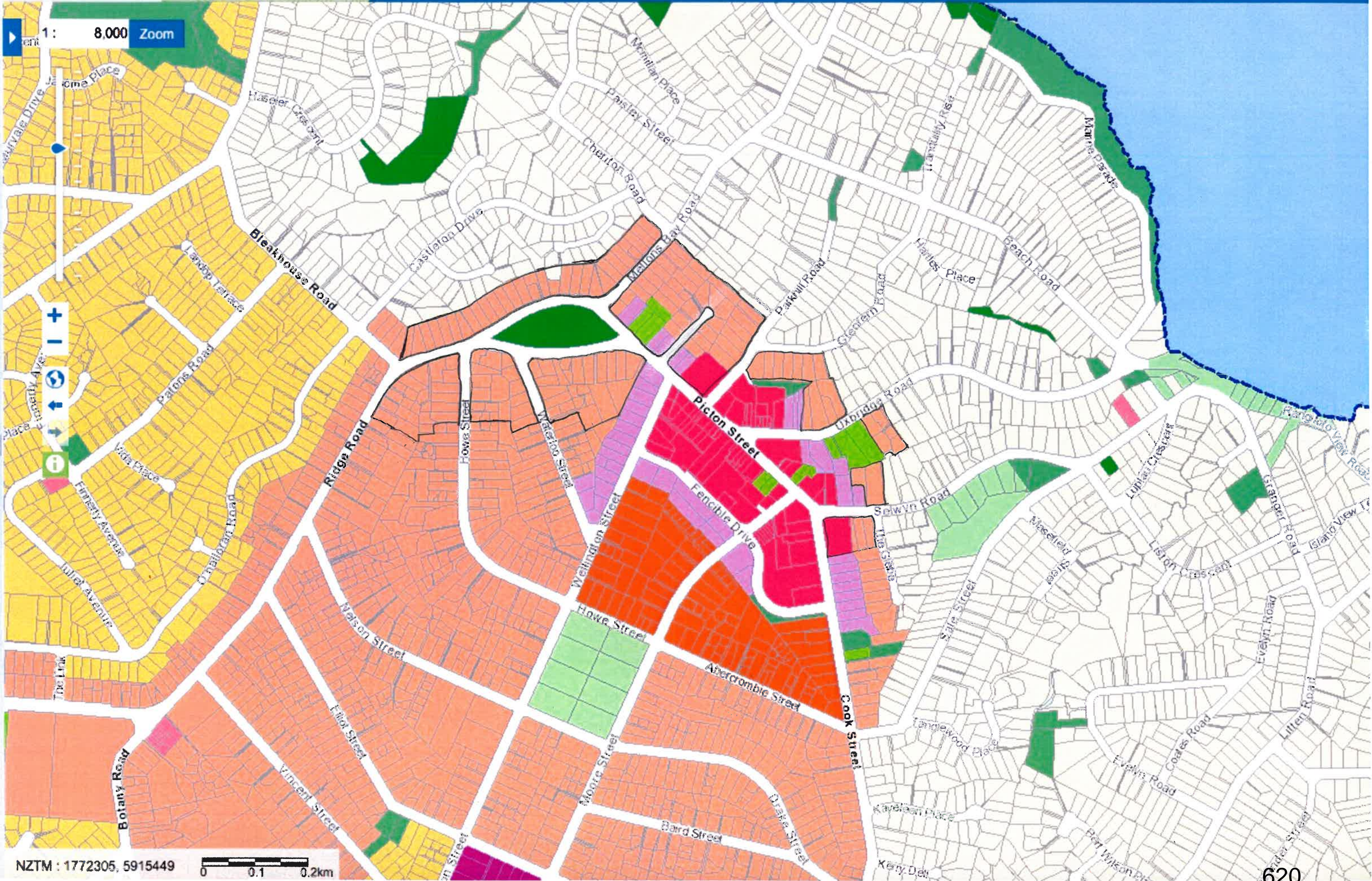
1. Howick has several special characteristics that require particular protection in the manner provided for in Part D18 of the Auckland Unitary Plan (AUP). For that reason, it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1.
2. I see that PC26 is an opportunity to address this long-standing omission in respect of Howick.

I seek the following decision by the Council:

- | | | |
|---|--|-------|
| I accept the proposed Plan Change with the amendments outlined below. | | 215.1 |
| Amendments Requested for the Reasons set out are – | | |
| 1. Amend Part D18.1 by removing the words “other than Howick”. | | 215.2 |
| 2. Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan. | | 215.3 |
| 3. Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted. | | 215.4 |
| 4. Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes. | | 215.5 |
| 5. 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. | | 215.6 |

I wish to be heard in support of my submission.

1: 8,000 Zoom



NZTM : 1772305, 5915449
0 0.1 0.2km

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Don Huse

Organisation name:

Agent's full name:

Email address: don.huse@me.com

Contact phone number: 021 612 465

Postal address:
8 Stratford Street,
Parnell
Auckland 1052

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

I support PC 26, PROVIDED it will give greater assurance to me (and my wife and family) as a PARNELL resident in general and as an owner/occupier of a house at 8 Stratford Street, PARNELL in particular, that the applicable Special Character Area provisions, will much more strongly ensure: - that 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; - that no multi-storey apartment or commercial buildings can in any circumstances be built in (or immediately adjacent to) the applicable special character area; and, - 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 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.

216.2

216.3

216.4

Property address: 8 Stratford Street, PARNELL, Auckland 1052

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
(My wife and) I 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. To the extent that this is achieved by PC 26, we support it. Please note the conditionality of (our) my support, in respect of the various “circles” completed above and below.

216.5

I or we seek the following decision by council: Accept the plan modification

216.1

Submission date: 11 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Melissa Pearce

Organisation name:

Agent's full name:

Email address: melpearce999@gmail.com

Contact phone number: 021999910

Postal address:
22 Tranquility Rise
Mellon's Bay
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

I strongly believe that Howick should be part of P26 plan & that Stockade Hill should NOT be developed. It is used for many community events. Stockade Hill is a special character area. It is part of the appeal of Howick. I have lived in Howick for 47 years & my children go to many celebrations at stockade hill.

| 217.2 217.3

Property address: Stockade Hill

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Stockade Hill is used by the whole community & is part of Howick appeal. It is an integral part of Howick history & must be protected.

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 217.1

Details of amendments: Howick must be added to PC 26

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration


Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

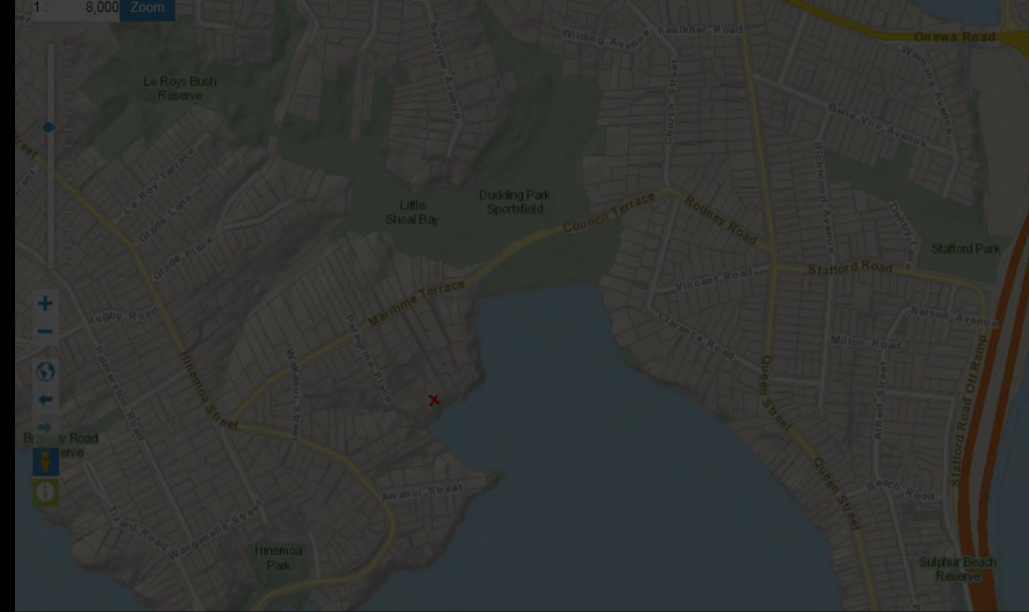
I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



Submission – Proposed plan 26 Special Character Overlay

Issues identified in Proposed Plan Change 26 (PPC 26)
Or don't steal our privacy and sunlight

I live at 27B Maritime Terrace, Birkenhead and read with dismay about the planned changes and how they will directly affect our quality of life and home, and also the wonderful unique environment of Birkenhead. I feel by highlighting how these changes will directly affect our quality of life you will gain an understanding of the potential impact of these planned changes to many households and rate payers



Fundamentally my understanding is the proposal is to increase the height in relation to boundary for buildings from 2.5 meters to 3m, then out from that height at 45 degrees – this would result in new larger houses looming over the homes of others – the proposal is also to reduce the backyard rear boundary building restriction changing from 3 m to 1 m – again resulting in larger homes looming over others resulting in potentially less sunlight on neighbouring properties and a loss of privacy.

This will affect us directly as we have a couple of empty sections **X** next to our home **Y** that at some stage will be developed.

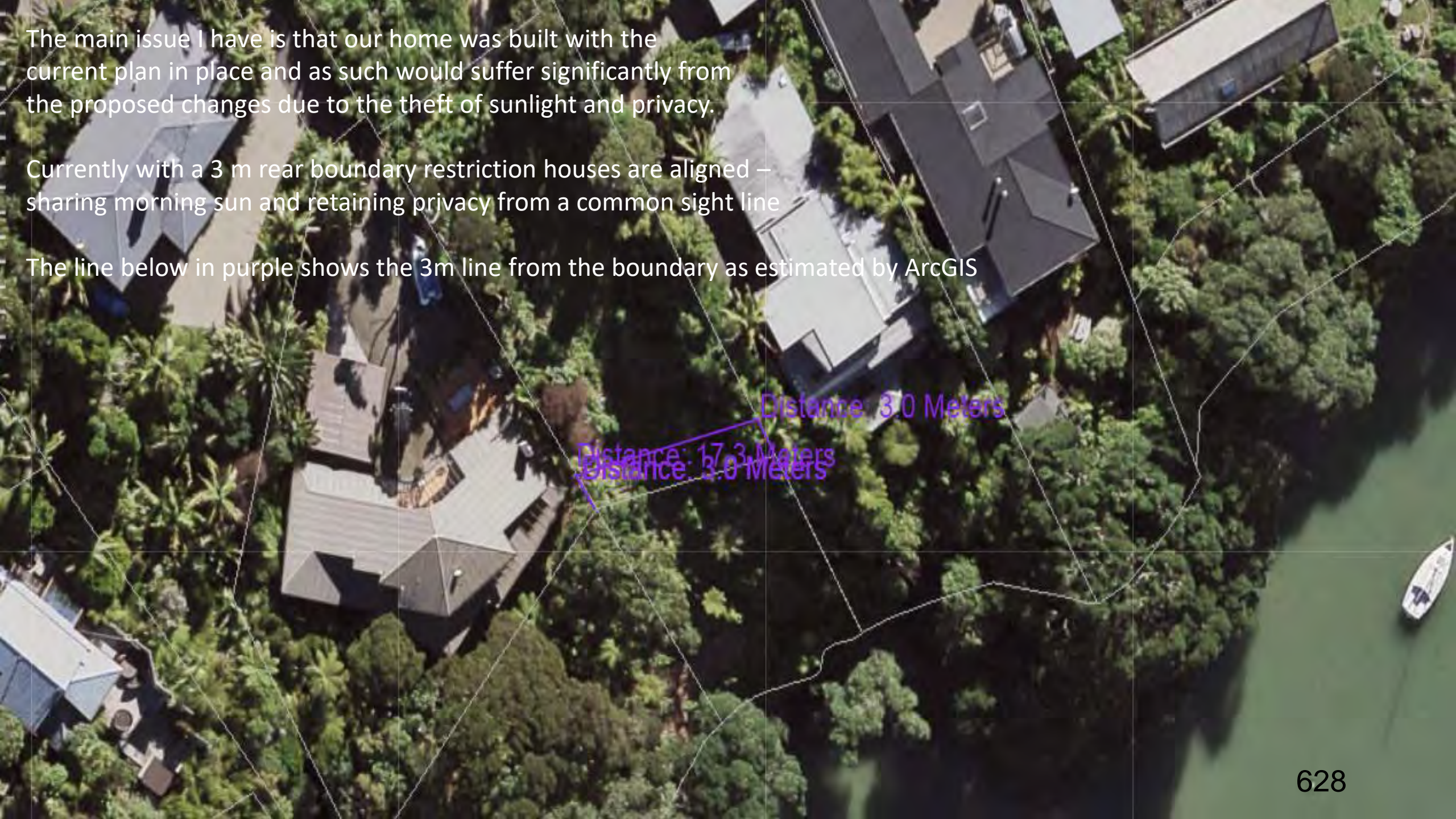
My concern is that our home was designed in the 1990's (but based on heritage "Arts and Crafts") nestles into its site and unobtrusively in its environment. Under the proposed new rules a ne house will be more obtrusive.



The main issue I have is that our home was built with the current plan in place and as such would suffer significantly from the proposed changes due to the theft of sunlight and privacy.

Currently with a 3 m rear boundary restriction houses are aligned – sharing morning sun and retaining privacy from a common sight line

The line below in purple shows the 3m line from the boundary as estimated by ArcGIS




Currently with a 3 m rear boundary restriction houses are aligned – sharing morning sun and retaining privacy from a common sight line
The boxes represent a new house

218.2

A change to a 3m rear boundary –results in loss of morning sun for us and afternoon sun for our neighbours and privacy of all





A change to a 3m rear boundary –results in
loss of morning sun for us and afternoon sun
for our neighbours and privacy of all

The boxes are an estimate of what a new house might look like based on
the 1m rear boundary rule – extremely intrusive

On our side north eastern boundary – the section on 37 is above us on the slope – the .5 m change on height to boundary once again would result in the loss of privacy and sunlight - As you can see from the GIS on this slide – we are already shadowed by trees (SEA zoning) – the introduction of a house .5 of a meter closer at a height of 8m would have a significant effect on the limited light we get highlighted in red

218.3



Distance: 3.0 Meters

Distance: 17.3 Meters
Distance: 3.0 Meters

Summary

- Larger houses – looming over others –destroying the unique nature of our unique environment, stealing sunlight and privacy – don't let it happen
- Leighton Haliday
- 27B Maritime Terrace
- Birkenhead
- Leighton@haldiay.com Mobile 021058663

SUBMISSION ON PROPOSED PLAN CHANGE 26

Clause 6 of Schedule 1, Resource Management Act 1991

To: Auckland Council (**'Council'**)

Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142
Attn: Planning Technician
via email: unitaryplan@aucklandcouncil.govt.nz

Submitter: Mark Crosbie, Heidi Crosbie, and Adeux Trustee Limited (**'Submitter'**)

1.0 SCOPE OF SUBMISSION

1.1 This is a submission on Proposed Plan Change 26 (**'PC26'**) named "Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions". The specific aspects and provisions of PC26 that this submission relates to are set out in the **Schedule**.

2.0 REASONS FOR SUBMISSION

2.1 For those provisions of PC26 that the Submitter supports in the **Schedule** below, those provisions:

- (a) will promote sustainable management of resources, will achieve the purpose of the RMA and are not contrary to Part 2 and other provisions of the Resource Management Act 1991 (**'RMA'**);
- (b) will enable the social and economic well-being of the community in the Auckland region;
- (c) will meet the reasonably foreseeable needs of future generations; and
- (d) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

2.2 For those provisions of PC26 that the Submitter opposes in the **Schedule** below, this is because without the amendments proposed by the Submitter, those provisions:

- (a) will not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;
- (b) will not enable the social and economic well-being of the community in the Auckland region;
- (c) will not meet the reasonably foreseeable needs of future generations; and

- (d) do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.
- 2.3 Without limiting the generality of paragraphs 2.1 and 2.2, further specific reasons for the Submitters' submission are set out in the **Schedule** below.
- 3.0 REFLIEF SOUGHT**
- 3.1 The Submitter seeks the following decision from Auckland Council on the PC26 provisions:
- (a) That the proposed provisions be retained, or deleted or amended, as set out in the Submitter's submission so as to provide for the sustainable management of Auckland's natural and physical resources and thereby achieve the purpose of the RMA. 219.1
- (b) 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. 219.17
- 3.2 Suggested relief to deal with the concerns set out in the Submitters' submission is set out in the **Schedule**. However, there may be other methods or relief that are able to address the Submitter's concerns, and the suggested revisions do not limit the generality of the reasons for the Submitter's submission.
- 3.3 The Submitter could not gain an advantage in trade competition through this submission.
- 3.4 The Submitter wishes to be heard in support of its submission.
- 3.5 If others make a similar submission, the Submitter will consider presenting a joint case with them at the hearing.



Sarah Burgess, Barker & Associates Limited,
(as person authorised to sign on behalf of the Submitter)

DATE: 12 July 2019

Address for Service: Mark Crosbie, Heidi Crosbie, and Adeux Trustee Limited
c/- Barker & Associates Limited
PO Box 1986
Shortland Street
Auckland Central 1140
Attn: Sarah Burgess
Ph: 09 375 0900
Email: sarahb@barker.co.nz

SCHEDULE: DETAILED SUBMISSIONS AND RELIEF SOUGHT

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck-through) |
|----|---|---|---|
| 1. | Table D18.4.1 (A5A) and (A5B) (Activity statuses – fencing) | The Submitter supports the proposed inclusion of these activity statuses, as they provide clarity. | Include activities (A5A) and (A5B) proposed in PC26. |
| 2. | D18.6.1.1. Building Height Purpose | The Submitter opposes the inclusion of part of the third bullet “maintain a reasonable level of sunlight access...” as this is not consistent with any of the purposes of the underlying zones, such as Residential – Single House. In the underlying zones, maintaining a “reasonable level of sunlight access” is attributed to the height in relation to boundary standard, and not building height. | Amend the third bullet of the Purpose as follows: <ul style="list-style-type: none"> • maintain a reasonable level of sunlight access and minimise visual <u>dominance effects.</u> |
| 3. | D18.6.1.2. Height in relation to Boundary Clauses (1)(a) and (2)(a) | <p>The Submitter considers that basing the permitted height in relation to boundary (‘HIRTB’) standard upon the site frontage width is inappropriate in respect to the Isthmus A sites contained within the overlay. Whilst many Isthmus A sites have frontages less than 15m in width, there is a high number that have frontages of 15m, or slightly greater, and still exhibit the characteristic of Isthmus A sites of closely built dwellings.</p> <p>For example, the sites along Masons Avenue in Herne Bay have frontages of typically 15m or slightly greater. The Submitter owns 9 Masons Avenue which has a site frontage width of 15.24m however the existing dwelling is built as closely as 1.5m from the side boundary. The Submitter has undertaken concept design for additions and alterations to the dwelling on the basis of the 3m + 45° plane being applicable, and would be disadvantaged by the proposed changes. The proposed change is considered to draw an arbitrary line, and also raises issues of practicality and cost through potentially having to have site frontages surveyed before being able to know which rule applies.</p> <p>The Submitter opposes the inclusion of this parameter for all Isthmus A sites within the Special Character Area – Residential (‘SCAR’) overlay. The Submitter seeks that the provisions are amended 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.</p> | <p>Amend D18.6.1.2(1)(a) and (2)(a) as follows:</p> <p>(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 <u>side and rear boundaries</u> of the site <u>where:</u></p> <p>(a) The site is in the Special Character Area Overlay – Residential: Isthmus A; <u>or has a frontage length of less than 15m</u></p> <p>(i) <u>For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.</u></p> <p>(2) <u>The underlying zone height in relation to boundary standard applies where:</u></p> <p>(a) The site is not is in the Special Character Area Overlay – Residential: Isthmus A; <u>or has a frontage length of 15m or greater; or</u></p> <p>(b) <u>The site is a rear site.</u></p> |

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| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | | | | | |
|-------|--|--|--|-------|---------------|-------|--|----------------|
| | | Given that Isthmus B and C sites are typically larger and characterised by less dense built form, it is considered that the 15m provision can be retained for those sites. | | 219.4 | | | | |
| 4. | D18.6.1.2. Height relation to Boundary Clause (1) | The Submitter supports the removal of the HIRTB planes from front boundaries which will make the SCAR provisions consistent with those applying to other residential zones. | Include the amendments to D18.6.1.2(1) proposed in PC26. | 219.5 | | | | |
| 5. | D18.6.1.2. Height relation to Boundary Clauses (3)-(6) (exclusion provisions) | The Submitter 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. | Include the exclusion provisions set out in D18.6.1.2(2)-(6) proposed in PC26. | 219.6 | | | | |
| 6. | D18.6.1.2. Height relation to Boundary | The Submitter seeks that the provisions set out in underlying zones that do not require HIRTB from Open Space zoned sites exceeding 2,000m ² and Business-zoned sites, should be adopted in the SCAR overlay. | <p>Include the following provisions in D18.6.1.2:</p> <p>(7) <u>Standards D18.6.1.2(1) and (2) above do not apply to a boundary adjoining any of the following:</u></p> <p>(a) <u>a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business - Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone.</u></p> <p>(b) <u>sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space - Community Zone exceeding 2000m²</u></p> | 219.7 | | | | |
| 7. | D18.6.1.3. Yards | The Submitter supports the deletion of the 3m rear yard and the reversion to the underlying zone rear yard setback, however given that SCAR sites are characterised by existing closely-built dwellings, the Submitter seeks for the 1.2m side yard standard to similarly be deleted and for reversion to the underlying zone side yard setback. | <p>Amend D18.6.1.3(1) as follows:</p> <p>(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:</p> <p>Table D18.6.1.3.1 Yards</p> <table border="1"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>The average of existing setbacks of dwellings on adjacent sites, being the three sites on either side of the subject</td> </tr> </tbody> </table> | Yard | Minimum depth | Front | The average of existing setbacks of dwellings on adjacent sites, being the three sites on either side of the subject | 219.8 219.9 |
| Yard | Minimum depth | | | | | | | |
| Front | The average of existing setbacks of dwellings on adjacent sites, being the three sites on either side of the subject | | | | | | | |

| Provision | | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | | | | | | | | | | | | |
|---|---|--|---|-----------|---|-------------------------|----------------------------------|---|---|--|---|--|---|--|---|
| | | | <table border="1"> <tr> <td></td> <td>site or six sites on one side of the subject site</td> </tr> <tr> <td>Side</td> <td>1.2m</td> </tr> <tr> <td>Rear</td> <td>3m</td> </tr> </table> | | site or six sites on one side of the subject site | Side | 1.2m | Rear | 3m | | | | | | |
| | site or six sites on one side of the subject site | | | | | | | | | | | | | | |
| Side | 1.2m | | | | | | | | | | | | | | |
| Rear | 3m | | | | | | | | | | | | | | |
| 8. | D18.6.1.4. Building coverage Clause (1) | <p>The Submitter opposes the retention of the building coverage provisions being based on arbitrary thresholds relating to site areas.</p> <p>For sites that are marginally over their threshold there is a loss of between 5-10% permitted building coverage which substantially affects the develop ability of the sites given their small sizes.</p> <p>The Submitter seeks for the legacy District Plan – Isthmus Section Residential 1 zone ‘formula’ for calculating permitted building coverage, paved area, and landscaped area to be instated for Isthmus A sites.</p> <p>Several examples are provided as follows:</p> <ul style="list-style-type: none"> 70 Seafield View Road, Grafton, is 336m² in area. Sites 200-300m² are permitted to have 45% building coverage, however sites 300m²-400m² are permitted to have 40%. The site therefore loses 5% of permitted building coverage (the equivalent of 16.8m²). Under the Isthmus A formula, the site would have a permitted building coverage of 45.93%; and 9 Glasgow Terrace, Newmarket, is 372m² in area and subject to the same coverage provisions as above. The site loses 5% of permitted building coverage (the equivalent of 18.6m²). Under the Isthmus A formula, the site would have a permitted building coverage of 43.5%. <p>The proposed changes sought are considered to be appropriate as they reflect that the pattern of subdivision which has sites that range in size. Typically, smaller sites have greater building coverage and having standards that respond better to each site, allows for reasonable use of a site.</p> | <p>Amend D18.6.1.4(1) as follows:</p> <p>(1) The maximum building coverage for sites in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> 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: <u>Isthmus A</u> below:</p> <p>Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential: <u>Isthmus A</u></p> <table border="1"> <thead> <tr> <th>Site Area</th> <th>Building Coverage</th> </tr> </thead> <tbody> <tr> <td>Up to 200m²</td> <td>55 per cent of the net site area</td> </tr> <tr> <td>200m² – 300m²<u>500m²</u></td> <td>45 per cent of the net site area <u>Per cent of the net site area =</u> <u>35+[(500 – A) x 0.06]</u> <u>Where A = site area (m²)</u> <u>6 = 6 recurring</u></td> </tr> <tr> <td>300m² – 500m²</td> <td>40 per cent of the net site area</td> </tr> <tr> <td>500m² – 1,000m²</td> <td>35 per cent of the net site area</td> </tr> <tr> <td>Greater than 1,000m²<u>500m²</u></td> <td>25<u>35</u> per cent of the net site area</td> </tr> </tbody> </table> | Site Area | Building Coverage | Up to 200m ² | 55 per cent of the net site area | 200m ² – 300m² <u>500m²</u> | 45 per cent of the net site area <u>Per cent of the net site area =</u> <u>35+[(500 – A) x 0.06]</u> <u>Where A = site area (m²)</u> <u>6 = 6 recurring</u> | 300m² – 500m² | 40 per cent of the net site area | 500m² – 1,000m² | 35 per cent of the net site area | Greater than 1,000m² <u>500m²</u> | 25 <u>35</u> per cent of the net site area |
| Site Area | Building Coverage | | | | | | | | | | | | | | |
| Up to 200m ² | 55 per cent of the net site area | | | | | | | | | | | | | | |
| 200m ² – 300m² <u>500m²</u> | 45 per cent of the net site area <u>Per cent of the net site area =</u> <u>35+[(500 – A) x 0.06]</u> <u>Where A = site area (m²)</u> <u>6 = 6 recurring</u> | | | | | | | | | | | | | | |
| 300m² – 500m² | 40 per cent of the net site area | | | | | | | | | | | | | | |
| 500m² – 1,000m² | 35 per cent of the net site area | | | | | | | | | | | | | | |
| Greater than 1,000m² <u>500m²</u> | 25 <u>35</u> per cent of the net site area | | | | | | | | | | | | | | |

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | | | | | | | | | | |
|--|---|--|--|-----------|---|-------------------------|--|---------------------------------------|---|--|---|--|---|
| 9. | D18.6.1.5 Landscaped area Clause (1) | The Submitter opposes the retention of the landscaped area provisions being based on thresholds relating to site areas for Isthmus A sites, based on the reasons described under 8. above. | <p>Amend D18.6.1.5(1) as follows:</p> <p>(1) The minimum landscaped areas for sites in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> is the percentage of net site area listed in Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> below:</p> <p>Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u></p> <table border="1" data-bbox="1361 488 2007 983"> <thead> <tr> <th>Site Area</th> <th>Landscaped area</th> </tr> </thead> <tbody> <tr> <td>Up to 200m²</td> <td>28 per cent of the net site area</td> </tr> <tr> <td>200m² – 500m²</td> <td>33 per cent of the net site area <u>Per cent of the net site area =</u> <u>40 - [(500 - A) x 0.04]</u> <u>Where A = site area (m²)</u></td> </tr> <tr> <td>500m² – 1,000m²</td> <td>40 per cent of the net site area</td> </tr> <tr> <td>Greater than 1,000m²<u>500m²</u></td> <td>50<u>40</u> per cent of the net site area</td> </tr> </tbody> </table> | Site Area | Landscaped area | Up to 200m ² | 28 per cent of the net site area | 200m ² – 500m ² | 33 per cent of the net site area <u>Per cent of the net site area =</u> <u>40 - [(500 - A) x 0.04]</u> <u>Where A = site area (m²)</u> | 500m² – 1,000m² | 40 per cent of the net site area | Greater than 1,000m² <u>500m²</u> | 50 <u>40</u> per cent of the net site area |
| Site Area | Landscaped area | | | | | | | | | | | | |
| Up to 200m ² | 28 per cent of the net site area | | | | | | | | | | | | |
| 200m ² – 500m ² | 33 per cent of the net site area <u>Per cent of the net site area =</u> <u>40 - [(500 - A) x 0.04]</u> <u>Where A = site area (m²)</u> | | | | | | | | | | | | |
| 500m² – 1,000m² | 40 per cent of the net site area | | | | | | | | | | | | |
| Greater than 1,000m² <u>500m²</u> | 50 <u>40</u> per cent of the net site area | | | | | | | | | | | | |
| 10. | D18.6.1.6. Maximum impervious area | The Submitter opposes the retention of the impervious area provisions being based on thresholds relating to site areas based on the reasons described under 8. above. | <p>Amend D18.6.1.6(1) as follows:</p> <p>(1) The maximum paved <u>impervious</u> area for sites in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> must not exceed the percentage of net site area listed in Table D18.6.1.6.1 Maximum paved <u>impervious</u> area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> below:</p> <p>Table D18.6.1.6.1 Maximum paved <u>impervious</u> area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u></p> <table border="1" data-bbox="1361 1286 2007 1417"> <thead> <tr> <th>Site Area</th> <th>Paved<u>Impervious</u> area</th> </tr> </thead> <tbody> <tr> <td>Up to 200m²</td> <td>17<u>72</u> per cent of the net site area</td> </tr> </tbody> </table> | Site Area | Paved <u>Impervious</u> area | Up to 200m ² | 17 <u>72</u> per cent of the net site area | | | | | | |
| Site Area | Paved <u>Impervious</u> area | | | | | | | | | | | | |
| Up to 200m ² | 17 <u>72</u> per cent of the net site area | | | | | | | | | | | | |

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| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | |
|-----|---|--|---|--|
| | | | 200m ² – 500m ² | 20-65 per cent of the net site area <u>Site area minus minimum landscaped area permitted under D18.6.1.5 above</u> |
| | | | 500m ² – 1,000m ² | 25-60 per cent of the net site area |
| | | | Greater than 1,000m ² –500m ² | 25-50-60 per cent of the net site area |
| 11. | D18.6.1.7. Fences and walls Purpose, and Clause (1) | <p>The new rules are designed to provide privacy for rear yards and outdoor spaces (through the 2m maximum height for other boundaries) and therefore this should be referenced in the purpose of the fence standards.</p> <p>The provisions as currently written under Clause (1)(b) are unclear and, as written, read as if fences between the side façade of a dwelling and the side boundary should be a maximum of 1.2m in height. If this is the intention of the provision then the Submitter objects, as this would result in privacy and security issues. If this is not the intention, then the wording should be clarified. The rules would benefit from a diagram to aid in interpretation.</p> <p>The Submitter also objects to corner sites being treated as having two front facades which would be subject to a 1.2m high fence height as this prevents outdoor living areas from being appropriately screened to provide for privacy. There should be an allowance for some of the frontage to comprise higher fencing.</p> | <p>Amend D18.6.1.7 as follows:</p> <p><u>Purpose: to manage the heights of fences and walls on front, side, and rear boundaries and within front, side, and rear yards to:</u></p> <ul style="list-style-type: none"> <u>To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.</u> <u>provide privacy for dwellings and particularly rear outdoor areas where this would avoid significantly obscuring the visibility of the dwelling from the streetscape.</u> <u>minimise visual dominance effects to immediate neighbours and the street.</u> <p>(1) Fences and walls and other structures, or any combination of these, in the Special Character Areas Overlay - Residential must not exceed <u>a the height specified below, measured from of 1.2m above</u> ground level.:</p> <p>(a) <u>On the front boundary or between the front façade of the house and the front boundary, 1.2m in height.</u></p> <p>(b) <u>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.</u></p> <p>(c) <u>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</u></p> | |

219.13

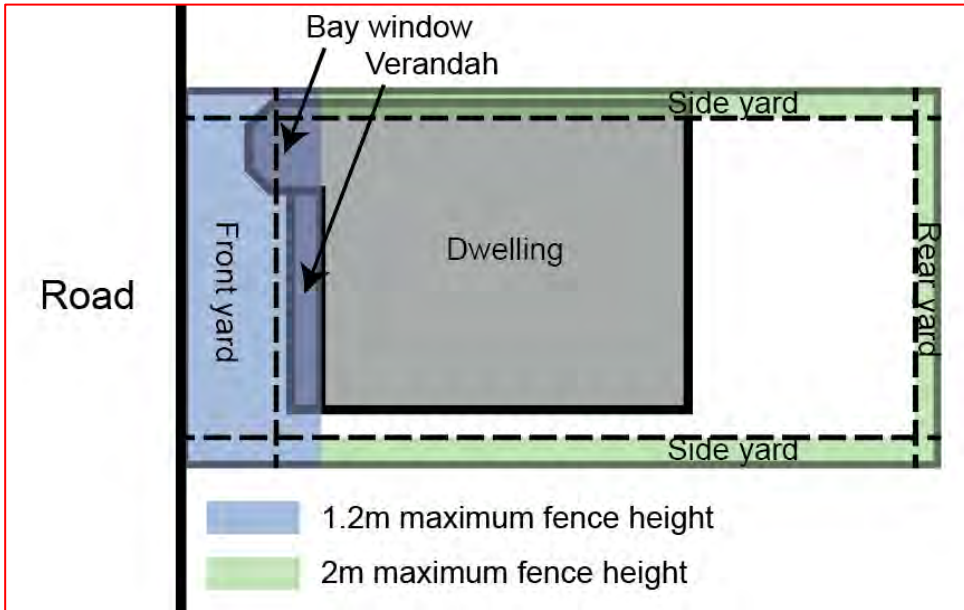
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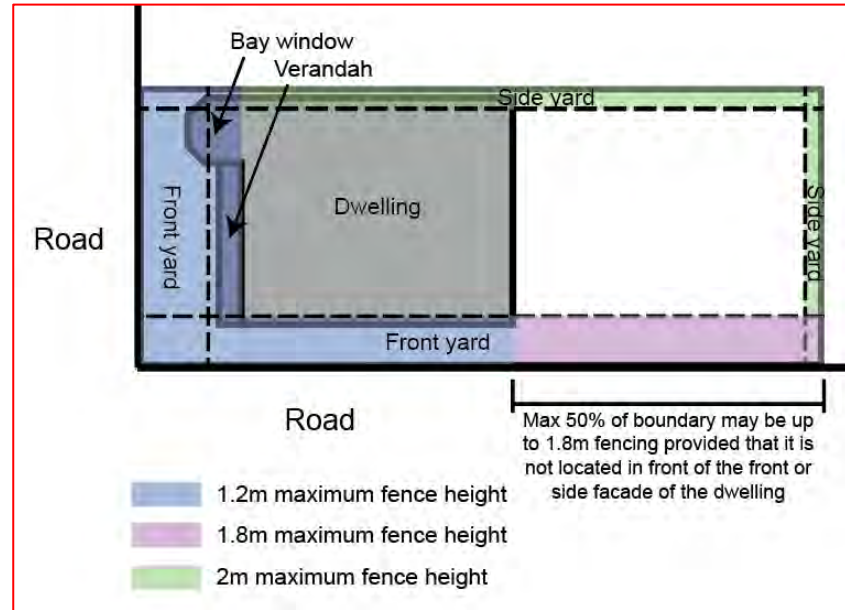
| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck-through) |
|-----|--|---|---|
| | | | <p><u>street, and shall exclude bay windows, verandahs, stairs, attached garages and similar projecting features.</u></p> <p><insert Figure D18.6.1.7.1 Fence heights for front sites shown overleaf></p> <p>(d) <u>Houses on corner sites have two front facades, except that on one site frontage, up to 50% of the frontage length may comprise fencing up to 1.8m in height, provided that this is not located in front of a front or side façade of the dwelling.</u></p> <p><insert Figure D18.6.1.7.2 Fence heights for corner sites shown overleaf></p> |
| 12. | E38.8.2.6 Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business Clause (3) | The Submitter supports the proposed inclusion of this clause as it clarifies that the minimum site areas for the SCAR sites should take precedence over the underlying zone, however it remains unclear which activity statuses under Table E38.4.2 should be applied to a proposal for subdivision of a SCAR site. | Amend the subdivision provisions to make it clear that vacant subdivision of SCAR sites requires consent under (A24) and (A25) only, and not (A16) and (A17). |

219.16

D18.6.1.7.1 Fence heights for front sites



D18.6.1.7.2 Fence heights for corner sites



SUBMISSION ON PROPOSED PLAN CHANGE 26 AUCKLAND UNITARY PLAN

To: Auckland Council
Private Bag 92300
Auckland 1142

Name of Submitter: The Roman Catholic Bishop of the Diocese of Auckland

The Roman Catholic Bishop of the Diocese of Auckland (“the Submitter”) provides this submission on Proposed Plan Change 26 (“**PC26**”) to the Auckland Unitary Plan (Operative in Part).

The submitter owns a number of properties that the Plan Change applies to.

The Submitter could not gain an advantage in trade competition through this submission and the submission does not raise matters that relate to trade competition or the effects of trade competition.

The submission relates to the proposed amendments to the text and provisions of the Auckland Unitary Plan set out in PC26. The Submitter generally **supports** the amended provisions, but seeks some amendments to the following standards:

220.1

- D18.6.1.2 Height in relation to boundary; and
- D18.6.1.7 Fences and walls

Reasons for submission

- The proposed amendments will clarify and resolve the current situation which gives rise to duplication and conflict between the standards in the underlying zone and those in the Special Character Areas Overlay (SCA Overlay). The Submitter considers that the standards of the SCA Overlay should prevail and replace the standards of the underlying zone;
- The proposed 15m frontage threshold in Standard D18.6.1.2 is considered to be arbitrary, unwieldy, unnecessary, and unfairly impacts on larger sites and corner sites;
- There is no obvious or compelling resource management reason for the distinction in height in relation to boundary (HIRB) standards that would apply to sites above and below the 15m frontage threshold, yet the obvious option of using the SCA Overlay HIRB standard for all sites in the SCA Overlay was not considered in the s32 evaluation report;

- It will often be difficult to distinguish any material difference between adjacent sites that are subject to different HIRB standards (refer, for example, to **Appendix A**);
- The potential effects arising from the relatively small 0.5m additional height enabled by the SCA Overlay HIRB compared with the zone HIRB do not justify the administrative complexity and inequity that will result from implementation of the proposed SCA Overlay standard;
- For example, there will be streets within the SCA Overlay that have the two HIRB standards effectively alternating from site to site as a result of frontage widths. There will also be cases where wedge shaped sites are required to use the HIRB standard from the underlying zone because of a frontage exceeding 15m but the site quickly narrows to less than that width (for examples, refer **Appendix B**), or the reverse of that situation where sites with a frontage less than 15m are predominately wider than that threshold;
- The bulk of a building is primarily controlled by the building coverage standard, which enables a lower percentage coverage within the SCA Overlay for larger sites. It does not seem either equitable or justifiable to limit the HIRB of a larger site when all adjoining sites are able to take advantage of a relatively more generous HIRB standard and the larger site has less building coverage available;
- The Submitter generally supports the removal of HIRB along the road frontage.
- The combination of a more restrictive building coverage allowance and a larger site size will result in a lower proportion of the site’s boundaries having buildings located in close proximity to them, relative to smaller sites that have higher proportional coverage enabled. This situation will offer increased amenity to neighbouring sites. The Submitter considers that it would not be appropriate to further restrict the development potential that can be achieved on sites with frontages over 15m, and supports the use of the 3.0m+45° HIRB standard for all sites located within the SCA Overlay;
- The Submitter generally supports the restriction of front boundary fences to a maximum height of 1.2m, under standard D18.6.1.7. However, the Submitter considers that some recognition should be provided for corner sites in order to enable fencing of sufficient height to maintain privacy for outdoor living spaces. As such, the Submitter seeks that the standard be amended to allow fencing of one frontage of a corner site to a height of 2m (the same height as is enabled for side and rear boundaries under the standard).

Relief sought

The Submitter seeks the following decision from Auckland Council in respect of PC26:

- That, subject to the amendments set out below, PC26 be confirmed;
- That standard D18.6.1.2 be amended so that all sites within the SCA Overlay are subject to a 3.0m+45° HIRB standard (refer **Appendix C** for specific amendments);
- 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 (refer **Appendix C** for specific amendments); and
- Such other amendments to the provisions of the AUP as may be necessary to give effect to the relief sought in this submission.

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The Submitter wishes to be heard in support of this submission. If other parties make a similar submission, the Submitter would consider presenting a joint case with them at any hearing.



Michael Campbell
Campbell Brown Planning Limited
For and on behalf of The Roman Catholic Bishop of the Diocese of Auckland as his duly authorised agent.

12 July 2019

Address for service of submitter:

C/- Campbell Brown Planning Limited
PO Box 147001
Ponsonby
AUCKLAND 1144

Attention: Michael Campbell

Telephone: (09) 394 1694

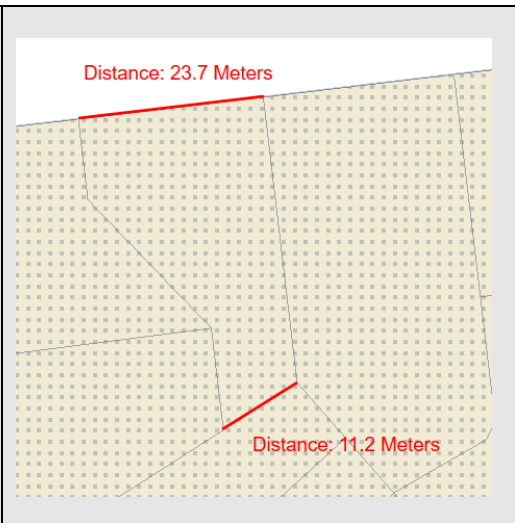
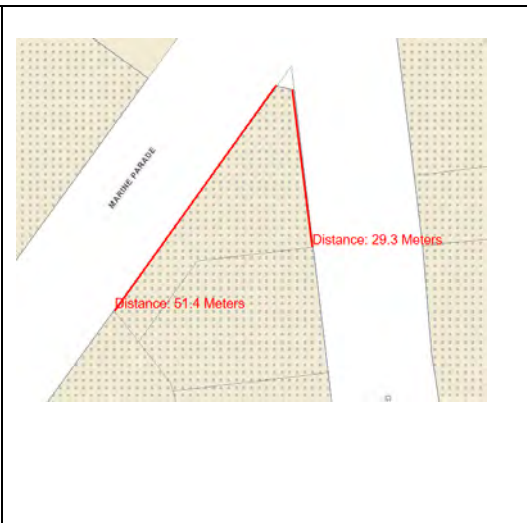
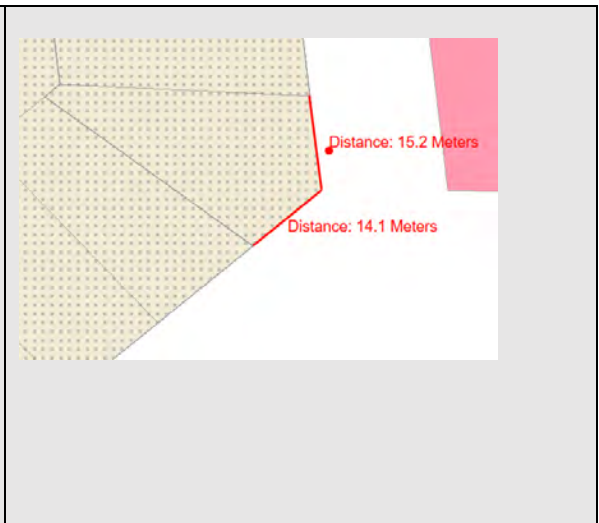
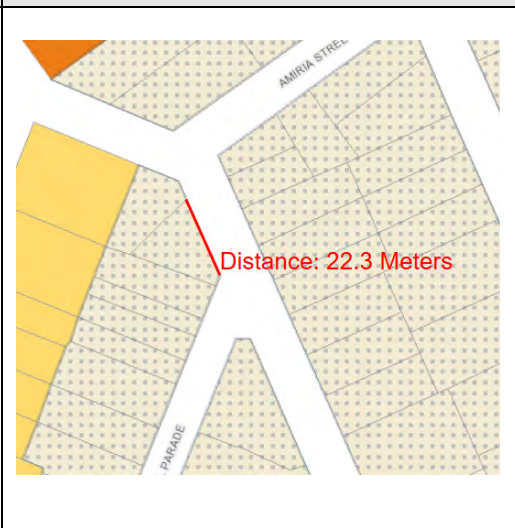
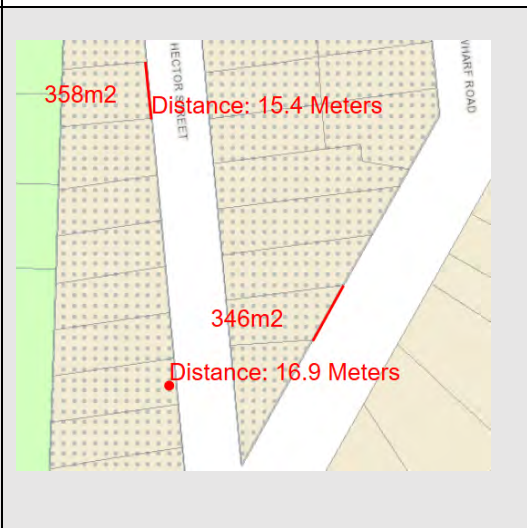
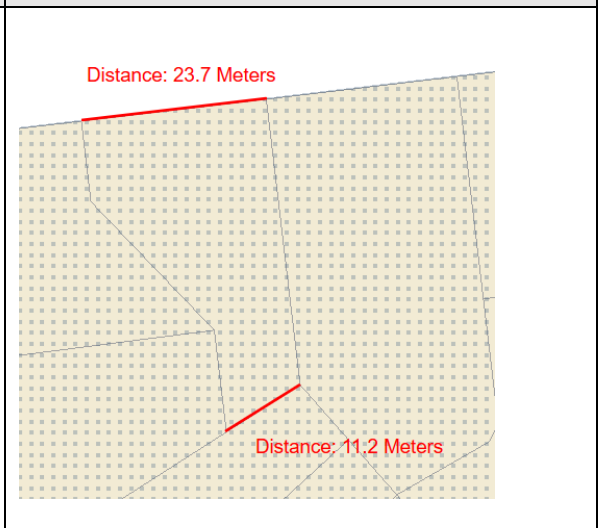
Mobile: (021) 2789018

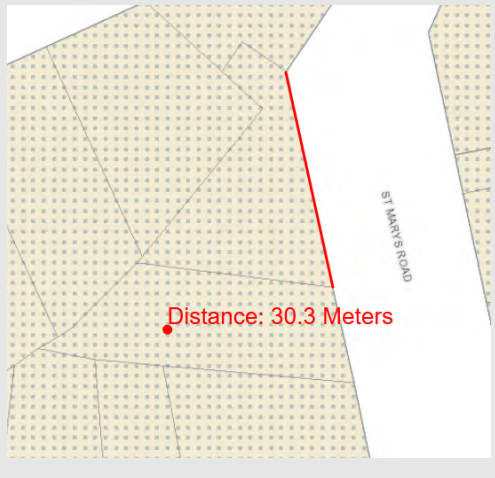
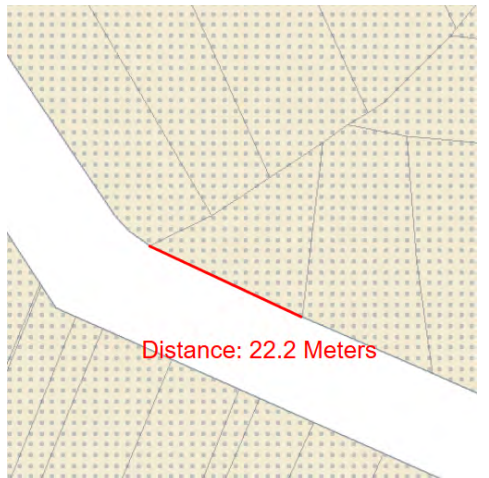
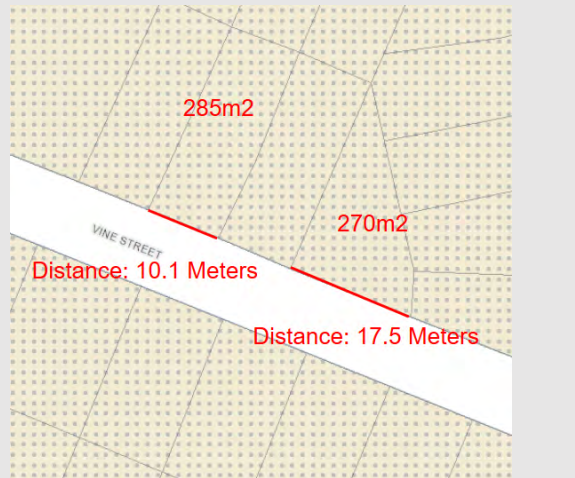
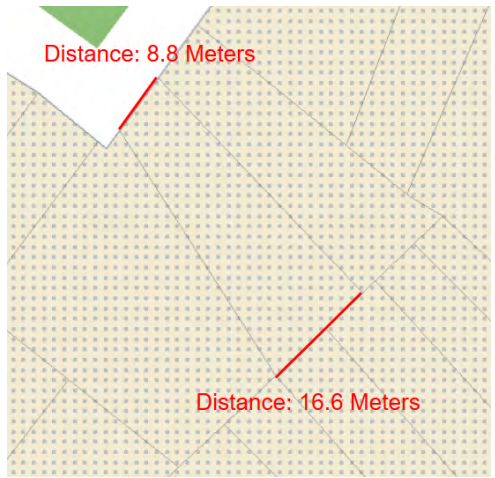
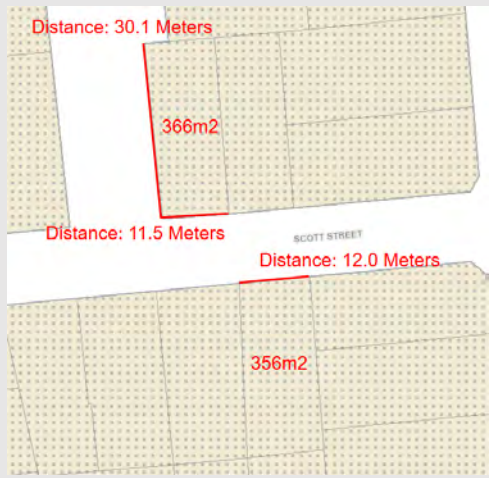

Email: michael@campbellbrown.co.nz

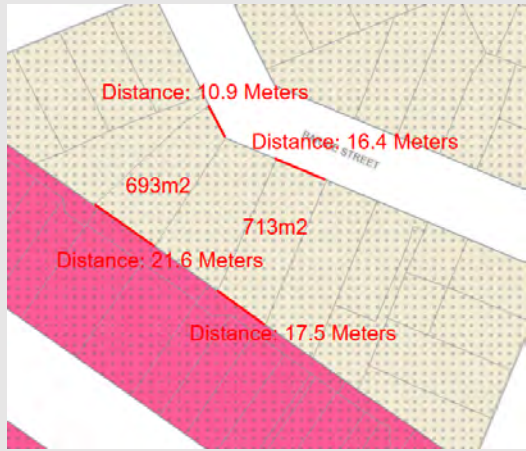
APPENDIX A

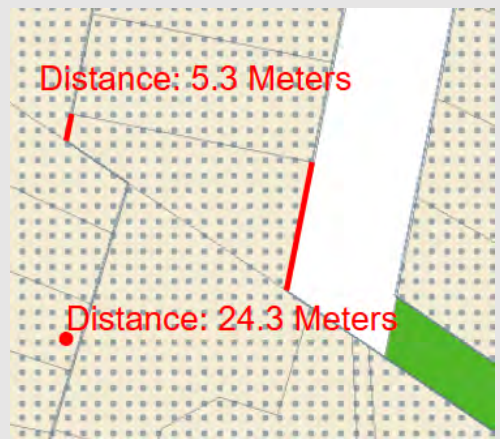

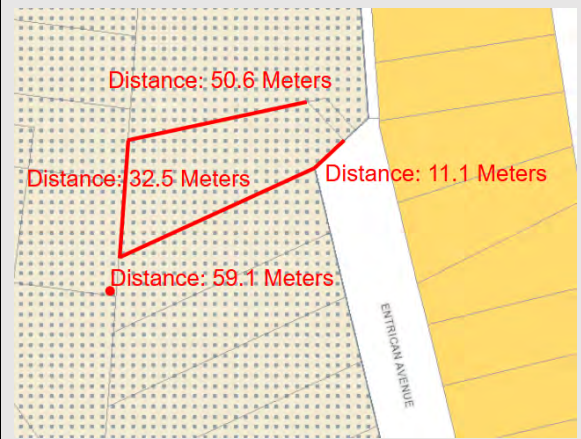
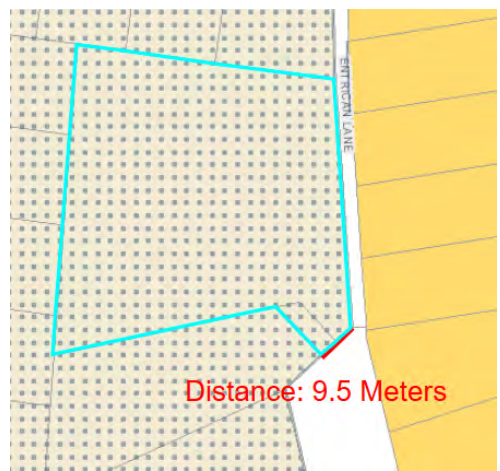
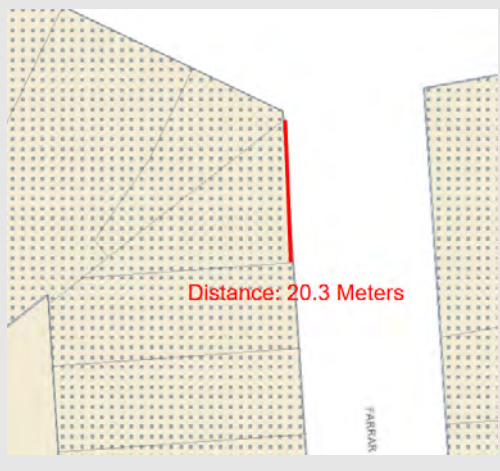
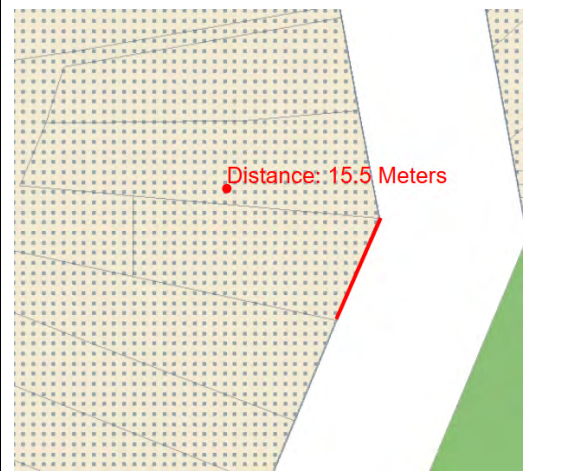
Example of a site in the SCA Overlay that would be subject to the 2.5m+45° HIRB standard when similar sites surrounding it would be subject to the 3m+45° standard



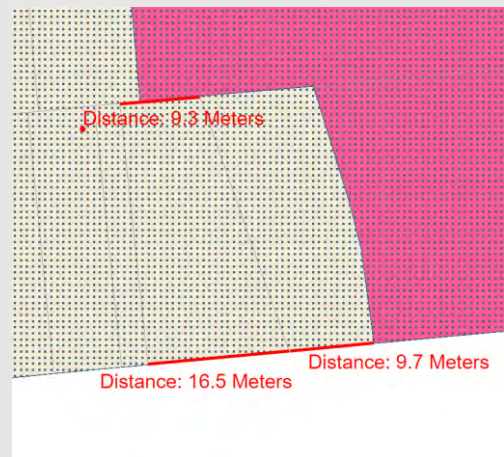
| | | | | | |
|---|---|---|---|--|--|
| <p>34 Bella Vista Road, Herne Bay (655 m²)</p> |  <p>Distance: 23.7 Meters</p> <p>Distance: 11.2 Meters</p> | <p>16 Marina Parade, Herne Bay (620m²)</p> |  <p>Distance: 51.4 Meters</p> <p>Distance: 29.3 Meters</p> | <p>2 Herne Bay Road, Herne Bay (645m²)</p> |  <p>Distance: 15.2 Meters</p> <p>Distance: 14.1 Meters</p> |
| <p>50 Hackett Street, Ponsonby (258m²)</p> |  <p>Distance: 22.3 Meters</p> | <p>11 Hector Street & 22 Hector Street, Herne Bay</p> |  <p>358m²</p> <p>Distance: 15.4 Meters</p> <p>346m²</p> <p>Distance: 16.9 Meters</p> | <p>34 Bella Vista Road, Herne Bay (655m²)</p> |  <p>Distance: 23.7 Meters</p> <p>Distance: 11.2 Meters</p> |

| | | | | | |
|--|--|--|---|---|--|
| <p>80 St Marys Bay Road, Ponsonby (412m²)</p> |  | <p>5 Hackett Street, Ponsonby (231m²)</p> |  | <p>1 Vine Street vs 5 Vine Street, Ponsonby</p> |  |
| <p>9 Selby Square, Ponsonby (503m²)</p> |  | <p>2 Scott Street vs 3 Scott Street, Ponsonby</p> |  | <p>82 Vermont Street vs 56 Vermont Street, Ponsonby</p> |  |

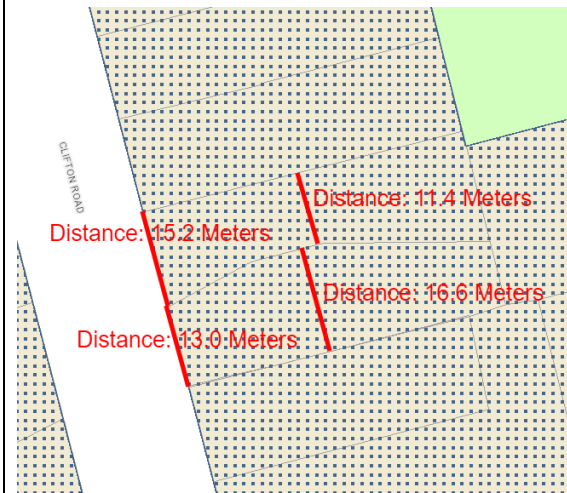
| | | | | | |
|---|--|---|---|--|--|
| <p>88 Brown Street, Ponsonby (187 m²)</p> |  | <p>3 Coleridge Street, Grey Lynn (759 m²)</p> |  | <p>8 Barrie Street vs 12 Barrie Street, Freemans Bay</p> |  |
| <p>4 Smith Street vs 5 Tahuna Street, Freemans Bay</p> |  | <p>25 Cleghorn Avenue vs 27 Cleghorn Avenue, Three Kings</p> |  | <p>21-23 Ngaroma Road vs 49 Ngaroma Road, Epsom</p> |  |

| | | | | | |
|---|--|--|---|--|--|
| <p>19 Belvedere Street, Epsom (675 m²)</p> |  | <p>42A Orakei Road, Remuera (607 m²)</p> |  | <p>44 Entrican Avenue, Remuera (1390m²)</p> |  |
| <p>48 Entrican Avenue, Remuera (3714 m²)</p> |  | <p>1 Farrar Street, Grey Lynn (300m²)</p> |  | <p>105 Brighton Road, Parnell (419m²)</p> |  |

1 and 3
Norfolk Street,
Ponsonby



35 and 37
Clifton Road,
Herne Bay



APPENDIX C

PROPOSED AMENDMENTS TO PC26 STANDARDS

Proposed amendments are shown below in underline and ~~strikethrough~~.

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

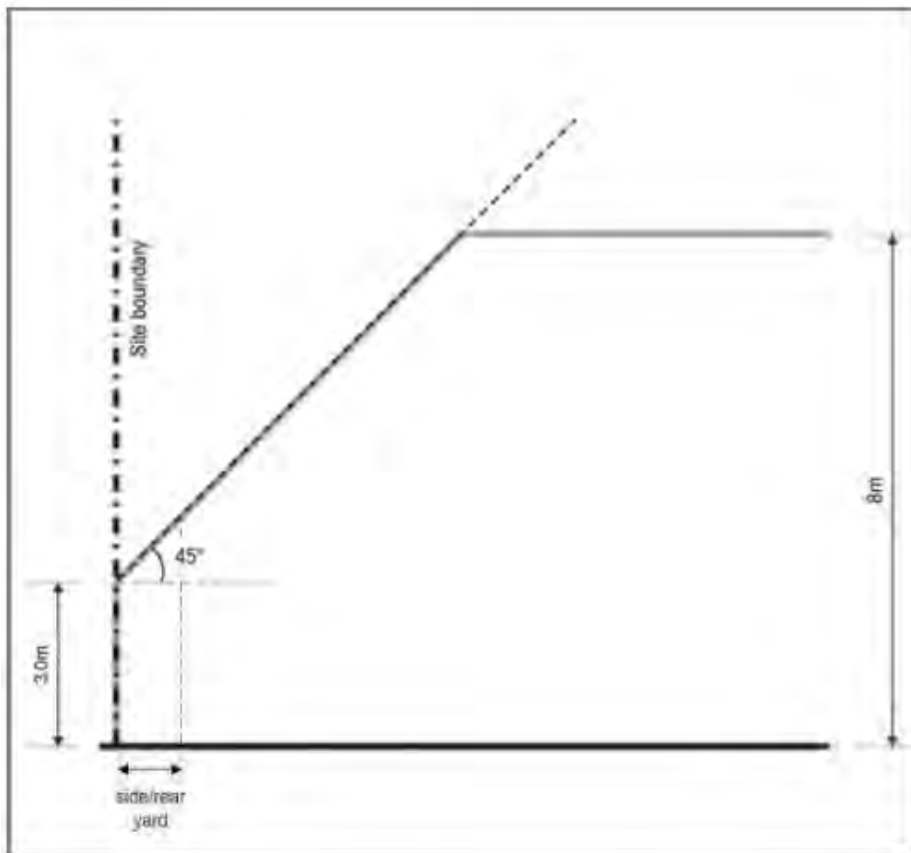
- retain the character of the streetscape;
- enable a built form that reflects the identified character of the area; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects.

(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 side and rear boundaries of the site where ~~-,~~ as shown in Figure D18.6.1.2.1 Height in relation to boundary below.

~~(a) The site has a frontage length of less than 15m~~

~~(i) For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.~~

Figure D18.6.1.2.1 Height in relation to boundary



~~(2)~~ The underlying zone height in relation to boundary standard applies where:

- ~~(a)~~ The site has a frontage length of 15m or greater; or
- ~~(b)~~ The site is a rear site.

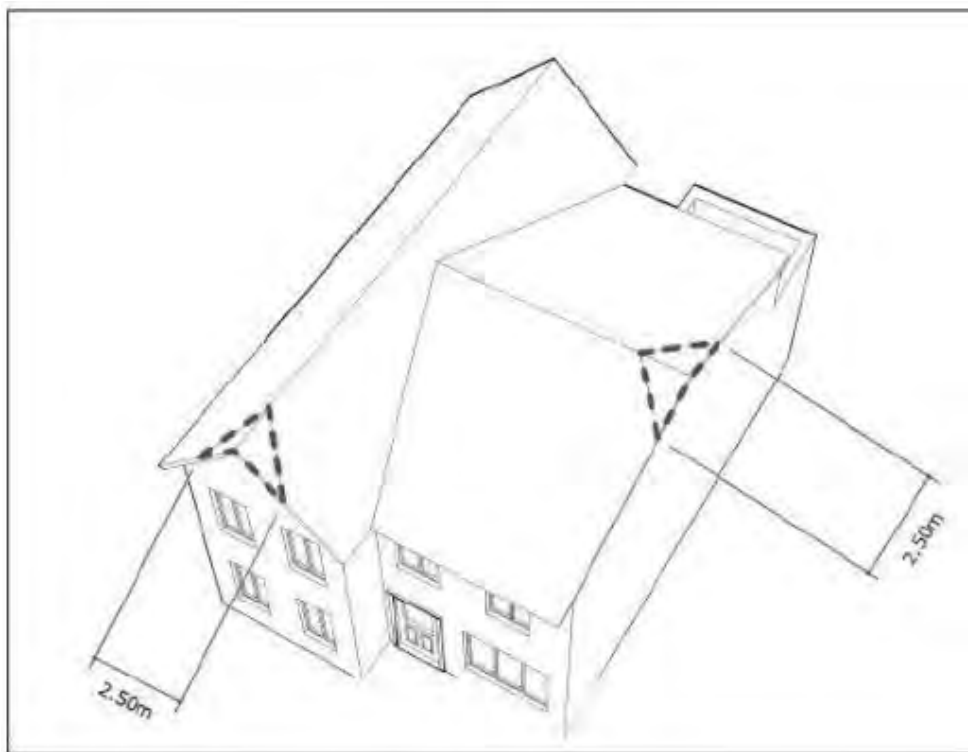
~~(3)~~ Standard D18.6.1.2(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

~~(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 1.5m² in area and no greater than 1m in height; and
- (b) no greater than 2.5m cumulatively in length measured along the edge of the roof.

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.

D18.6.1.7. Fences and walls

Purpose:

- To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.
- (1) Fences and walls, or any combination of these, in the Special Character Areas Overlay - Residential must not exceed the height specified below, measured from 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.
 - (c) 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. ~~Houses on corner sites have two front facades.~~ On corner sites, where more than one frontage exists, the foregoing requirements of this standard shall only apply to one frontage. Heights of boundary fences and walls on any additional frontages may be in accordance with (d) below.
 - (d) On any other boundary or within any other yard not described above, 2m in height.

SUBMISSION ON PROPOSED PLAN CHANGE 26

Clause 6 of Schedule 1, Resource Management Act 1991

To: Auckland Council (**'Council'**)

Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142
Attn: Planning Technician
via email: unitaryplan@aucklandcouncil.govt.nz

Submitter: Auckland Grammar School (**'AGS'**)

1.0 SCOPE OF SUBMISSION

1.1 This is a submission on Proposed Plan Change 26 (**'PC26'**) named "Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions". The specific aspects and provisions of PC26 that this submission relates to are set out in the **Schedule**.

2.0 REASONS FOR SUBMISSION

2.1 For those provisions of PC26 that AGS supports in the **Schedule** below, those provisions:

- (a) will promote sustainable management of resources, will achieve the purpose of the RMA and are not contrary to Part 2 and other provisions of the Resource Management Act 1991 (**'RMA'**);
- (b) will enable the social and economic well-being of the community in the Auckland region;
- (c) will meet the reasonably foreseeable needs of future generations; and
- (d) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

2.2 For those provisions of PC26 that AGS opposes in the **Schedule** below, this is because without the amendments proposed by AGS, those provisions:

- (a) will not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;
- (b) will not enable the social and economic well-being of the community in the Auckland region;
- (c) will not meet the reasonably foreseeable needs of future generations; and

- (d) do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.
- 2.3 Without limiting the generality of paragraphs 2.1 and 2.2, further specific reasons for AGS's submission are set out in the **Schedule** below.

3.0 REFLIEF SOUGHT

3.1 AGS seeks the following decision from Auckland Council on the PC26 provisions:

(a) That the proposed provisions be retained, or deleted or amended, as set out in AGS's submission so as to provide for the sustainable management of Auckland's natural and physical resources and thereby achieve the purpose of the RMA.

221.1

(b) 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.

221.18

3.2 Suggested relief to deal with the concerns set out in AGS's submission is set out in the **Schedule**. However, there may be other methods or relief that are able to address AGS's concerns, and the suggested revisions do not limit the generality of the reasons for AGS's submission.

3.3 AGS could not gain an advantage in trade competition through this submission.

3.4 AGS wishes to be heard in support of its submission.

3.5 If others make a similar submission, AGS will consider presenting a joint case with them at the hearing.



Sarah Burgess, Barker & Associates Limited,
(as person authorised to sign on behalf of the Submitter)

DATE: 12 July 2019

Address for Service: Auckland Grammar School
c/- Barker & Associates Limited
PO Box 1986
Shortland Street
Auckland Central 1140
Attn: Sarah Burgess
Ph: 09 375 0900
Email: sarahb@barker.co.nz

SCHEDULE: DETAILED SUBMISSIONS AND RELIEF SOUGHT

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck-through) | |
|----|---|---|---|-------|
| 1. | Table D18.4.1 (A5A) and (A5B) (Activity statuses – fencing) | AGS supports the proposed inclusion of these activity statuses, as they provide clarity. | Include activities (A5A) and (A5B) proposed in PC26. | 221.2 |
| 2. | D18.6.1.1. Building Height Purpose | AGS opposes the inclusion of part of the third bullet “maintain a reasonable level of sunlight access...” as this is not consistent with any of the purposes of the underlying zones, such as Residential – Single House. In the underlying zones, maintaining a “reasonable level of sunlight access” is attributed to the height in relation to boundary standard, and not building height. | Amend the third bullet of the Purpose as follows: <ul style="list-style-type: none"> maintain a reasonable level of sunlight access and <u>minimise visual dominance effects.</u> | 221.3 |
| 3. | D18.6.1.2. Height in relation to Boundary Clauses (1)(a) and (2)(a) | <p>AGS considers that basing the permitted height in relation to boundary (‘HIRTB’) standard upon the site frontage width is inappropriate in respect to the Isthmus A sites contained within the overlay. Whilst many Isthmus A sites have frontages less than 15m in width, there is a high number that have frontages of 15m, or slightly greater, and still exhibit the characteristic of Isthmus A sites of closely built dwellings.</p> <p>AGS opposes the inclusion of this parameter for all Isthmus A sites within the Special Character Area – Residential (‘SCAR’) overlay. AGS seeks that the provisions are amended 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.</p> <p>Given that Isthmus B and C sites are typically larger and characterised by less dense built form, it is considered that the 15m provision can be retained for those sites.</p> | <p>Amend D18.6.1.2(1)(a) and (2)(a) as follows:</p> <p>(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 <u>side and rear boundaries</u> of the site <u>where</u>:</p> <p>(a) <u>The site is in the Special Character Area Overlay – Residential: Isthmus A; or has a frontage length of less than 15m</u></p> <p>(i) <u>For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.</u></p> <p>(2) <u>The underlying zone height in relation to boundary standard applies where:</u></p> <p>(a) <u>The site is not is in the Special Character Area Overlay – Residential: Isthmus A; or has a frontage length of 15m or greater; or</u></p> <p>(b) <u>The site is a rear site.</u></p> | 221.4 |
| 4. | D18.6.1.2. Height in relation to Boundary Clause (1) | AGS supports the removal of the HIRTB planes from front boundaries which will make the SCAR provisions consistent with those applying to other residential zones. | Include the amendments to D18.6.1.2(1) proposed in PC26. | 221.5 |

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | | | | | | | | | |
|-----------------|--|--|--|-------|---------------|-------|--|-----------------|-----------------|-----------------|---------------|----------------|
| 5. | D18.6.1.2. Height in relation to Boundary Clauses (3)-(6) (exclusion provisions) | AGS 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. | Include the exclusion provisions set out in D18.6.1.2(2)-(6) proposed in PC26. | 221.6 | | | | | | | | |
| 6. | D18.6.1.2. Height in relation to Boundary | AGS seeks that the provisions set out in underlying zones that do not require HIRTB from Open Space zoned sites exceeding 2,000m ² and Business-zoned sites, should be adopted in the SCAR overlay. | <p>Include the following provisions in D18.6.1.2:</p> <p>(7) <u>Standards D18.6.1.2(1) and (2) above do not apply to a boundary adjoining any of the following:</u></p> <p><u>(a) a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business - Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone.</u></p> <p><u>(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space - Community Zone exceeding 2000m²</u></p> | 221.7 | | | | | | | | |
| 7. | D18.6.1.3. Yards | AGS supports the deletion of the 3m rear yard and the reversion to the underlying zone rear yard setback, however given that SCAR sites are characterised by existing closely-built dwellings, AGS seeks for the 1.2m side yard standard to similarly be deleted and for reversion to the underlying zone side yard setback. | <p>Amend D18.6.1.3(1) as follows:</p> <p>(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:</p> <p>Table D18.6.1.3.1 Yards</p> <table border="1"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>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</td> </tr> <tr> <td>Side</td> <td>1.2m</td> </tr> <tr> <td>Rear</td> <td>3m</td> </tr> </tbody> </table> | 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 | 221.8 221.9 |
| 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 | | | | | | | | | | | |

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck-through) | | | | | | | | | | | | |
|---|--|---|---|-----------|-------------------|-------------------------|----------------------------------|---|--|--|---|--|---|--|---|
| 8. | D18.6.1.4. Building coverage Clause (1) | <p>AGS opposes the retention of the building coverage provisions being based on arbitrary thresholds relating to site areas.</p> <p>For sites that are marginally over their threshold there is a loss of between 5-10% permitted building coverage which substantially affects the develop ability of the sites given their small sizes.</p> <p>AGS seeks for the legacy District Plan – Isthmus Section Residential 1 zone ‘formula’ for calculating permitted building coverage, paved area, and landscaped area to be instated for Isthmus A sites.</p> <p>Several examples of University properties are provided as follows:</p> <ul style="list-style-type: none"> 70 Seafield View Road, Grafton, is 336m² in area. Sites 200-300m² are permitted to have 45% building coverage, however sites 300m²-400m² are permitted to have 40%. The site therefore loses 5% of permitted building coverage (the equivalent of 16.8m²). Under the Isthmus A formula, the site would have a permitted building coverage of 45.93%; and 9 Glasgow Terrace, Newmarket, is 372m² in area and subject to the same coverage provisions as above. The site loses 5% of permitted building coverage (the equivalent of 18.6m²). Under the Isthmus A formula, the site would have a permitted building coverage of 43.5%. <p>The proposed changes sought are considered to be appropriate as they reflect that the pattern of subdivision which has sites that range in size. Typically, smaller sites have greater building coverage and having standards that respond better to each site, allows for reasonable use of a site.</p> | <p>Amend D18.6.1.4(1) as follows:</p> <p>(1) The maximum building coverage for sites in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> 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: <u>Isthmus A</u> below:</p> <p>Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential: <u>Isthmus A</u></p> <table border="1" data-bbox="1361 518 2004 1136"> <thead> <tr> <th>Site Area</th> <th>Building Coverage</th> </tr> </thead> <tbody> <tr> <td>Up to 200m²</td> <td>55 per cent of the net site area</td> </tr> <tr> <td>200m² – 300m²<u>500m²</u></td> <td>45 per cent of the net site area <u>Per cent of the net site area =</u> <u>35+[(500 – A) x 0.06●]</u> <u>Where A = site area (m²)</u> <u>● = 6 recurring</u></td> </tr> <tr> <td>300m² – 500m²</td> <td>40 per cent of the net site area</td> </tr> <tr> <td>500m² – 1,000m²</td> <td>35 per cent of the net site area</td> </tr> <tr> <td>Greater than 1,000m²<u>500m²</u></td> <td>25<u>35</u> per cent of the net site area</td> </tr> </tbody> </table> | Site Area | Building Coverage | Up to 200m ² | 55 per cent of the net site area | 200m ² – 300m² <u>500m²</u> | 45 per cent of the net site area <u>Per cent of the net site area =</u> <u>35+[(500 – A) x 0.06●]</u> <u>Where A = site area (m²)</u> <u>● = 6 recurring</u> | 300m² – 500m² | 40 per cent of the net site area | 500m² – 1,000m² | 35 per cent of the net site area | Greater than 1,000m² <u>500m²</u> | 25 <u>35</u> per cent of the net site area |
| Site Area | Building Coverage | | | | | | | | | | | | | | |
| Up to 200m ² | 55 per cent of the net site area | | | | | | | | | | | | | | |
| 200m ² – 300m² <u>500m²</u> | 45 per cent of the net site area <u>Per cent of the net site area =</u> <u>35+[(500 – A) x 0.06●]</u> <u>Where A = site area (m²)</u> <u>● = 6 recurring</u> | | | | | | | | | | | | | | |
| 300m² – 500m² | 40 per cent of the net site area | | | | | | | | | | | | | | |
| 500m² – 1,000m² | 35 per cent of the net site area | | | | | | | | | | | | | | |
| Greater than 1,000m² <u>500m²</u> | 25 <u>35</u> per cent of the net site area | | | | | | | | | | | | | | |
| 9. | D18.6.1.5 Landscaped area Clause (1) | <p>AGS opposes the retention of the landscaped area provisions being based on thresholds relating to site areas for Isthmus A sites, based on the reasons described under 8. above.</p> | <p>Amend D18.6.1.5(1) as follows:</p> <p>(1) The minimum landscaped areas for sites in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> is the percentage of net site area listed in Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> below:</p> | | | | | | | | | | | | |

221.10

221.11

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck-through) | | | | | | | | | | |
|--|--|---|---|-----------|---|-------------------------|--|---------------------------------------|--|--|----------------------------------|--|--|
| | | | <p>Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u></p> <table border="1"> <thead> <tr> <th data-bbox="1361 300 1671 347">Site Area</th> <th data-bbox="1671 300 2004 347">Landscaped area</th> </tr> </thead> <tbody> <tr> <td data-bbox="1361 347 1671 432">Up to 200m²</td> <td data-bbox="1671 347 2004 432">28 per cent of the net site area</td> </tr> <tr> <td data-bbox="1361 432 1671 630">200m² – 500m²</td> <td data-bbox="1671 432 2004 630"> 33 per cent of the net site area <u>Per cent of the net site area =</u> <u>40 - [(500 – A) x 0.04]</u> Where A = site area (m²) </td> </tr> <tr> <td data-bbox="1361 630 1671 715">500m² – 1,000m²</td> <td data-bbox="1671 630 2004 715">40 per cent of the net site area</td> </tr> <tr> <td data-bbox="1361 715 1671 794">Greater than 1,000m² <u>500m²</u></td> <td data-bbox="1671 715 2004 794">5040 per cent of the net site area</td> </tr> </tbody> </table> | Site Area | Landscaped area | Up to 200m ² | 28 per cent of the net site area | 200m ² – 500m ² | 33 per cent of the net site area <u>Per cent of the net site area =</u> <u>40 - [(500 – A) x 0.04]</u> Where A = site area (m ²) | 500m² – 1,000m² | 40 per cent of the net site area | Greater than 1,000m² <u>500m²</u> | 50 40 per cent of the net site area |
| Site Area | Landscaped area | | | | | | | | | | | | |
| Up to 200m ² | 28 per cent of the net site area | | | | | | | | | | | | |
| 200m ² – 500m ² | 33 per cent of the net site area <u>Per cent of the net site area =</u> <u>40 - [(500 – A) x 0.04]</u> Where A = site area (m ²) | | | | | | | | | | | | |
| 500m² – 1,000m² | 40 per cent of the net site area | | | | | | | | | | | | |
| Greater than 1,000m² <u>500m²</u> | 50 40 per cent of the net site area | | | | | | | | | | | | |
| 10. | D18.6.1.6. Maximum impervious area | AGS opposes the retention of the impervious area provisions being based on thresholds relating to site areas based on the reasons described under 8. above. | <p>Amend D18.6.1.6(1) as follows:</p> <p>(1) The maximum paved impervious <u>impervious</u> area for sites in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> must not exceed the percentage of net site area listed in Table D18.6.1.6.1 Maximum paved impervious <u>impervious</u> area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> below:</p> <p>Table D18.6.1.6.1 Maximum paved impervious <u>impervious</u> area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u></p> <table border="1"> <thead> <tr> <th data-bbox="1361 1098 1671 1145">Site Area</th> <th data-bbox="1671 1098 2004 1145">Paved<u>Impervious</u> area</th> </tr> </thead> <tbody> <tr> <td data-bbox="1361 1145 1671 1230">Up to 200m²</td> <td data-bbox="1671 1145 2004 1230">17 <u>72</u> per cent of the net site area</td> </tr> <tr> <td data-bbox="1361 1230 1671 1417">200m² – 500m²</td> <td data-bbox="1671 1230 2004 1417"> 20-65 per cent of the net site area <u>Impervious area =</u> <u>Site area minus minimum landscaped area permitted under D18.6.1.5 above</u> </td> </tr> </tbody> </table> | Site Area | Paved <u>Impervious</u> area | Up to 200m ² | 17 <u>72</u> per cent of the net site area | 200m ² – 500m ² | 20-65 per cent of the net site area <u>Impervious area =</u> <u>Site area minus minimum landscaped area permitted under D18.6.1.5 above</u> | | | | |
| Site Area | Paved <u>Impervious</u> area | | | | | | | | | | | | |
| Up to 200m ² | 17 <u>72</u> per cent of the net site area | | | | | | | | | | | | |
| 200m ² – 500m ² | 20-65 per cent of the net site area <u>Impervious area =</u> <u>Site area minus minimum landscaped area permitted under D18.6.1.5 above</u> | | | | | | | | | | | | |

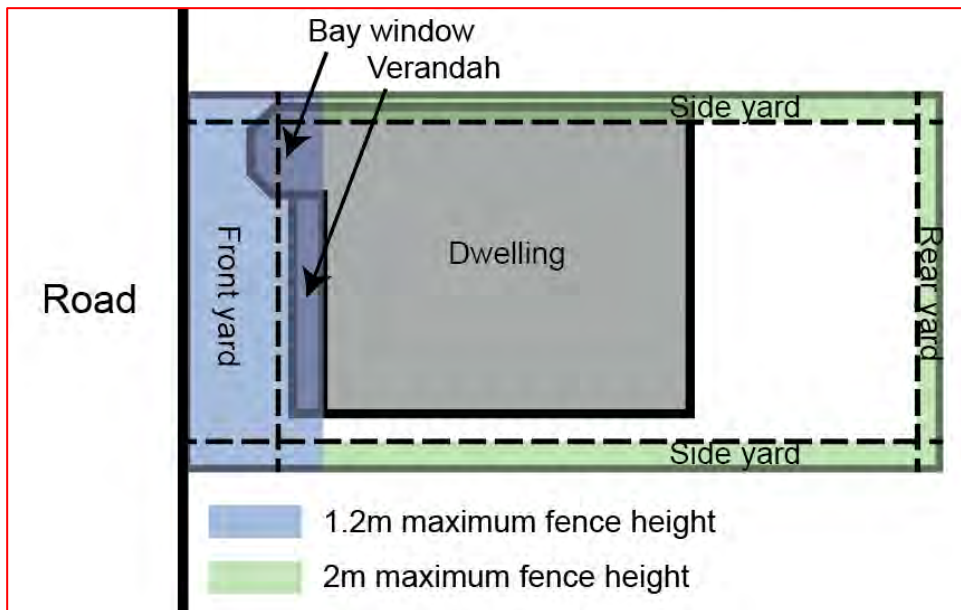
221.11

221.12

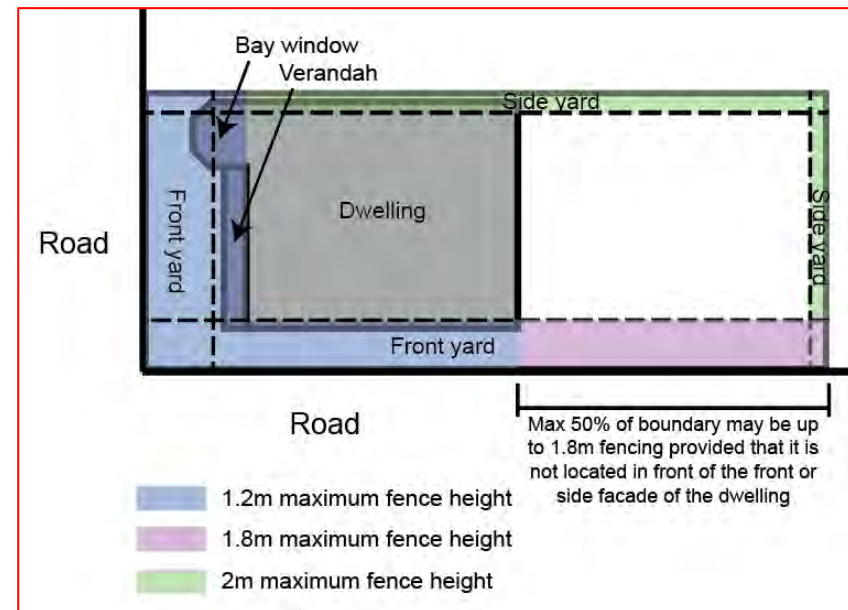
| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | | |
|-----|---|--|--|--|--------------------------------------|
| | | | 500m ² – 1,000m ² | <u>25-60 per cent of the net site area</u> | 221.12 |
| | | | Greater than 1,000m ² <u>500m²</u> | 25 <u>50-60</u> per cent of the net site area | |
| 11. | D18.6.1.7. Fences and walls Purpose, and Clause (1) | <p>The new rules are designed to provide privacy for rear yards and outdoor spaces (through the 2m maximum height for other boundaries) and therefore this should be referenced in the purpose of the fence standards.</p> <p>The provisions as currently written under Clause (1)(b) are unclear and, as written, read as if fences between the side façade of a dwelling and the side boundary should be a maximum of 1.2m in height. If this is the intention of the provision then AGS objects, as this would result in privacy and security issues. If this is not the intention, then the wording should be clarified. The rules would benefit from a diagram to aid in interpretation.</p> <p>AGS also objects to corner sites being treated as having two front facades which would be subject to a 1.2m high fence height as this prevents outdoor living areas from being appropriately screened to provide for privacy. There should be an allowance for some of the frontage to comprise higher fencing.</p> | <p>Amend D18.6.1.7 as follows:</p> <p><u>Purpose: to manage the heights of fences and walls on front, side, and rear boundaries and within front, side, and rear yards to:</u></p> <ul style="list-style-type: none"> <u>To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.</u> <u>provide privacy for dwellings and particularly rear outdoor areas where this would avoid significantly obscuring the visibility of the dwelling from the streetscape.</u> <u>minimise visual dominance effects to immediate neighbours and the street.</u> <p>(1) Fences <u>and walls and other structures</u>, or any combination of these, in the Special Character Areas Overlay - Residential must not exceed <u>a the height specified below, measured from of 1.2m above</u> ground level.:</p> <p>(a) <u>On the front boundary or between the front façade of the house and the front boundary, 1.2m in height.</u></p> <p>(b) <u>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.</u></p> <p>(c) <u>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.</u></p> <p><i><insert Figure D18.6.1.7.1 Fence heights for front sites shown overleaf></i></p> | | 221.14 221.15 221.16 221.13 |

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | |
|-----|--|---|---|--------|
| | | | (d) Houses on corner sites have two front facades, <u>except that on one site frontage, up to 50% of the frontage length may comprise fencing up to 1.8m in height, provided that this is not located in front of a front or side façade of the dwelling.</u> <insert Figure D18.6.1.7.2 Fence heights for corner sites shown overleaf> | 216.13 |
| 12. | E38.8.2.6 Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business Clause (3) | AGS supports the proposed inclusion of this clause as it clarifies that the minimum site areas for the SCAR sites should take precedence over the underlying zone, however it remains unclear which activity statuses under Table E38.4.2 should be applied to a proposal for subdivision of a SCAR site. | Amend the subdivision provisions to make it clear that vacant subdivision of SCAR sites requires consent under (A24) and (A25) only, and not (A16) and (A17). | 221.17 |

D18.6.1.7.1 Fence heights for front sites



D18.6.1.7.2 Fence heights for corner sites



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Rachael and Jonathan Sinclair

Organisation name:

Agent's full name:

Email address: rachsinaclair@orcon.net.nz

Contact phone number:

Postal address:
5 Castle Street
Grey Lynn
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18 Special Character Areas Overlay - Residential and Business, D18.4 Activity Table, D18.6 Standards, D18.6.1, D18.6.1.1 Building heights, D18.6.1.2 Height in relation to boundary, D18.6.1.3 Yards, D18.6.1.4 Building coverage, D18.6.1.6 Maximum paved impervious area

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

We support the plan change overall as having one set of clear rule to apply (as opposed to two sets) reduces the scope for confusion and is more efficient. Standard D18.6.1 - we support the inclusion of purpose statements for the various standards in the Overlay. Standard D18.6.1.2 - we support the 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) 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. Standard D18.6.1.3 - we support the removal of the 3m rear yard requirement in the Overlay and that the Zone rear yard requirement would apply. Standard D18.6.1.6 - support the increase in impervious surface in the Overlay.

| 222.2

| 222.3

| 222.4

| 222.5

| 222.6

I or we seek the following decision by council: Accept the plan modification with amendments

222.1

Details of amendments: Standard D18.6.1.2 - we support the 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)

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Submission to PC26 to: unitaryplan@aucklandcouncil.govt.nz

1. **Submitter Details** – Grant Dickson

2. **Scope of Submission :**

PC26 Plan Change/Variation :clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.

The specific provisions that my submission relates to are:

Plan Provisions –

1. *I generally support the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers some parts of Howick which have a variety of underlying business and residential zones.*
2. *In Part D18.1 the exception of Howick from the Special Character Area Overlay considerations is not acceptable and should be deleted.*
3. *The Special Character Area at Howick is requested to be expanded over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.*
4. *A Special Character Area description for Howick covering residential and business areas is required to be inserted into Part D18.1 of PC26 and in Schedule 15 at Part 15.1.6.1..*
5. *In all other respects the I support PC26 and seek to have the controls and standards within PC26 available to cover the expanded Special Character Area shown outlined by a thin black line on the attached Plan.*

Submission: *I oppose the specific provisions identified above which exclude Howick from consideration under PC26.*

I wish to have the following provisions amended:

- (a) *The removal of the exemption of Howick from Part 18.1 Background.*
- (b) *The expansion of the Special Character Area at Howick to cover the properties identified on the attached plan.*

- (c) *The inclusion of a description for the existing and expanded Special character Areas of Howick into the table within D18.1 and within Schedule 15 at Part 15.1.6.1.*

The reasons for my views are –

1. *Howick has several special characteristics that require particular protection in the manner provided for in Part D18 of the Auckland Unitary Plan (AUP). For that reason it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1.*
2. *I see that PC26 is an opportunity to address this long-standing omission in respect of Howick.*

I seek the following decision by the Council:

I accept the proposed Plan Change with the amendments outlined below. | 223.1

Amendments Requested for the Reasons set out are –

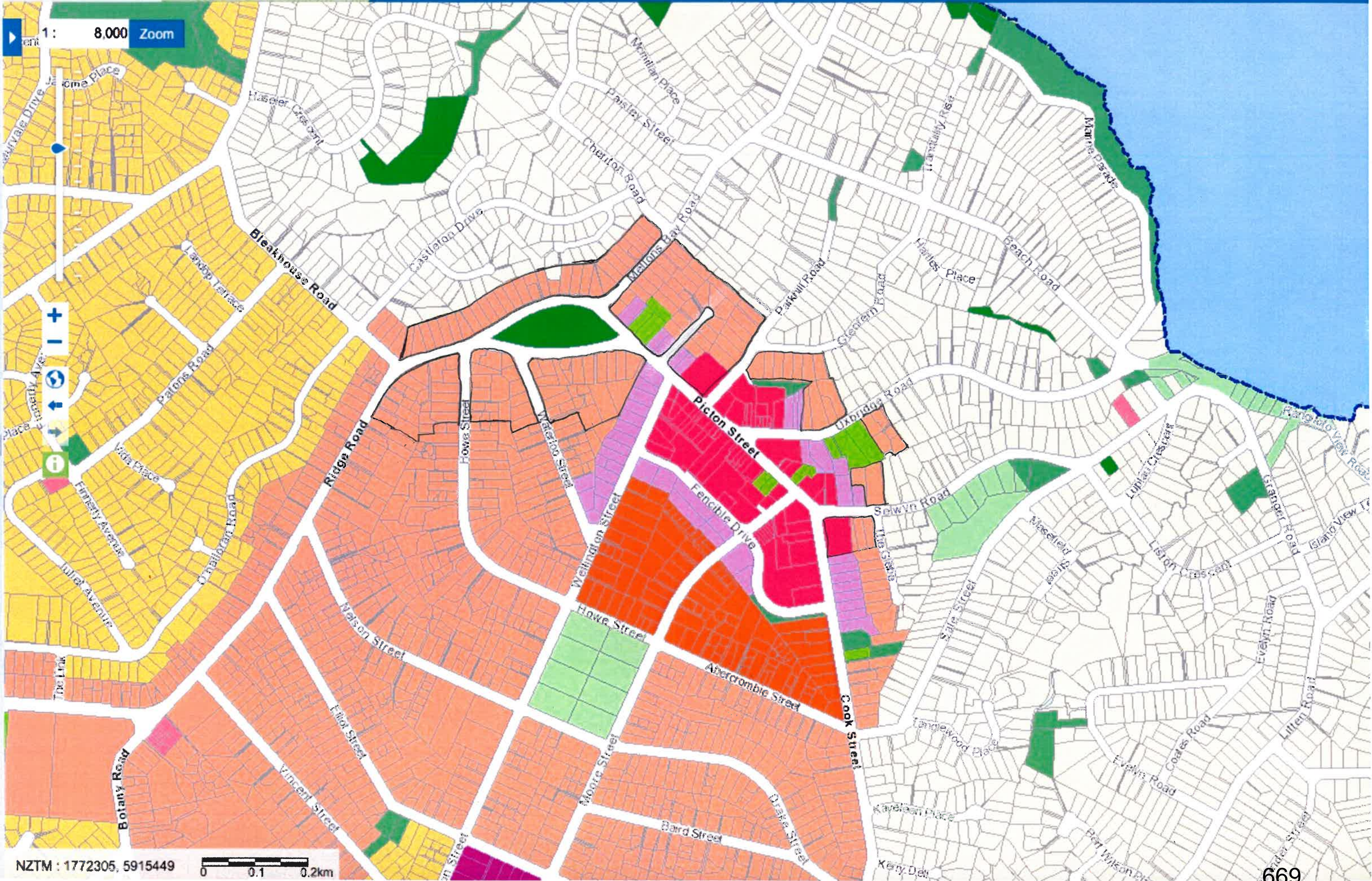
1. *Amend Part D18.1 by removing the words “other than Howick”.* | 223.2
2. *Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan.* | 223.3
3. *Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.* | 223.4
4. *Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes.* | 223.5
5. *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.* | 223.6

I wish to be heard in support of my submission.

Dated 12 July 2019



1: 8,000 Zoom



NZTM : 1772305, 5915449 0 0.1 0.2km

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------------------------|
| For office use only Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Ms/Miss/Ms(Full Name)

CHRIS HUME

Organisation Name (if submission is made on behalf of Organisation)

HUME ARCHITECTS LTD.

Address for service of Submitter

LEVEL 4, VULCAN BUILDING, 118 QUEEN ST
P.O. BOX 106605, DOWNTOWN, AUCKLAND 1143.

Telephone:

09 357 0462

Fax/Email:

chris@humearch.co.nz

Contact Person: (Name and designation, if applicable)

CHRIS HUME, DIRECTOR

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

PLAN CHANGES 26 IN TOTAL - REFER ATTACHED

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above ^{attached}

I oppose the specific provisions identified above ^{attached}

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

REFER ATTACHED SUBMISSION,

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

REFER ATTACHED SUBMISSION.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Signature of Submitter
(or person authorised to sign on behalf of submitter)

12.07.19,
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

12th July 2019



RE : SUBMISSION ON PROPOSED PLAN CHANGE 26 TO THE AUCKLAND COUNCIL UNITARY PLAN.

gen@humearch.co.nz
+64 9 357 0462
level 4, vulcan building
118 queen st
po box 106 605
downtown auckland 1143
www.humearch.co.nz

Introduction

As a Director of an Architectural Practice that is active, and has significant experience in working in Special Character Area as defined in the Unitary Plan and in various District Plans that existed prior to the introduction of the Unitary Plan I have a professional interest in addressing Plan Change 26.

I also reside in Devonport within the Special Character Area Overlay and my property will be significantly affected by the proposed Plan Change.

This submission is made by Hume Architects Ltd. and as such represents our community of past, present and future clients in general.

Overview

Plan Change 26 has been generated by the Environment Court clarifying that both the Special Character Overlay Rules and the underlying zoning controls must apply.

The Court determined inconsistent wording of rules in the Auckland Unitary Plan for resource consents for properties zoned 'Single House' and where a Special Character Area Residential Overlay applies.

However, Plan Change 26 does not just address that issue. It goes further than clarifying the relationship as "The Council is also seeking to refine some of its standards within the Special Character Area Overlay, including height in relation to boundary, yards, paved areas and fences."

While these individual rule changes may or may not have merit in clarifying the relationship differences between Special Character Areas and the Underlying Zone, they must purely relate to issues of Special Character and not seek to introduce any more restrictive rules that do not carry that relationship.

In principle, the underlying Single House Zone rules should apply unless there are specific circumstances that warrant and relate to the retention and enhancement of that Special Character. The Single House Zone objectives state:

H3.2. Objectives

*(1) Development maintains and is in keeping with the amenity values of established residential neighbourhoods **including those based on special character informed by the past.***

The special character of heritage residential areas covered by the Special Character Area Overlay are characterised in Schedule 15 for different Special Character Areas.

Council in their overview in the Section 32 report note:

*“Upon review of the Character Statements, it is evident that the development pattern across each of the character areas is not uniform and there are other parts of the overlay, **other than Isthmus A, C1 or Devonport character areas** that exhibit similar narrow sites and patterns of development. By way of example, Isthmus A includes not only early villas but also transitional bungalows and then interwar development with large lot sizes and an array of housing typologies.”*

It is my assertion that if any site is within a Special Character Area Overlay then the similar equitable rules should apply over the whole Special Character Area. In Plan Change 26 Council are attempting to, in the height in relation to boundary, and site coverage rules (not addressed in this plan change) to generalise and ‘cherry pick’ at the rules in a manner that leads to anomaly and inequity in their implementation.

As such, my submission is that I oppose the whole Plan Change in its present form for the reasons that it does not consider the Special Character Area’s in their overall (and varying) differences to the Single House Zone, it seeks to introduce new rules that are inequitable and does not consider the D18 rules in respect to individual Special Character Areas or Special Character Areas in total.

While I support the intent of clarification required by the Environment Court, I do not support the Plan Change in its present form. | 224.1

Specific Provisions and brief commentary on the proposed rules that I support or oppose are following. I also submit relevant rules and definitions in D18 that Council propose not changing or clarifying that I consider integral to any resultant Plan Change.

D18.4 Activity Table. Special Character Areas Residential. | 224.2
 Clarification of Activity status. Support.

Table D18.4.1
 (A2) - ‘Minor’ alterations require definition note ‘redecorated’ is noted in Special Character Area Business but not defined. Clarification Required. | 224.3
 (A5a) - should be as underlying zone. **Oppose.** | 224.4
 (A5b) - should be as underlying zone. **Oppose.**

Table D18.4.2
 (A6) - ‘External redecoration’ requires definition. Clarification Required. | 224.5
 (A8) - ‘External redecoration’ requires definition. Clarification Required.

D18.6 Standards
 D18.6.1.1 Building Height
 Remains as Special Character Area Overlay. Support. | 224.6

D18.6.1.2 Height in relation to boundary
 (1) (a) The site has a frontage length of less than 15m. **Oppose.** | 224.7
 (2) The underlying zone height in relation to boundary standard applies where:
 (a) The site has a frontage length of 15m or greater. **Oppose.** | 224.8
 OR
 (b) The site is a rear site. **Oppose.**

The Plan Change has been used to introduce a new rule that is inequitable and will not support the Objectives of the Special Character Area Overlay.

| | | | |
|---|---|---|--------|
| D18.6.1.2 | <p>(4) Where the boundary forms part of a legal right of way, entrance strip or access site, Standard D18.6.2(1) applies from the farthest boundary of the legal right of way, entrance strip, access site or pedestrian access way.</p> <p>(5) A gable end, dormer or roof. .</p> <p>(6)</p> | <p>Support.</p> <p>Support.</p> <p>Support.</p> | 224.9 |
| D18.6.1.3 Yards | <p>Table D18.6.1.3.1 Yards</p> <p>Side Yard - 1.2m</p> | <p>Oppose.</p> | 224.10 |
| <p>Side yards in the Special Character Area Overlay areas should be no more restrictive than the underlying zone of 1.0m.</p> | | | |
| Table D18.6.1.3.1 | <p>(3) The underlying zone yard standards apply for all other yards not specified within Table 18.6.1.3.1.</p> | <p>Support.</p> | 224.11 |
| D18.6.1.4 Building Coverage | <p>Purpose: to manage the extent of buildings on a site commensurate with the existing built character of the neighbourhood.</p> | <p>Oppose.</p> | 224.12 |
| Table D18.6.1.4.1 | <p>Building coverage in the Special Character Areas Overlay - Residential</p> | <p>Oppose.</p> | 224.13 |
| <p>The site area to coverage relationships do not acknowledge the majority of sites in the Special Character Area overlays and are too prescriptive. The table should be amended to be more equitable with less stages and relate to the Underlying Zone.</p> | | | |
| D18.6.1.5 Landscape Area | <p>Table D18.6.1.5.1</p> | <p>Oppose.</p> | 224.14 |
| <p>Refer commentary above.</p> | | | |
| D18.6.1.6 Impervious Area | <p>Table D18.6.1.6.1</p> | <p>Oppose.</p> | 224.15 |
| <p>Refer commentary above.</p> | | | |
| D18.6.1.7 Fences and walls. | | <p>Oppose.</p> | 224.16 |
| <p>The Underlying Zone rules should apply.</p> | | | |

The above commentary is a summary of the reasons for this submission and will be expanded upon and explained in full by attendance at the relevant hearing. I do not consider the Section 32 process carried out by Council has fully considered the proposed changes in the overall context of the Special Character Area's relationship to the Unitary Plan and Underlying Zones. A number of the proposed changes along with

the existing rules within the Special Character Areas that Council does not propose to change will likely lead to inequitable and disadvantaged outcomes for a significant number of sites within the Special Character Areas.

I wish to be heard in support of this submission at any hearing.

Chris Hume (Director)
Hume Architects Ltd

m: 027 473 2352

p: 09 357 0462

e: chris@humearch.co.nz

NZCD (Arch), BArch, FNZIA

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Dirk Hudig

Organisation name:

Agent's full name: Dirk Hudig

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Contact phone number: 093784990 021 227 5972

Postal address:
54 Marine Parade
Herne Bay
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

1. I generally support the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers much of Herne Bay and St Mary's Bay and the underlying zoning which is predominantly Single House Zone. 2. At Rule D18.6.1.7 the I seek to retain the inclusion of the words – "and other structures". 3. The inclusion in Rule D18.8.1.1(3) of consideration for the maintenance of dwellings within an SEA overlay to ensure there is enough space between adjacent walls of existing or new dwellings to allow the maintenance and decoration of the adjacent façades on both properties. It is considered that a minimum distance of 1200 millimetres between adjacent walls of dwellings on separate sites, regardless of the location of the intervening title boundary, is adequate space to allow the erection of scaffolding or other equipment for the maintenance, repair and painting of the adjacent facades. 4. Related to the additional matter of discretion set out above I request an amendment to Rule D18.8.2.1(4) by inserting a minimum distance between adjacent walls or façades of existing or proposed buildings to ensure maintenance of those walls can be achieved.

Property address:

Map or maps:

Other provisions:

The reasons for my views are – 1. In respect of Rule D18.6.1.7 I request the inclusion of the words – "and other structures" because there are many structures other than fences and walls which are able to adversely affect the amenities of neighbouring properties. The provision for "and other structures" was included by the Independent Hearings Panel following submissions made by the Herne Bay Residents Association during the hearings on submissions arising from the proposed Auckland

Unitary Plan. There is no explanation or reason for the omission of these words which have been in Rule D18.6.1.7 since the AUP was made operative. There is no s32 explanation. 2. The matter of discretion which I request be added to Rule D18.8.1.1(3) is to ensure that any infringement of the side yard standard includes the consideration of whether the façade of an adjoining dwelling/building can continue to be maintained (repairs, maintenance and painting) in the event that the infringement is granted consent. This is a simple matter that has been in the previous legacy Auckland District Plan and previous Auckland District Schemes for at least 40 years. No infringement should be considered without a full assessment of its effect on the maintenance and amenity of the closes façade/wall of an adjacent house/building. 3. In support of the requested matter of discretion set out above, the I request that the following assessment criterion is added to Rule D18.8.2.1(4) as follows: (c) Maintaining a building services space of not less than 1200mm between the walls of existing or proposed dwelling/buildings on adjacent sites regardless of the location of the intervening site boundary.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

225.1

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The request the Auckland Council adjusts the proposed Plan Change with the amendments outlined below: 1. Amend Rule D18.6.1.7 to include the words “and other structures” wherever they are struck out in the text of PC26. 2. 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. 3. Amend Rule D18.1.2.1(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.

225.2

225.3

225.4

I or we seek the following decision by council: Decline the plan modification

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

SUBMISSIONS AUCKLAND COUNCIL ON PROPOSED PLAN CHANGE 26 (PC26)

SUMMITTER DETAILS: HERNE BAY RESIDENTS ASSOCIATION INCORPORATED

CONTACT PERSON: Dirk Hudig co-chair, email dirkhudig@gmail.com phone (09)3784990

CONTACT PERSON: Don Mathieson co-chair, email don@mit.co.nz phone 021 993 381

SCOPE OF SUBMISSION: Clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.

The Herne Bay Residents Association Inc (the Association) submits as follows:

1. *The Association generally supports the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers much of Herne Bay and St Mary's Bay and the underlying zoning which is predominantly Single House Zone.*
2. *At Rule D18.6.1.7 the Association seeks to retain the inclusion of the words – "and other structures".*
3. *The inclusion in Rule D18.8.1.1(3) of consideration for the maintenance of dwellings within an SEA overlay to ensure there is enough space between adjacent walls of existing or new dwellings to allow the maintenance and decoration of the adjacent façades on both properties. It is considered that a minimum distance of 1200 millimetres between adjacent walls of dwellings on separate sites, regardless of the location of the intervening title boundary, is adequate space to allow the erection of scaffolding or other equipment for the maintenance, repair and painting of the adjacent façades.*
4. *Related to the additional matter of discretion set out above the Association requests an amendment to Rule D18.8.2.1(4) by inserting a minimum distance between adjacent walls or façades of existing or proposed buildings to ensure maintenance of those walls can be achieved.*

The Association opposes the specific provisions identified above and wishes to have those provisions amended

The reasons for the views of the Association are –

1. *In respect of **Rule D18.6.1.7** the Association requests the inclusion of the words – "**and other structures**" because there are many structures other than fences and walls which are able to adversely affect the amenities of neighbouring properties. The provision for "and other structures" was included by the Independent Hearings Panel following submissions made by the Association during the hearings on submissions arising from the proposed Auckland Unitary Plan. There is no explanation or reason for the omission of these words which have been in Rule D18.6.1.7 since the AUP was made operative. There is no s32 explanation.*
2. *The matter of discretion which the Association requests be added to **Rule D18.8.1.1(3)** is to ensure that any infringement of the side yard standard includes the consideration of whether the façade of an adjoining dwelling/building can continue to be maintained (repairs, maintenance and painting) in the event that the infringement is granted consent. This is a simple matter that has been in the previous legacy Auckland District Plan and previous Auckland District Schemes for at least 40 years. No infringement should be considered without a full assessment of its effect on the maintenance and amenity of the closes façade/wall of an adjacent house/building.*
3. *In support of the requested matter of discretion set out above, the Association requests that the following assessment criterion is added to **Rule D18.8.2.1(4)** as follows:*

(c) Maintaining a building services space of not less than 1200mm between the walls of existing or proposed dwelling/buildings on adjacent sites regardless of the location of the intervening site boundary.

The Association seeks the Auckland Council adjusts the proposed Plan Change with the amendments outlined below:

1. **Amend Rule D18.6.1.7** to include the words “and other structures” wherever they are struck out in the text of PC26. | 226.2
2. **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. | 226.3
3. **Amend Rule D18.1.2.1(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. | 226.4

The Association wishes to be heard in support of this submission.

Dirk Hudig – Co-chair Herne Bay Residents Association inc.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Mark Donnelly

Organisation name: Eden Park Neighbours' Assoc.

Agent's full name:

Email address: mark.donnelly@xtra.co.nz

Contact phone number:

Postal address:
13 Walters Rd
Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

HIRB We support the underlying zone HIRB for sites with greater than 15m frontage YARDS We oppose the reduction in the rear yard from 3m to 1m. FENCES We understand the intention of the Special Character rule, however are concerned that it needs to take account of property security issues. Both in the restricted discretion and assessment. In cases in our area, the fence heights have increased to 1.8m over the years, often based on security and littering issues. Our understanding is that in cases where a group of properties already have existing heights greater than 1.2m, that would be taken into account as there would be little to no streetscape impact of an additional property having a greater than 1.2m height. However, as with front yard rules, this could maybe be spelt put more clearly. However we would suggest an assessment criteria be established to allow for property security issues to be taken into consideration.

227.2
227.3

227.4

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

In general we are supportive of the intention of Plan Change 26, to confirm the fact the Special Character overlays take precedence over the underlying zones – which was what we thought was the

original intention – and on which we submitted/supported during the Unitary Plan process. As Council's original intention was that the controls and rules within the Special Character overlays, would take precedence over the underlying zone controls and rules, we concerned where the Plan Change deviates from that. We also wish to ensure that the relevant objectives and policies for the Special Character Overlays are also given effect to by the plan change. HIRB We support the underlying zone HIRB for sites with greater than 15m frontage YARDS However we oppose the reduction in the rear yard from 3m to 1m. We can find little justification for this in the plan change analysis and are concerned it will allow for over building of the special character lots, and adversely impact the heritage character and historic lot formations. In our view those boundary controls protect not only the amenity of the site in question, but also the amenity/special character of the adjoining properties, and the streetscape character. This amenity is important when seen against the costs of maintaining these historic and valuable character buildings, valued by the AUP, and both the immediate and wider communities. The rear yard amenity, in our view is important to protect. We see risks in this approach and would suggest a more conservative approach, in retaining the previous Special Character Overlay rear yard rules. Also, we're concerned further minor dwellings will invariably have some streetscape character impact, both front and from wider perspectives, eg corner sites etc FENCES We understand the intention of the Special Character rule, however are concerned that it needs to take account of property security issues. Both in the restricted discretion and assessment. In cases in our area, the fence heights have increased to 1.8m over the years, often based on security and littering issues. Our understanding is that in cases where a group of properties already have existing heights greater than 1.2m, that would be taken into account as there would be little to no streetscape impact of an additional property having a greater than 1.2m height. However, as with front yard rules, this could maybe be spelt put more clearly. However we would suggest an assessment criteria be established to allow for property security issues to be taken into consideration.

I or we seek the following decision by council: Accept the plan modification with amendments

227.1

Details of amendments: Retain 3m rear yard ./ add security assessment to fences

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

SUBMISSION ON PROPOSED PLAN CHANGE 26

Clause 6 of Schedule 1, Resource Management Act 1991

To: Auckland Council (**'Council'**)

Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142
Attn: Planning Technician
via email: unitaryplan@aucklandcouncil.govt.nz

Submitter: The University of Auckland (**'University'**)

1.0 SCOPE OF SUBMISSION

1.1 This is a submission on Proposed Plan Change 26 (**'PC26'**) named "Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions". The specific aspects and provisions of PC26 that this submission relates to are set out in the **Schedule**.

2.0 REASONS FOR SUBMISSION

2.1 For those provisions of PC26 that the University supports in the **Schedule** below, those provisions:

- (a) will promote sustainable management of resources, will achieve the purpose of the RMA and are not contrary to Part 2 and other provisions of the Resource Management Act 1991 (**'RMA'**);
- (b) will enable the social and economic well-being of the community in the Auckland region;
- (c) will meet the reasonably foreseeable needs of future generations; and
- (d) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

2.2 For those provisions of PC26 that the University opposes in the **Schedule** below, this is because without the amendments proposed by the University, those provisions:

- (a) will not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;
- (b) will not enable the social and economic well-being of the community in the Auckland region;
- (c) will not meet the reasonably foreseeable needs of future generations; and

- (d) do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.
- 2.3 Without limiting the generality of paragraphs 2.1 and 2.2, further specific reasons for the University's submission are set out in the **Schedule** below.
- 3.0 REFLIEF SOUGHT**
- 3.1 The University seeks the following decision from Auckland Council on the PC26 provisions:
- (a) That the proposed provisions be retained, or deleted or amended, as set out in the University's submission so as to provide for the sustainable management of Auckland's natural and physical resources and thereby achieve the purpose of the RMA. 228.1
- (b) 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. 228.18
- 3.2 Suggested relief to deal with the concerns set out in the University's submission is set out in the **Schedule**. However, there may be other methods or relief that are able to address the University's concerns, and the suggested revisions do not limit the generality of the reasons for the University's submission.
- 3.3 The University could not gain an advantage in trade competition through this submission.
- 3.4 The University wishes to be heard in support of its submission.
- 3.5 If others make a similar submission, the University will consider presenting a joint case with them at the hearing.



Colleen Seth
The University of Auckland, Acting Director Property Services

DATE: 11 July 2019

Address for Service: The University of Auckland
c/- Barker & Associates Limited
PO Box 1986
Shortland Street
Auckland Central 1140
Attn: Sarah Burgess
Ph: 09 375 0900
Email: sarahb@barker.co.nz

SCHEDULE: DETAILED SUBMISSIONS AND RELIEF SOUGHT

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck-through) | |
|----|---|--|---|-------|
| 1. | Table D18.4.1 (A5A) and (A5B) (Activity statuses – fencing) | The University supports the proposed inclusion of these activity statuses, as they provide clarity. | Include activities (A5A) and (A5B) proposed in PC26. | 228.2 |
| 2. | D18.6.1.1. Building Height Purpose | The University opposes the inclusion of part of the third bullet “maintain a reasonable level of sunlight access...” as this is not consistent with any of the purposes of the underlying zones, such as Residential – Single House. In the underlying zones, maintaining a “reasonable level of sunlight access” is attributed to the height in relation to boundary standard, and not building height. | Amend the third bullet of the Purpose as follows: <ul style="list-style-type: none"> maintain a reasonable level of sunlight access and <u>minimise visual dominance effects.</u> | 228.3 |
| 3. | D18.6.1.2. Height in relation to Boundary Clauses (1)(a) and (2)(a) | <p>The University considers that basing the permitted height in relation to boundary (HIRTB) standard upon the site frontage width is inappropriate in respect to the Isthmus A sites contained within the overlay. Whilst many Isthmus A sites have frontages less than 15m in width, there is a high number that have frontages of 15m, or slightly greater, and still exhibit the characteristic of Isthmus A sites of closely built dwellings.</p> <p>The University opposes the inclusion of this parameter for all Isthmus A sites within the Special Character Area – Residential (SCAR) overlay. The University seeks that the provisions are amended 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.</p> <p>Given that Isthmus B and C sites are typically larger and characterised by less dense built form, it is considered that the 15m provision can be retained for those sites.</p> | <p>Amend D18.6.1.2(1)(a) and (2)(a) as follows:</p> <p>(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 <u>side and rear boundaries</u> of the site <u>where:</u></p> <p>(a) The site is in the Special Character Area Overlay – Residential: Isthmus A; or has a frontage length of less than 15m</p> <p>(i) <u>For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.</u></p> <p>(2) <u>The underlying zone height in relation to boundary standard applies where:</u></p> <p>(a) The site is not is in the Special Character Area Overlay – Residential: Isthmus A; or has a frontage length of 15m or greater; or</p> <p>(b) <u>The site is a rear site.</u></p> | 228.4 |
| 4. | D18.6.1.2. Height in relation to Boundary Clause (1) | The University supports the removal of the HIRTB planes from front boundaries which will make the SCAR provisions consistent with those applying to other residential zones. | Include the amendments to D18.6.1.2(1) proposed in PC26. | 228.5 |

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | | | | | | | | | |
|-----------------|--|--|--|-------|---------------|-------|--|-----------------|-----------------|-----------------|---------------|----------------|
| 5. | D18.6.1.2. Height in relation to Boundary Clauses (3)-(6) (exclusion provisions) | 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. | Include the exclusion provisions set out in D18.6.1.2(2)-(6) proposed in PC26. | 228.6 | | | | | | | | |
| 6. | D18.6.1.2. Height in relation to Boundary | The University seeks that the provisions set out in underlying zones that do not require HIRTB from Open Space zoned sites exceeding 2,000m ² and Business-zoned sites, should be adopted in the SCAR overlay. | <p>Include the following provisions in D18.6.1.2:</p> <p>(7) <u>Standards D18.6.1.2(1) and (2) above do not apply to a boundary adjoining any of the following:</u></p> <p><u>(a) a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business - Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone.</u></p> <p><u>(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space - Community Zone exceeding 2000m²</u></p> | 228.7 | | | | | | | | |
| 7. | D18.6.1.3. Yards | The University supports the deletion of the 3m rear yard and the reversion to the underlying zone rear yard setback, however given that SCAR sites are characterised by existing closely-built dwellings, the University seeks for the 1.2m side yard standard to similarly be deleted and for reversion to the underlying zone side yard setback. | <p>Amend D18.6.1.3(1) as follows:</p> <p>(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:</p> <p>Table D18.6.1.3.1 Yards</p> <table border="1"> <thead> <tr> <th>Yard</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td>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</td> </tr> <tr> <td>Side</td> <td>1.2m</td> </tr> <tr> <td>Rear</td> <td>3m</td> </tr> </tbody> </table> | 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 | 228.8 228.9 |
| 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 | | | | | | | | | | | |

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | | | | | | | | | | | | |
|---|---|--|---|-----------|-------------------|-------------------------|----------------------------------|---|---|--|---|--|---|--|---|
| 8. | D18.6.1.4. Building coverage Clause (1) | <p>The University opposes the retention of the building coverage provisions being based on arbitrary thresholds relating to site areas.</p> <p>For sites that are marginally over their threshold there is a loss of between 5-10% permitted building coverage which substantially affects the develop ability of the sites given their small sizes.</p> <p>The University seeks for the legacy District Plan – Isthmus Section Residential 1 zone ‘formula’ for calculating permitted building coverage, paved area, and landscaped area to be instated for Isthmus A sites.</p> <p>Several examples of University properties are provided as follows:</p> <ul style="list-style-type: none"> 70 Seafeld View Road, Grafton, is 336m² in area. Sites 200-300m² are permitted to have 45% building coverage, however sites 300m²-400m² are permitted to have 40%. The site therefore loses 5% of permitted building coverage (the equivalent of 16.8m²). Under the Isthmus A formula, the site would have a permitted building coverage of 45.93%; and 9 Glasgow Terrace, Newmarket, is 372m² in area and subject to the same coverage provisions as above. The site loses 5% of permitted building coverage (the equivalent of 18.6m²). Under the Isthmus A formula, the site would have a permitted building coverage of 43.5%. <p>The proposed changes sought are considered to be appropriate as they reflect that the pattern of subdivision which has sites that range in size. Typically, smaller sites have greater building coverage and having standards that respond better to each site, allows for reasonable use of a site.</p> | <p>Amend D18.6.1.4(1) as follows:</p> <p>(1) The maximum building coverage for sites in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> 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: <u>Isthmus A</u> below:</p> <p>Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential: <u>Isthmus A</u></p> <table border="1" data-bbox="1361 518 2004 1141"> <thead> <tr> <th>Site Area</th> <th>Building Coverage</th> </tr> </thead> <tbody> <tr> <td>Up to 200m²</td> <td>55 per cent of the net site area</td> </tr> <tr> <td>200m² – 300m²<u>500m²</u></td> <td>45 per cent of the net site area <u>Per cent of the net site area =</u> <u>35+[(500 – A) x 0.06●]</u> <u>Where A = site area (m²)</u> <u>● = 6 recurring</u></td> </tr> <tr> <td>300m² – 500m²</td> <td>40 per cent of the net site area</td> </tr> <tr> <td>500m² – 1,000m²</td> <td>35 per cent of the net site area</td> </tr> <tr> <td>Greater than 1,000m²<u>500m²</u></td> <td>25<u>35</u> per cent of the net site area</td> </tr> </tbody> </table> | Site Area | Building Coverage | Up to 200m ² | 55 per cent of the net site area | 200m ² – 300m² <u>500m²</u> | 45 per cent of the net site area <u>Per cent of the net site area =</u> <u>35+[(500 – A) x 0.06●]</u> <u>Where A = site area (m²)</u> <u>● = 6 recurring</u> | 300m² – 500m² | 40 per cent of the net site area | 500m² – 1,000m² | 35 per cent of the net site area | Greater than 1,000m² <u>500m²</u> | 25 <u>35</u> per cent of the net site area |
| Site Area | Building Coverage | | | | | | | | | | | | | | |
| Up to 200m ² | 55 per cent of the net site area | | | | | | | | | | | | | | |
| 200m ² – 300m² <u>500m²</u> | 45 per cent of the net site area <u>Per cent of the net site area =</u> <u>35+[(500 – A) x 0.06●]</u> <u>Where A = site area (m²)</u> <u>● = 6 recurring</u> | | | | | | | | | | | | | | |
| 300m² – 500m² | 40 per cent of the net site area | | | | | | | | | | | | | | |
| 500m² – 1,000m² | 35 per cent of the net site area | | | | | | | | | | | | | | |
| Greater than 1,000m² <u>500m²</u> | 25 <u>35</u> per cent of the net site area | | | | | | | | | | | | | | |
| 9. | D18.6.1.5 Landscaped area Clause (1) | <p>The University opposes the retention of the landscaped area provisions being based on thresholds relating to site areas for Isthmus A sites, based on the reasons described under 8. above.</p> | <p>Amend D18.6.1.5(1) as follows:</p> <p>(1) The minimum landscaped areas for sites in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> is the percentage of net site area listed in Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> below:</p> | | | | | | | | | | | | |

228.10

228.11

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | | | | | | | | | | |
|--|--|--|---|-----------|---|-------------------------|--|---------------------------------------|--|--|----------------------------------|--|--|
| | | | <p>Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u></p> <table border="1"> <thead> <tr> <th data-bbox="1357 300 1671 347">Site Area</th> <th data-bbox="1671 300 2004 347">Landscaped area</th> </tr> </thead> <tbody> <tr> <td data-bbox="1357 347 1671 432">Up to 200m²</td> <td data-bbox="1671 347 2004 432">28 per cent of the net site area</td> </tr> <tr> <td data-bbox="1357 432 1671 630">200m² – 500m²</td> <td data-bbox="1671 432 2004 630"> 33 per cent of the net site area <u>Per cent of the net site area =</u> <u>40 - [(500 – A) x 0.04]</u> Where A = site area (m²) </td> </tr> <tr> <td data-bbox="1357 630 1671 715">500m² – 1,000m²</td> <td data-bbox="1671 630 2004 715">40 per cent of the net site area</td> </tr> <tr> <td data-bbox="1357 715 1671 794">Greater than 1,000m² <u>500m²</u></td> <td data-bbox="1671 715 2004 794">5040 per cent of the net site area</td> </tr> </tbody> </table> | Site Area | Landscaped area | Up to 200m ² | 28 per cent of the net site area | 200m ² – 500m ² | 33 per cent of the net site area <u>Per cent of the net site area =</u> <u>40 - [(500 – A) x 0.04]</u> Where A = site area (m ²) | 500m² – 1,000m² | 40 per cent of the net site area | Greater than 1,000m² <u>500m²</u> | 50 40 per cent of the net site area |
| Site Area | Landscaped area | | | | | | | | | | | | |
| Up to 200m ² | 28 per cent of the net site area | | | | | | | | | | | | |
| 200m ² – 500m ² | 33 per cent of the net site area <u>Per cent of the net site area =</u> <u>40 - [(500 – A) x 0.04]</u> Where A = site area (m ²) | | | | | | | | | | | | |
| 500m² – 1,000m² | 40 per cent of the net site area | | | | | | | | | | | | |
| Greater than 1,000m² <u>500m²</u> | 50 40 per cent of the net site area | | | | | | | | | | | | |
| 10. | D18.6.1.6. Maximum impervious area | The University opposes the retention of the impervious area provisions being based on thresholds relating to site areas based on the reasons described under 8. above. | <p>Amend D18.6.1.6(1) as follows:</p> <p>(1) The maximum paved <u>impervious</u> area for sites in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> must not exceed the percentage of net site area listed in Table D18.6.1.6.1 Maximum paved <u>impervious</u> area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u> below:</p> <p>Table D18.6.1.6.1 Maximum paved <u>impervious</u> area in the Special Character Areas Overlay – Residential: <u>Isthmus A</u></p> <table border="1"> <thead> <tr> <th data-bbox="1357 1098 1671 1145">Site Area</th> <th data-bbox="1671 1098 2004 1145">Paved <u>Impervious</u> area</th> </tr> </thead> <tbody> <tr> <td data-bbox="1357 1145 1671 1230">Up to 200m²</td> <td data-bbox="1671 1145 2004 1230">17 <u>72</u> per cent of the net site area</td> </tr> <tr> <td data-bbox="1357 1230 1671 1417">200m² – 500m²</td> <td data-bbox="1671 1230 2004 1417"> 20-65 per cent of the net site area <u>Impervious area =</u> <u>Site area minus minimum landscaped area permitted under D18.6.1.5 above</u> </td> </tr> </tbody> </table> | Site Area | Paved <u>Impervious</u> area | Up to 200m ² | 17 <u>72</u> per cent of the net site area | 200m ² – 500m ² | 20-65 per cent of the net site area <u>Impervious area =</u> <u>Site area minus minimum landscaped area permitted under D18.6.1.5 above</u> | | | | |
| Site Area | Paved <u>Impervious</u> area | | | | | | | | | | | | |
| Up to 200m ² | 17 <u>72</u> per cent of the net site area | | | | | | | | | | | | |
| 200m ² – 500m ² | 20-65 per cent of the net site area <u>Impervious area =</u> <u>Site area minus minimum landscaped area permitted under D18.6.1.5 above</u> | | | | | | | | | | | | |

228.11

228.12

| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) | |
|-----|---|--|--|---|
| | | | 500m ² – 1,000m ² | <u>25-60 per cent of the net site area</u> |
| | | | Greater than 1,000m ² <u>500m²</u> | <u>25-50-60 per cent of the net site area</u> |
| 11. | D18.6.1.7. Fences and walls Purpose, and Clause (1) | <p>The new rules are designed to provide privacy for rear yards and outdoor spaces (through the 2m maximum height for other boundaries) and therefore this should be referenced in the purpose of the fence standards.</p> <p>The provisions as currently written under Clause (1)(b) are unclear and, as written, read as if fences between the side façade of a dwelling and the side boundary should be a maximum of 1.2m in height. If this is the intention of the provision then the University objects, as this would result in privacy and security issues. If this is not the intention, then the wording should be clarified. The rules would benefit from a diagram to aid in interpretation.</p> <p>The University also objects to corner sites being treated as having two front facades which would be subject to a 1.2m high fence height as this prevents outdoor living areas from being appropriately screened to provide for privacy. There should be an allowance for some of the frontage to comprise higher fencing.</p> | <p>Amend D18.6.1.7 as follows:</p> <p><u>Purpose: to manage the heights of fences and walls on front, side, and rear boundaries and within front, side, and rear yards to:</u></p> <ul style="list-style-type: none"> <u>To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.</u> <u>provide privacy for dwellings and particularly rear outdoor areas where this would avoid significantly obscuring the visibility of the dwelling from the streetscape.</u> <u>minimise visual dominance effects to immediate neighbours and the street.</u> <p>(1) Fences <u>and walls and other structures</u>, or any combination of these, in the Special Character Areas Overlay - Residential must not exceed <u>a the height specified below, measured from of 1.2m above ground level.:</u></p> <p>(a) <u>On the front boundary or between the front façade of the house and the front boundary, 1.2m in height.</u></p> <p>(b) <u>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.</u></p> <p>(c) <u>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.</u></p> <p><i><insert Figure D18.6.1.7.1 Fence heights for front sites shown overleaf></i></p> | |

228.12

228.14

228.15

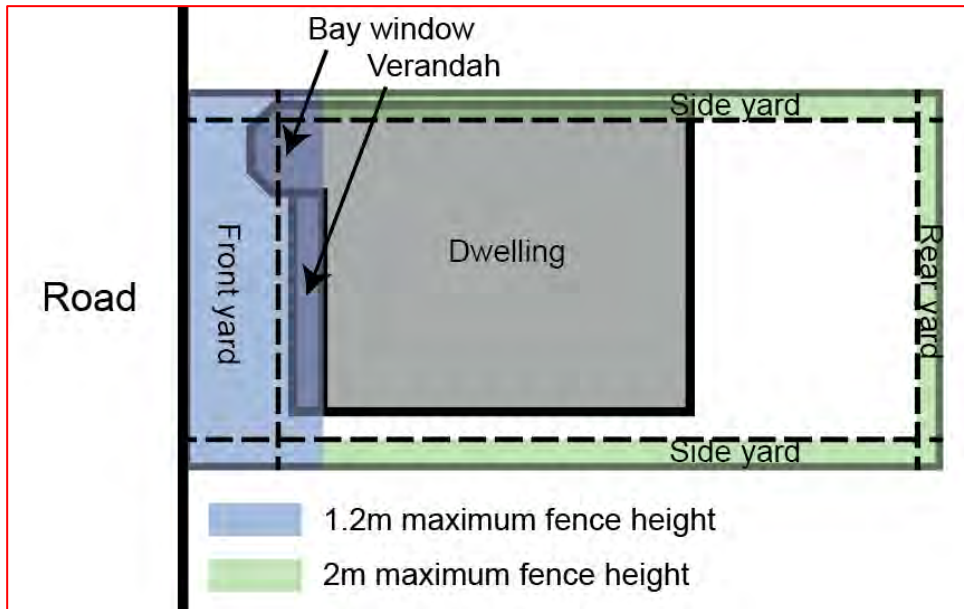
228.16

228.13

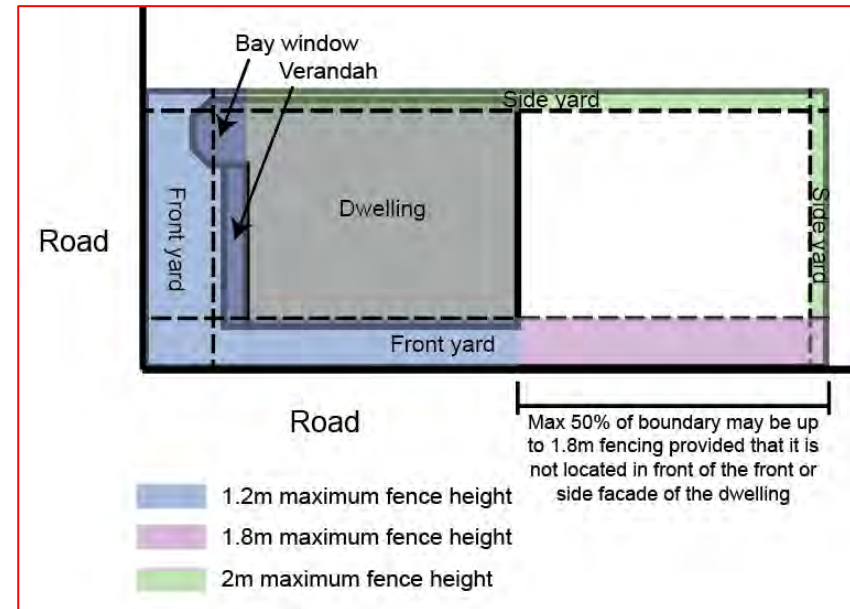
| | Provision | Submission | Relief Sought (marked in red, additions <u>underlined</u> and deletions struck through) |
|-----|--|--|--|
| | | | <p>(d) <u>Houses on corner sites have two front facades, except that on one site frontage, up to 50% of the frontage length may comprise fencing up to 1.8m in height, provided that this is not located in front of a front or side façade of the dwelling.</u></p> <p><insert Figure D18.6.1.7.2 Fence heights for corner sites shown overleaf></p> |
| 12. | E38.8.2.6 Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business Clause (3) | The University supports the proposed inclusion of this clause as it clarifies that the minimum site areas for the SCAR sites should take precedence over the underlying zone, however it remains unclear which activity statuses under Table E38.4.2 should be applied to a proposal for subdivision of a SCAR site. | Amend the subdivision provisions to make it clear that vacant subdivision of SCAR sites requires consent under (A24) and (A25) only, and not (A16) and (A17). |

228.17

D18.6.1.7.1 Fence heights for front sites



D18.6.1.7.2 Fence heights for corner sites



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Laurence Slee

Organisation name:

Agent's full name: Laurence Slee

Email address: lauriesleenz@gmail.com

Contact phone number: 09 5346404

Postal address:
3 Estuary Views
Shelly Park
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D 18.1 Exclusion of Howick from location with special character provisions, including aesthetic, physical and visual qualities of the area, and community association

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Howick should be subject to the same protections as all other special character areas

I or we seek the following decision by council: Accept the plan modification with amendments

229.1

Details of amendments: Inclusion of Howick

229.2

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Natasha Markham

Organisation name:

Agent's full name:

Email address: natasha@maud.nz

Contact phone number:

Postal address:
16 Franklin Road
Freemans Bay
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC 26 - overall D18.6.1.3.1

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The side yard of 1.2 metres does little to support special character as many of the existing older homes are built much closer to the boundary. Reducing the minimum side yard would bring this rule in line with the single house zone, thus providing further clarity and consistency.

I or we seek the following decision by council: Accept the plan modification with amendments

230.1

Details of amendments: Amend D18.6.1.3.1 and reduce the side yard to 1 metre to provide greater consistency.

230.2

Submission date: 12 July 2019

Supporting documents
Plan Change 26 Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

12 July 2019,

To whom it may concern,

Re: Submission on Plan Change 26, Amendment to D18.6.1.3.1 Yards

My name is Natasha Markham. I am an architect and an urban designer. As an architect my practice is frequently involved with properties in the Special Character Overlay areas. As an urban designer, I am a panel member and chair of the Auckland Urban Design Panel; a Chair for the Hobsonville Design Review Panel and Chair for the Auckland Housing Programme Technical Advisory Group. These different roles give me a very good insight into the technical aspects of carrying out work within Special Character Overlay areas; the effects of current Unitary Plan interpretations on property owners; and the broader picture of how planning regulations affect overall built form and which tools make a meaningful contribution to desired outcomes.

Following the Environment Court decision on Auckland Council v. London Pacific Family Trust, the interpretation of the relationship between the Single House Zone and the Special Character Overlay has added considerable additional complexity to developing properties in affected areas. Issues can be summarised as follows:

- confusion for property owners in understanding how their properties might be developed
- confusion for neighbours understanding, in real terms, how their properties might be affected
- considerable additional work (and therefore cost) in designing and demonstrating how additions and alterations relate to two conflicting sets of development controls
- considerable additional time (and therefore cost) in processing resource consents
- loss of development rights over and above those established in the area, and therefore potentially property value, for clients

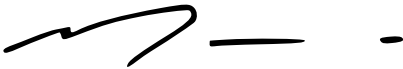
In terms of maintaining special character and established built form in Special Character areas, there are no obvious benefits to the current interpretation of applying both sets of development controls as the Single House Zone rules do little to recognise the subdivision pattern and existing built form in Special Character areas. These typically differ from more contemporary neighbourhoods with sites being narrower and longer. Further, the Single House zone rules, provide negligible additional residential amenity and in fact may compromise wider residential amenity because they encourage building in the centre of narrow sites, thus reducing consolidated areas for landscaping (and the planting of large trees) throughout the neighbourhood.

For these reasons, I am generally supportive of the proposed changes outlined in Plan Change 26 which clarify the relationship between the underlying zone and the overlay. I do not support rule D18.6.1.3.1 Yards, specifically the minimum side yard of 1.2 metres and believe there would be benefit in reducing this to 1 metre for the following reasons:

- this would streamline the side yard rules for single house zone and the special character overlay, providing further clarity on this issue.
- the reduction of 0.2 metre to the side yard would have negligible effect on the Special Character area, where many of the existing buildings are located much closer to the side boundaries
- the single house zone table H3.6.8.1 provides for a minimum side yard of 1 metre whilst clause H3.6.8 provides these relevant purposes for this measure:
 - to maintain a reasonable standard of residential amenity for adjoining sites;
 - to enable buildings and services on the site or adjoining sites to be adequately maintained.This rule establishes that a 1 metre yard is sufficient to provide residential amenity to neighbouring properties and to provide access to homes for maintenance purposes.

In summary, I am supportive of Plan Change 26 with an amendment to D18.6.1.3.1 Yards to reduce the minimum side yard to 1 metre.

Yours faithfully,



Natasha Markham

Director

Registered Architect a.n.z.i.a.

BAS, BArch [Hons], MUrbDes [Hons]

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

TOM ROWE

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

94 BURNLED TCE, SANDRINGHAM, AUCKLAND

Telephone:

09 360 7412

Fax/Email:

tom@robstudio.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

D18.6.1.7. (1)(a) & (b)

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

SEE ATTACHED.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below | 231.1
- Decline the proposed plan change / variation.
- If the proposed plan change / variation is not declined, then amend it as outlined below.

SEE ATTACHED

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date 12/7/2019

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

12 July 2019

Re: proposed Unitary Plan change 26, submission: "That the maximum height be adjusted to 1.4m rather than 1.2m as per proposed clause D18.6.1.7 (1) (a) and (b)". | 231.2

Reasons for this:

1. Aesthetics

Having an additional 0.2m provides an additional buffer for sloping sections to have a level top to fences rather than a sloping fence which detracts from the special character buildings in this zone. Houses in this zone favour the horizontal line utilising horizontal weatherboards. A sloping fence detracts from this and on a sloping street the only solution to preserve a level or security and privacy is to introduce a stepped fence mid way thus detracting from the architectural fabric and character of the street.

2. Sight lines

The 50th percentile eye height of a man/woman is respectively 1.630/1.505m¹. From a pedestrian viewpoint adjusting the maximum fence height to 1.4m would not compromise the visual character of the street.

3. Security and safety

The "Auckland Design Manual"² recommends a non-climbable fence of 1.350m, refer attached FENCE_1350mm High Mesh and Pipe.pdf as reference drawing with the "Barriers, Gates and Fences, general information section"². An additional 0.2m to the proposed 1.2m of plan change 26 makes a fence significantly more difficult to climb. We have recent experience in the last two weeks of a burglar trying to steal a bike from our front veranda. The additional height would provide an additional level of security without compromising character and is in line with Auckland Council guidelines.

4. CPTUD

Crime prevention through urban design principles involve maximising visibility while minimising opportunity to commit crime. Overlay requirements necessitate a visually permeable fence (pickets with 20mm gaps). The above height change increases safety using CPTUD.

5. Precedent

There is ample precedent in our street of existing fences in excess of 1.2m high.

For the above reasons I request that Clause D18.6.1.7 (1) (a) and (b) be amended to:

(a) On the front boundary, or between the front façade of the house and the front boundary.

~~1.2m~~ 1.4m 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 to the front façade of the house.

~~1.2m~~ 1.4m in height.

Yours faithfully,



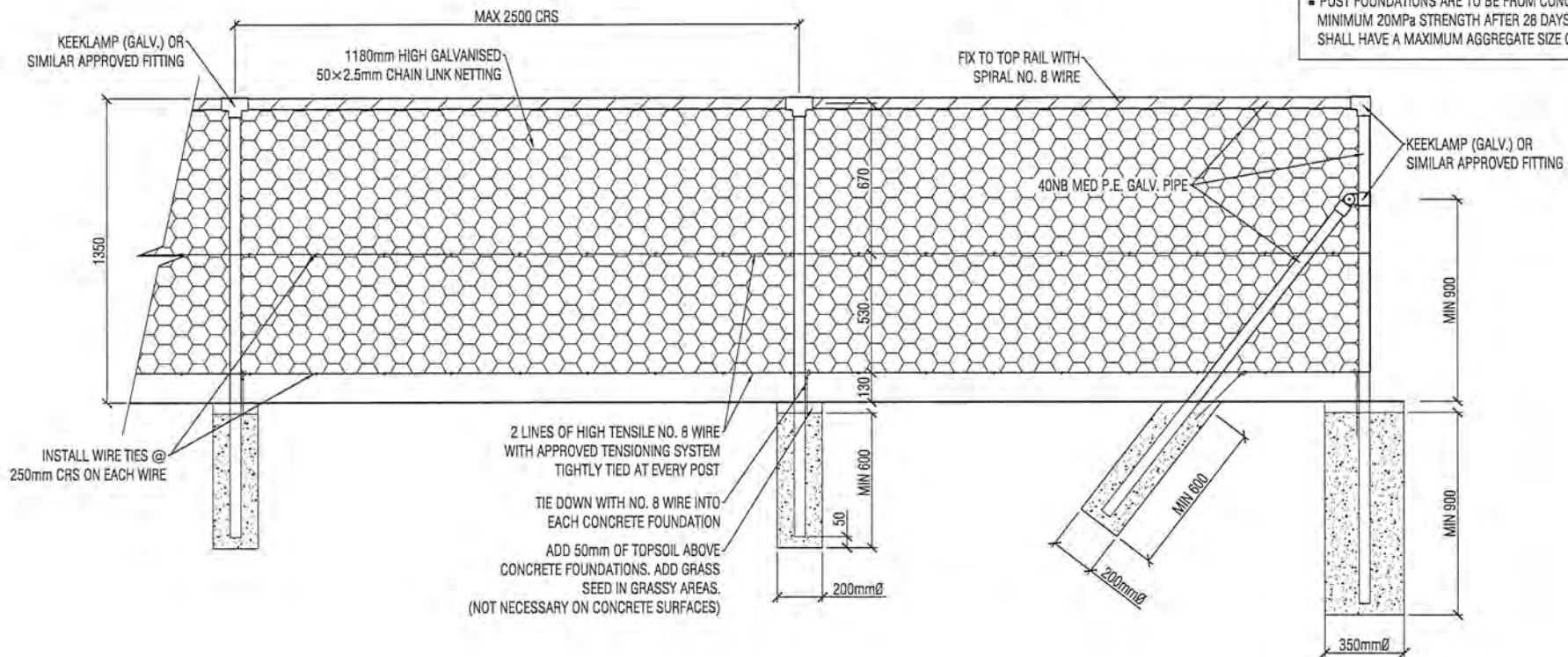
Tom Rowe
Architect
94 Burnley terrace
Sandringham, Auckland

¹ Source Metric Handbook Second Addition page "2-3" Table II

² <http://www.aucklanddesignmanual.co.nz/streets-and-parks/park-design/all-parks/park-elements/1350mm-high-mesh-and-pipe-fence>

01 TYPICAL FENCE ELEVATION
SHT - 1:20 @ A3

- NOTES:**
- NETTING INFILL:**
- SHALL BE GALVANISED 50mm x 2.5mm CHAIN LINK MESH OR EQUIVALENT. JOINS IN MESH SHALL BE MADE BY UNCLENCHING THE END LINK AND SPIRALING IN A JOINING LINK TO FORM A SEAMLESS JOIN.
- STEELWORK:**
- ALL PIPE AND FITTINGS SHALL BE HOT DIPPED GALVANISED. CUT ENDS OF PIPE SHALL BE COATED WITH INORGANIC ZINC BEFORE ASSEMBLY. ALL PIPE SHALL BE GRADE 250 MED PE PIPE TO BS 1387-1985, SIZES AS SHOWN ON THE DRAWING.
 - NO HOLES ARE TO BE DRILLED IN PIPE SECTIONS. WIRE IS TO BE TIED TO EACH POST (NOT THROUGH DRILLED HOLES).
- CONCRETE:**
- POST FOUNDATIONS ARE TO BE FROM CONCRETE HAVING A MINIMUM 20MPa STRENGTH AFTER 28 DAYS. THE CONCRETE SHALL HAVE A MAXIMUM AGGREGATE SIZE OF 20mm.



FENCE CORNER AND END POST WITH BRACE
INSTALL 2 PARALLEL TO FENCE CORNERS

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Carolyn French Blaker

Organisation name: N/A

Agent's full name: Lyn Blaker

Email address: cflaker@gmail.com

Contact phone number:

Postal address:
14 Fernbrook Close
Burswood
2013
Auckland
Auckland
Auckland 2013

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

| | | |
|---|-------|-------|
| 1. Amend Part D18.1 by removing the words "other than Howick". | 232.2 | 232.3 |
| 2. Expand the Special Character notation on the Planning Maps, to include the areas identified on the attached plan. | 232.4 | |
| 3. Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted. | 232.5 | |
| 4. Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes. | 232.6 | |
| 5. 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. | | |

Property address: Stockade Hill

Map or maps:

Other provisions:
See attached PDF

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

1. Howick has several special characteristics that require particular protection in the manner provided

for in Part D18 of the Auckland Unitary Plan (AUP). For that reason, it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1. 2. I see that PC26 is an opportunity to address this long-standing omission in respect of Howick.

I or we seek the following decision by council: Accept the plan modification

232.1

Submission date: 12 July 2019

Supporting documents

Stockade Hill Special Character height protection area_20190712121856.893.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

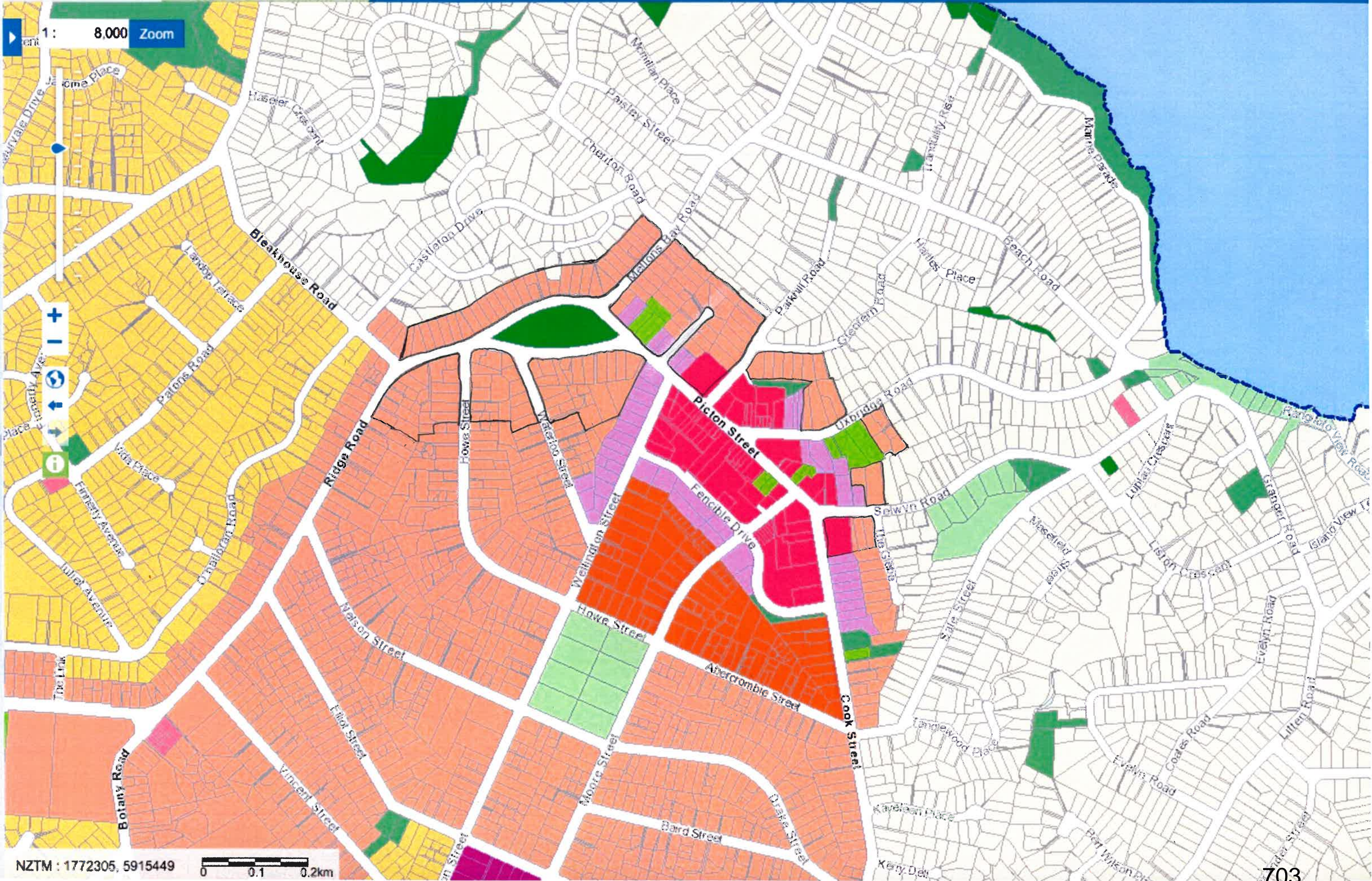
- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



1: 8,000 Zoom



NZTM : 1772305, 5915449 0 0.1 0.2km



Submission from the Birkenhead Residents Association on:

**Proposed Plan Change 26
Special Character Areas Overlay and the underlying zone provisions**

12th July 2019

Introduction

We welcome any initiative by Council to “clarify that, where there are corresponding provisions in the Special Character Areas Overlay in the Unitary Plan, they will prevail over corresponding provisions in the underlying zone.”

Any clarifications to Council regulatory systems are welcome, especially those relating to Special Character Areas that both Council and Residents are keen to protect.

We would like to submit the following observations and recommendations in order to improve the work already done by Council in the Proposed Plan Change 26.

233.1

Proposed changes/clarifications to Special Character Area Overlay Protections

Council proposes:

1. Decrease of rear yard setback requirement from 3m to 1.2m
2. That under certain circumstances one component of the height/boundary ratio will be to 3m
3. Addition of a “Purpose Statement” that will now recognise two story houses in Special Character Areas.

Impacts of these proposed changes will be detrimental to the special character attributes

- The changes will encourage more intensive use of smaller sections
- The changes will result in loss of amenity value eg:
 - a. Shading and loss of sunlight
 - b. Loss of space
 - c. Loss of privacy
- It encourages development/redevelopment that will intensify land use on sites of all sizes
- It will increase the ease of building 2 story housing.

The resulting increase in housing density is out of keeping with Special Character Areas and the intent of the Unitary Plan to protect them. The historical character of these areas will be diminished and future generations will lose an important connection to their heritage

We oppose these proposed clarifications/changes and ask that Council

1. Retain the 3m rear yard setback requirement.
2. Retain the underlying zones 2.5m height/boundary requirement.
3. Discourage the support for two storey buildings that are out of character to the Special Character Areas.

233.2

233.3

233.4

Note to these proposed changes

We note the Proposal states its purpose is to “clarify” and “refine”. This is misleading as these are significant changes and will have a major impact on Special Character Area protections.

Requested Addition to Proposal

We note the recent application for a development at 2 Tizard Road, Birkenhead exploits a loophole in the Integrated Residential Developments provision. It has allowed a proposal for an extreme case of an out character development in a single dwelling area to be put to Consultation with local residents. It is inappropriate for Residents to spend their own time and money in trying to uphold Council’s Unitary Plan especially for a proposed development so out of keeping with it.

We ask that Council add to Plan Change 26 a clarification as to the purpose of the Integrated Residential Development provision so the type of proposal for Tizard Road will be stopped the moment it is received by Council.

233.5

We also request that the zoning of the harbour-side of Tizard Road be included in the Special Character Overlay. It is unclear why it was excluded in the Unitary Plan.

233.6

Terminology in the Proposal

We note the following subjective terminology used in the Proposal:

1. “maintain the relationship of built form”
2. “reasonable” level of sunlight access
3. “minimise visual dominance” effects.

Issues with Terminology

- This style of terminology is open to different interpretations by different Planning Officers, Developers and their lawyers.
- Use of these terms will lead to inconsistent application.
- Different interpretations will enable “creep” in their application over time.
- This will lead to a diminishing of the amenity value of Special Character Areas.

We request that Council:

1. Remove the subjective terms for those that can be defined consistently.
2. Introduce objective terminology with solid definitions not open to “interpretation”.

233.7

Note to proposed Terminology

Council are already under attack for inconsistent application of the “harder” rules of the Plan and Special Character Areas. It would be an unfortunate and unacceptable consequence of this Proposal if it were to increase that inconsistency even further. Two examples:

1. Grant McLachlan (NZ Herald 6 March 2018) - “Simple planning rules like fence height, boundary setbacks, height-to-boundary, site coverage ...are not being complied with and the council is indifferent to it.”
https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12006948
2. Residents being told that yard infringements are “minor infringement” and to take the matter forward as a Civil case. These are Council Rules, Council should enforce them, not tell residents to do it themselves. The Birkenhead Residents Association has had strong concerns expressed by members that infringements are routinely being ignored.

Submission Process - Feedback

1. We note that a four week (extended by two weeks following recommendations from Councillors and other interested parties), is not a long period of time for certain sections of the Community to understand and make comment on the Proposal.
2. The changes are quite technical and the document full of jargon.
3. Both of the above points we believe, will mean not many submissions being received by Council. As we understand it, only 40 submissions had been received from a total of 30,000 requests for submissions being sent. We do not think this should be seen as a lack of interest by the community, more of a lack of time and understanding of the Proposal on the part of potential submitter's.
4. Many residents within Special Character Areas do not necessarily live in a home detailed as special Character but choose to live in those areas due to the inherent amenity value. We understand that they have not been invited to submit.
5. Following requests from local residents, the Birkenhead Residents Association requested a council officer attend a meeting to answer community questions. However an officer was not available to do this - instead another written statement was provided.

We request that:

1. Council work on how to make the submission process more accessible to the majority of potential submitters who are unfamiliar with the jargon and what the possible impacts of a Proposal are. | 233.8
2. The timing of the proposed changes to the Special Character Areas Overlay protection is further extended and that all residents of Special Character Areas be given the opportunity to submit, not just those whose properties are covered by the overlay. | 233.9

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: The Ascot Hospital and Clinics Limited

Organisation name:

Agent's full name: Anthony Blomfield

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Shortland Street
Auckland Central
Auckland 1140

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Refer to attached submission

Property address: 90-94 Mountain Road, 1-3 Gilgit Road, Epsom

Map or maps: Refer to attached submission

Other provisions:
Refer to attached submission

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
Refer to attached submission

I or we seek the following decision by council: Amend the plan modification if it is not declined

234.1

Details of amendments: Refer to attached submission

Submission date: 12 July 2019

Supporting documents
Plan Change 26 - Ascot Hospital and Clinics Submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**SUBMISSION ON A PUBLICLY NOTIFIED PLAN CHANGE
UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO THE
RESOURCE MANAGEMENT ACT 1991**

From: The Ascot Hospital and Clinics Limited

Address: PO Box 9911, Newmarket, Auckland 1149

To: Auckland Council

Address: Private Bag 92300, Auckland 1142

Submission on: Plan Change 26 - Clarifying the relationship between the Special Character Areas Overlay (Residential and General) and the underlying zones

Introduction

1. Mercy Hospital, owned by The Ascot Hospital and Clinics Limited (“**Ascot**”) as a New Zealand-owned private hospital and clinics facility, is located at 15-17 Gilgit Road & 98-110 Mountain Road, Epsom, on a site with an area of some 2.4 hectares. The site is legally described as: Allotment 68-69, Allotment 88 and part Allotment 70 section 6 SOA DP 22029; Lot 6 DP 22728; Lot 9-10 Deeds plan 149.
2. Associated with the ‘primary’ Mercy Hospital site, Ascot owns the land at 90 and 94 Mountain Road, and 1 and 3 Gilgit Road (legally described respectively as Lot 1 Deeds 149, Lot 4 DP 372460, Lot 1 DP 23279 and Lot 2 DP 22728). Ascot also has an interest in the site at 11 Gilgit Road (legally described as Lot 6 DP 22728). A map is appended as **Attachment 1** which identifies Ascot’s landholdings and interests.
3. The ‘primary’ Mercy Hospital site is currently occupied by a range of purpose-built buildings housing a variety of hospital and healthcare facilities, together with associated ancillary at-grade parking and parking buildings.
4. The ‘associated land’ is occupied by former residential buildings, which have been altered (or consented for conversion and/or redevelopment) to accommodate healthcare facilities/activities, with ancillary at grade parking. The property at 1 Gilgit Road is currently being developed with a modern purpose-built healthcare facility, with the previous residential building removed.
5. The primary Mercy Hospital site and the associated landholdings are all zoned ‘Special Purpose – Healthcare Facility and Hospital’ (“**Healthcare zone**”) under the Auckland Unitary Plan (Operative in part) (“**AUP**”). The properties at 90 and 94 Mountain Road and 1 and 3 Gilgit Road are also subject to the Special Character Area Residential overlay (“**SCAR overlay**”).

Scope of submission

6. The premise of proposed Plan Change 26 (“**PC26**”) to the AUP is to clarify the relationship between the Special Character Areas Overlays (Residential and General) and the underlying zones.
7. This submission relates to Chapter D18 Special Character Areas Overlay (“**Chapter D18**”), and specifically to the relationship between the SCAR overlay and the underlying Healthcare zone that applies to the properties owned by Ascot at 1 and 3 Gilgit Road and 90 and 94 Mountain Road, Epsom, and for completeness the property at 92 Mountain Road, which Ascot does not own, shown in **Attachment 1** to this submission.

Background to Submission

Healthcare zone

8. Ascot filed a submission on the Proposed Auckland Unitary Plan (“**PAUP**”) when it was notified in 2013, and was involved in the hearings process to assist with the development of provisions that suitably reflected and provided for the nature of healthcare and hospital activities, and the opportunities, constraints and requirements that are inherent to such activities and facilities to ensure their development and intensification could occur in a manner that meets the healthcare needs of the growing population in Auckland. The provisions of the Healthcare zone in the AUP generally reflect the relief sought by Ascot in its submission on the PAUP.
9. In summary:
 - (a) The provisions of the Healthcare zone seek to enable healthcare facilities and hospital activities to occur in a manner that makes efficient use of constrained land resources, and to manage the adverse effects of such activities on neighbouring land with a ‘sensitive’ land use. The standards of the Healthcare zone, in particular, provide for the optimisation of sites (which are a scarce resource) with more permissive controls in respect of height and impervious surfaces.
 - (b) The Healthcare zone (which applies to a very limited number of sites) provides for, encourages, and enables hospitals and healthcare facilities to meet the health and wellbeing needs of the community, which is particularly important for a growing city as increasing numbers of people rely on these facilities to meet their needs and provide for their social, economic and cultural wellbeing.
 - (c) The Healthcare zone specifies that the zone standards are to be applied across multiple contiguous sites which collectively comprise a healthcare facility. The ‘primary’ Mercy Hospital site and the ‘associated landholdings’ are therefore collectively treated as a single ‘site’ for the purposes of applying the zone

standards, which significantly affects how impervious surfaces are calculated across the sites (for example).

Relationship between SCAR overlay and Healthcare zone

10. The SCAR overlay predominantly applies to land which is zoned Residential – Single House under the AUP, with over 99% of land subject to the SCAR overlay zoned Single House.¹ The balance of the spatial extent of the SCAR overlay applies to land with a variety of zones, including Business zones, Open Space zones, and the Healthcare zone.
11. The land owned by Ascot and the property at 92 Mountain Road (between Ascot’s landholdings at 90 and 94 Mountain Road) are the only land parcels which are subject to the SCAR overlay with an underlying Healthcare zone. These land parcels comprise 0.03% of the total land (in terms of area) which is subject to the SCAR overlay in the AUP. Therefore, the relationship between the SCAR overlay and the Healthcare zone is unique to Ascot’s landholdings (and 92 Mountain Road), and does not affect any other landholding in Auckland.
12. Under the AUP, land which is subject to a Special Character overlay is subject to both the provisions of the overlay and the underlying zoning, with the provisions of both having equal weighting and relevance. Such a structure recognises the different environmental effects that the overlays and zones are concerned with:
 - (a) The SCAR overlay is concerned with the effects of physical development on the identified special characteristics of an area which typically correspond to the era of development of surrounding buildings.
 - (b) The zone is concerned with the nature and pattern of land use and its efficient use and development, and the effects of physical development on the existing and planned character of the neighbourhood, and on amenity values of neighbouring land.
13. While the standards of the SCAR overlay closely resemble those standards of the underlying Residential – Single House zone, that is not the case when comparing the SCAR overlay to the Healthcare zone, where there is a distinct difference between the environmental outcomes that each layer is concerned with. This arrangement results in a unique situation where the underlying Healthcare zone and the SCAR overlay are (at times) seeking to achieve different built form outcomes.
14. Table 1 below provides a summary of the standards of the SCAR overlay under the AUP, the standards of the SCAR overlay as sought to be amended by PC26, and the standards of the Healthcare zone. The SCAR overlay standards for building coverage, landscaped area and impervious surfaces vary relative to the size of a site.

¹ Section 32 Report, Attachment 1.

The summary of the standards in Table 1 reflects a site with an area greater than 1,000m², being the size of the combined Ascot landholdings.

Table 1

| Standard | SCAR Overlay – current | SCAR Overlay – proposed | Healthcare zone – current |
|---------------------------------------|--|---|--|
| Building height | 8m plus 1m for roof forms | 8m plus 1m for roof forms | Sites with a total site area up to 4ha: 16m Sites with a total site area greater than 4ha: 26m |
| Height in relation to boundary | 3m + 45 degrees | Sites with a frontage length <15m: 3m + 45 degrees Rear sites or sites with a frontage length >15m: the height in relation to boundary standard of the underlying zone applies | The height in relation to boundary standard of an adjoining zone applies where a boundary adjoins a site in a different zone |
| Front yard | 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 | 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 | 3m |
| Side yard | 1.2m | 1.2m | Only where the site adjoins a site in a residential zone, open space zone or the Future Urban zone: 3m |
| Rear yard | 3m | N/A | Only where the site adjoins a site in a residential zone, open space zone or the Future Urban zone: 3m |
| Building coverage | 25% maximum | 25% maximum | N/A |
| Landscaped area | 50% minimum | 50% minimum | N/A |

| | | | |
|---|--|--|---|
| Paved area/impermeable area | 25% maximum (impervious surfaces only) | 50% maximum (includes building coverage and impervious surfaces) | 80% (includes building coverage and impervious surfaces) |
| Fences, walls and other structures | Maximum 1.2m in height | Front fences: Maximum 1.2m in height Other fences: Maximum 2m in height | Outdoor storage and rubbish areas shall be screened by a fence 1.8m in height |

15. With those different standards in mind, relevantly a resource consent has been recently approved by Auckland Council for the redevelopment of the properties at 1 Gilgit Road, 90 and 94 Mountain Road. This involved the removal of a building from 1 Gilgit Road and the construction of a new modern healthcare facility. The approved development (which is under construction) comprises a building coverage of 25% of the combined site area, and impervious surface areas of 73%. While the building coverage complies with the SCAR overlay development standards, the area of impervious surfaces within the site exceeds the development standards for the overlay by 23% (but complies with the Healthcare zone standards). Such an outcome has been confirmed, by the granting of resource consent, as an appropriate scale and nature of development, having regard to the functional requirements for healthcare activities and the relationship of these sites with the wider neighbourhood and the character values of the area, relative to the outcomes that are intended by the SCAR overlay (in terms of the appearance of buildings) and the Healthcare zone (in terms of building mass and form).

Summary of Plan Change 26

16. PC26 seeks to amend the provisions of Chapter D18 to clarify that the provisions of the SCAR overlay take precedence over the corresponding provisions of an underlying zone. This is to be achieved by adding explanatory provisions within Chapter D18 which explains that the provisions of the SCAR overlay “replace” the underlying zone provisions.
17. As it relates to the standards of Chapter D18, PC26 proposes to include the following explanatory provision (at D18.6.1(b)):

Except where otherwise specified in this chapter, the development standards within D18.6.1 replace the following corresponding development standards within the underlying zone and the corresponding development standards within the underlying zone do not apply:

- a) Building height*
- b) Height in relation to boundary*
- c) Yards*
- d) Building coverage*

- e) *Maximum impervious area*
- f) *Landscaped area or Landscaping*
- g) *Fences and walls*

18. PC26 also seeks to introduce purpose statements to each of the standards of Chapter D18, which generally correspond to achieving both special character outcomes and residential amenity outcomes. They do not relate to outcomes that are relevant to the Healthcare zone.

Implications of Plan Change 26 to Ascot's Landholdings

19. The effect of PC26 will be to give precedence to the standards (and other provisions) of Chapter D18, which were originally crafted to manage the effects of built development on special character values. PC26 attempts to 'graft' other purposes to the standards to address other effects such as visual dominance and access to sunlight, to avoid a situation where such effects would not otherwise be considered in the event a proposal infringed the standards of the SCAR overlay (and those of the underlying zone).
20. PC26 does not seek to tailor the standards of the SCAR overlay further where the overlay applies to land with an underlying zone other than a residential zone.
21. With respect to the preparation of PC26:
- (a) The Section 32 analysis prepared by Auckland Council has assessed the environmental, economic and social costs and benefits associated with the identified options to achieve the purpose of PC26. This assessment has been undertaken for identified options which are categorised according to 'topics' which generally correspond to each rule and development standard of Chapter D18. The assessment undertaken is generic in nature, and is inherently focussed on the appropriateness of ensuring the Special Character overlay development standards prevail over the standards of an underlying residential zone. The preferred options have typically identified benefits of lower time-costs involved in interpreting the provisions and ensuring the Special Character overlay outcomes have a clear level of primacy.
 - (b) However, for land in the Healthcare zone, the amendments proposed by PC26 will create a significant level of uncertainty as to the manner in which the contrasting development standards of the SCAR overlay and the Healthcare zone are to be applied, and as to what scale of development is appropriate for the specific landholdings.
 - (c) The Section 32 Assessment has not addressed the implications of the proposed change to the outcomes that are specific to the Healthcare zone for the Ascot properties. The only references to the Healthcare zone in the Section 32 Assessment Report are to the yard standards that apply in the zone, and this

assessment is limited to stating that the yard standard of the SCAR overlay is “more enabling” than the corresponding yards standard of the Healthcare zone (which is incorrect as the yards standard only applies at the boundary of the zone with a residential zone, rather than to all site boundaries).

- (d) Beyond this, the Section 32 Assessment Report only refers to the Healthcare zone in the comparative summaries of the various development standards of the SCAR overlay and the respective underlying zonings that the overlay applies to. No assessment has been undertaken of PC26 as it relates to how the land owned by Ascot will be affected, or how the nuances of the provisions of the Healthcare zone integrate with (or do not integrate with) the SCAR overlay.

22. Ascot considers that the effect of PC26, as proposed, will therefore have unintended consequences for land within the Healthcare zone and SCAR overlay as:

- (a) The amendments proposed by PC26 will diminish the relevance of the standards of the Healthcare zone for the properties owned by Ascot, in respect of a proposal to use and develop the land for healthcare purposes in accordance with the intentions of the zoning. The properties owned by Ascot which are subject to the SCAR overlay do not display the typical characteristics of the SCAR Isthmus B overlay. The nature and scale of the development on the sites owned by Ascot reflects the use of this land for healthcare uses, and the functional and operational requirements of such uses. They do not reflect the ‘bulk and location’ outcomes that are anticipated by the SCAR overlay, particularly in respect of impervious surfaces with a large proportion of the land subject to the SCAR overlay occupied with at-grade parking.
- (b) It is not appropriate in this situation to give primacy to a set of development standards which are contrary to the stated Healthcare zone outcomes or the nature and scale of development already consented for sites within the Healthcare zone. Any further impervious surfaces or other development would trigger a resource consent and a further assessment of effects, despite the nature of such development on the site being appropriate to, and consistent with the standards of the Healthcare zone.
- (c) The proposed amendments will further derogate the ability to treat the Ascot properties collectively as a ‘site’ for the purposes of applying the standards of the zone, i.e. the properties at 1 and 3 Gilgit Road and 90 and 94 Mountain Road will no longer be included as part of the overall Mercy Hospital facility/site for the purposes of calculating impervious surfaces as a component of an integrated facility.
- (d) Ascot agrees that the demolition of existing buildings and construction of new buildings should be subject to a consent process which relates to design and appearance matters and the overall contribution of built form to special character values. However, it is appropriate that the development standards of the

Healthcare zone take primacy over those of the SCAR overlay, to recognise that the sites have not been developed in a manner that is reflective of the ‘bulk and location’ outcomes anticipated by the SCAR overlay development standards.

- (e) The form and scale of development that is anticipated by the Healthcare zone is significantly different to that anticipated in the SCAR overlay, with those overlay standards being concerned with ‘residential’ outcomes, with completely different effects. The built form outcomes that are anticipated by the Healthcare zone give effect to the direction of the AUP which provides for significant social facilities and infrastructure to respond to the social and economic needs and the health and wellbeing of people and communities. In this respect, it is not appropriate to require primacy for the SCAR overlay to the land owned by Ascot, which would derogate from the context of the underlying zoning and would be contrary to the outcomes that are intended by the AUP for healthcare facilities.

General Submission

- 23. Ascot opposes PC26, particularly as it relates to the relationship of the SCAR overlay and the underlying Healthcare zone to its landholdings, on the basis that the Plan Change will not:
 - (a) promote the sustainable management of resources, nor will it achieve the purpose of the Resource Management Act 1991;
 - (b) promote social and economic wellbeing; or
 - (c) enable the appropriate development of the spatially and physically constrained landholdings owned by Ascot in a manner that balances the outcomes anticipated by the SCAR overlay and the Healthcare zone, and therefore will not enable the efficient use, development and intensification of significant healthcare infrastructure.
- 24. Ascot submits that its landholdings, together with the property at 92 Mountain Road, are most appropriately managed by exempting the landholdings from the standards of the SCAR overlay, and giving primacy to the standards of the Healthcare zone, to manage the bulk and location of built form. The activity rules for demolition and construction of buildings under the SCAR overlay should continue to apply to manage the effects of such activities on the character values of surrounding neighbourhoods.
- 25. Ascot is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

Decision Sought

26. Ascot Hospital and Clinics Limited seeks the following relief:

- (a) 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 by including a new Rule D18.6.1(c) as follows:

- c) Notwithstanding D18.6.1(b), the development standards within D18.6.1 do not apply to land with an underlying Special Purpose – Healthcare Facility and Hospital Zone. For the avoidance of doubt, only the development standards of the underlying Special Purpose – Healthcare Facility and Hospital Zone apply.

234.2

OR

- (b) 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 D18.6.1(c) as follows:

- c) Notwithstanding D18.6.1(b), the development standards within D18.6.1 do not apply to the properties legally described as Lot 1 Deeds Reg 149, Lot 2 DP 23279, Lot 1 DP 372460, Lot 1 DP 23279, and Lot 2 DP 22728. For the avoidance of doubt, only the development standards of the underlying Special Purpose – Healthcare Facility and Hospital Zone apply.

234.3

OR

- (c) 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 by including a new Rule D18.6.1(c) as follows:

- c) D18.6.1(b) above does not apply to land which is subject to an underlying Special Purpose – Healthcare Facility and Hospital zone. For the avoidance of doubt, the development standards within D18.6.1 and the standards of H25.6 apply to land with an underlying Special Purpose – Healthcare Facility and Hospital zone.

234.4

OR

- (d) Such alternative relief that addresses the issues raised in this submission.

234.5

27. Ascot wishes to be heard in support of this submission.
28. If others make a similar submission, consideration would be given to presenting a joint case with them at any hearing.

Dated at Auckland, this 12th day of July 2019

Signature

**THE ASCOT HOSPITAL AND CLINICS
LIMITED**

by its planning and resource management
consultants Bentley & Co. Ltd.



Anthony Blomfield

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ATTACHMENT ONE



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Megan Reeves

Organisation name:

Agent's full name:

Email address: megan_wallis@yahoo.com

Contact phone number:

Postal address:
50 John Street
Ponsonby
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Chapter D18 Special Character Areas Overlay

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I am not a planning or architectural professional and so my submission is not made in accordance with the technical terminology used within the provisions themselves. However, to the lay person 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 the reflects the character of the area" means. It should be made clear that the intention is that any significant departures from the existing architectural style should not be visible from the street, whether that is directly in front of the property in question or from other vantage points in the surrounding streetscape.

235.2

I or we seek the following decision by council: Accept the plan modification with amendments

235.1

Details of amendments: See attached.

Submission date: 12 July 2019

Supporting documents
Submission for SCA provisions.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

12 July 2019

Supporting Document in relation to submission in relation to Proposed Plan Change 26

I am not a planning or architectural professional and so my submission is not made in accordance with the technical terminology used within the provisions themselves.

To the lay person 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 and retains a significant degree of subjectivity. It is not clear what "retaining the character of the streetscape" and "enabling built form that reflects the character of the area" means. ***It should be made clear that the intention is that any significant departures from the existing architectural style should not be visible from the street, whether that is directly in front of the property in question or from other vantage points in the surrounding streetscape.*** There are a number of examples in the Ponsonby area where two storey "modern" extensions have been permitted to heritage villas which due to size and style could be argued as overly dominant when compared to the heritage architecture. They are not immediately apparent when the property is viewed front on to the street, but become apparent with only a slight shift in position and also appear to be dominant over other heritage properties in the surrounding streets. Some "modern" extensions have become period pieces in their own right having been around for a while now and become even more distracting from the heritage architecture that these rules are designed to preserve if not well maintained and cared for.

It's important that heritage buildings are able to be adapted to modern life so that they are retained for the future, but it should be done in such a way that it is complementary to and cohesive with the existing style. Stark contrasts work well for buildings on a significant scale, however in smaller areas such as Auckland's residential heritage areas the contrast can be jarring and unsympathetic.

It should be made clear that compliance with the Height to Boundary rule is permissive only and is not a right to build in whichever style is desired. There are examples where compliance with the Height to Boundary rule has been taken as a right to build, resulting in decreased consideration of the other requirements such as sunlight and outlook of neighbouring properties.

Overall I welcome the clarification of the purpose, however submit that it remains overly subjective and could benefit from further definition of the rules' objective.

Megan Reeves

megan_wallis@yahoo.com

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full name of Submitter: SAMSON CORPORATION LTD and STERLING NOMINEES LTD (“Samson”)

Address for Service: C/- Brown & Company Planning Group, PO Box 1467, QUEENSTOWN

Email: reception@brownandcompany.co.nz

Contact Person: J A Brown

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Proposed Plan Change 26 (**PC26**) to the Partially Operative Auckland Unitary Plan (**AUP**)

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay - Residential (**SCAOR**) and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

All provisions but particularly Standard D18.6.1.2 (Height in relation to boundary)

Or

Property Address

2 Arthur Street, Freemans Bay
2 Franklin Road, Freemans Bay
80 Franklin Road, Freemans Bay
57 Patteson Avenue, Mission Bay
67 Arney Road, Remuera

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended

Yes No

Samson generally **SUPPORTS** Proposed Plan Change 26, subject to the matters raised in the following submission:

1. The details of the submission are:

- 1.1 Samson owns properties that are identified as being subject to a SCAOR with an underlying residential zone (the Residential – Single House Zone) of the AUP;
- 1.2 Samson supports the purpose of PC26;
- 1.3 Samson supports the modifications to the Chapter D18 clauses relating to the relationship between the SCAO and the underlying zone provisions;
- 1.4 Samson supports the modifications to D18.4 – Activity Table (including the preamble); and the modifications to D18.6.1 with the exception of Rule D18.6.1.2 – Height in Relation to Boundary;
- 1.5 On Rule D18.6.1.2, Samson supports part of the modifications to the rule and opposes other modifications, and considers that the rule should read as follows (the underlining and ~~strike through~~ are to the notified PC26 version of the rule):

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

- retain the character of the streetscape;
 - enable a built form that reflects the identified character of the area; and
 - maintain a reasonable level of sunlight access and minimise visual dominance effects.
- (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 side and rear boundaries of the site ~~where~~;
 - (a) ~~The site has a frontage length of less than 15m~~
 - (i) ~~For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.~~
 - (2) ~~The underlying zone height in relation to boundary standard applies where:~~
 - (a) ~~The site has a frontage length of 15m or greater; or~~
 - (b) ~~The site is a rear site.~~

...

[consequential renumbering of the subsequent clauses]

2. The reasons for this submission are as follows:

- 2.1 Samson supports the purpose of PC26 for the reasons set out in *Proposed Plan Change 26 to the Auckland Unitary Plan: Clarifying the relationship between the Special Character Areas Overlay (Residential and General) and the underlying zones - Section 32 Evaluation Report* ('**the Section 32 report**') as follows:
 - (i) to ensure that the Auckland Unitary Plan appropriately specifies the relationship between the SCAOR and the underlying zone provisions; and

- (ii) to ensure that the development standards that apply to sites in the SCAOR are most appropriately targeted to managing the special character values of the areas to which they relate¹.
- 2.2 Samson supports the proposed modifications to D18.4 – Activity Table (including the preamble); and the modifications to D18.6.1, including the modifications to the standards for yards, impervious surface and fences in the SCAOR, because the modifications assist in achieving greater clarity and are more appropriately linked to the special character values they seek to maintain, particularly the relationship of built form to the street.
- 2.3 The removal of the requirement to apply a recession plane on the front boundary of sites in Rule D18.6.1.2 – Height in Relation to Boundary is supported because:
 - 2.3.1 The removal better aligns the rules with the existing general character and typical architecture of the SCAOR, particularly in the Freemans Bay / Ponsonby area which includes early cottages, Victorian and Edwardian villas, and bungalows. These areas contain a significant number of dwellings of gable front design.
 - 2.3.2 The application of a recession plane on the front boundary would result in inconsistencies in the typical streetscape patterns that contribute to the character that the SCAOR seeks to maintain; its removal will therefore better achieve the objectives.
 - 2.3.3 A standard requiring recession planes with a starting height of three metres on the side and back boundaries would enable a greater flexibility of design for new buildings (and alterations and additions to existing buildings) which would in turn allow for design to respond positively to the special character values and context of the area as required by the policies in Chapter D18. Development would still be required to meet the other standards governing bulk and location (such as maximum height, building coverage and yards), therefore any actual or potential adverse effects would be avoided or adequately mitigated.
 - 2.3.4 The removal of the recession plane on the front boundary does not prevent a building design with a lower height in relation to the front boundary, where this is in keeping with the character of the streetscape.
- 2.4 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 because:
 - 2.4.1 The rationale behind the application of the standard to only those sites with a frontage less than 15 metres is identified in the Section 32 report (in the table on page 39 and supported by Attachment 5) as related to the early phases of development within Auckland, where lot sizes “tended”² to be smaller and frontage widths narrower. However, the suburbs identified as first and second phase development also contain lots with frontages in excess of 15 metres, with design that reflects the development patterns of the earliest

¹ Page 15, Section 32 report

² Page 42, Section 32 Report and Page 1, Attachment 5

areas of the city. The potential for variation, even in those areas where frontage width may be typically narrow, is recognised within the character statements for a number of areas in Schedule 15, and Attachment 5 states that, while characterised by smaller-scale development, first phase development was also “ad hoc” and “informal”³. The *Residential 1 Zone Study*⁴, which is identified as a source for Attachment 5, also acknowledges that areas may be developed over longer periods of time and therefore have variation in the pattern of subdivision/lot size. For example, the Ponsonby⁵ and the Freemans Bay⁶ areas are identified as being developed over a period of approximately fifty years, and therefore have a greater variation in character.

- 2.4.2 If the application of height in relation to boundary standards is to be different based on the phase of development area the site is located in, it would be more efficient to identify these areas spatially. For example, those suburbs identified as first or second phase development could be mapped, and the rule applied to that area.
 - 2.4.3 Reducing the recession plane to the underlying zone standard (generally 2.5 metres) for those sites with frontages 15 metres or greater in length is arbitrary and could affect the original development patterns and therefore the special character of these areas. The purpose of standard D18.6.1.2 (as proposed by PC26) includes enabling a built form that reflects the identified character of the area. To apply the underlying Zone standard to those sites with frontages 15 metres and greater would not be enabling a built form that reflects the identified character of the area, as it could result in different standards being applied within one development phase.
 - 2.4.4 Limiting the application of the rule to only those sites with frontages less than 15 metres is not efficient as there are other standards that operate on a sliding scale based on site size (such as building coverage) that are effective methods for controlling bulk and location on different-sized sites and to maintain special character.
 - 2.4.5 Limiting the application of the rule to only those sites with frontages less than 15 metres is not the most appropriate way to achieve this purpose as set out above, and the relevant objectives of the Auckland Unitary Plan. In particular, the differentiation between sites of less than 15m frontage and sites with greater than 15m frontage, while appearing to remedy the confusion and inefficiency of the application of the SCAOR and underlying zone rules, creates new complexity by applying proposed standard D18.6.1.2(1) to selected sites within the SCAOR.
- 2.5 The provisions as proposed in this submission will better serve the principles of the Resource Management Act 1991 (“the Act”), in particular:
- (i) Section 7(b), in that increased building height in relation to boundary can provide for more efficient development of the land resources;

³ Page 1, Attachment 5

⁴ Matthews, A (2012) *Residential 1 Zone Study*, Plan Change 163

⁵ Ibid, page 30

⁶ Ibid, page 43

- (ii) Section 7(f), in that the increased building height in relation to boundary will allow for the enhancement of the quality of the environment through greater flexibility in building design;
 - (iii) Section 7(g), in that increased building height in relation to boundary will enable better use of the finite land resources.
- 2.6 The relaxing of the provisions relating to height in relation to boundary will also enable the community to better provide for its wellbeing, and for sustaining the potential of the land resources to meet the reasonably foreseeable needs of future generations. Future development or redevelopment of the land to realise the opportunities afforded by increased height in relation to boundary would not result in any adverse environmental effects that cannot be adequately avoided or mitigated in that additional bulk and location standards would still need to be complied with. Accordingly, relaxing the standard for height in relation to boundary will be consistent with and achieve the purpose stated in Section 5 of the Act.
- 2.7 The Section 32 report and supporting documents do not provide empirical evidence or analysis of the dominance (or otherwise) of sites with frontages less than 15 metres in length to justify limiting the application of the standard. The table setting out the development phases does not appear to take into account the evidence in the *Residential 1 Zone Study* that a number of areas were developed over longer periods of time, and therefore had a greater variability in subdivision pattern and may not fit neatly into a development phase.
- 2.8 The subject matter of this submission can be augmented by further information (in further submissions and hearings) if there is any identified risk of action or not acting in respect of this submission.

3. Samson seeks the following decision from Auckland Council:

- 3.1 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:
 - 3.1.1 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
 - 3.1.2 Any other further amendments necessary to give effect to the intent of this submission.

236.2

236.3

Samson seeks the following decision by the Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation

236.1

If the proposed plan change / variation is not declined, then amend it as outlined below.

As outlined in submission above

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter
(or person authorised to sign on behalf of submitter)

12/07/2019

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5 ✓



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

MATTHEW DOUGLAS EASTON

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

43 MARINE PARADE HERNE BAY AUCKLAND 1011

Telephone:

027 411 9141

Fax/Email:

eastonconsult@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or

Property Address

41 MARINE PARADE HERNE BAY

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are: THE RM CONSENTED WORKS REF. LUC 603 033362 AT 41 MARINE PDE WILL BE ADVERSE TO US AT 43 MARINE PARKER BOTH IN BULK, LOCATION, HEIGHT. IT IS UNDERSTOOD THAT THIS LUC IS ON HOLD (CRAIG MAGEE) WHICH MEANS IT IS UNREASONABLE TO OBJECT WITHOUT KNOW WHAT PROPOSAL (continue on a separate sheet if necessary)

IS TO BE NOW SUBMITTED
I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below. 237.1

RESTRICT HIRB TO AVOID A THIRD LEVEL DECK AND BEDROOM BEING BUILT TO TOWER OVER OUR LAND & INCREASE THE OPPORTUNITY OF ADVERSE EFFECT & VIOLATION OF THE QUIET ENJOYMENT OF OUR HOME & LANDS REF. ATTACHED CONTD 237.2

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

contd. RELATIONSHIP SKETCH DWG A01. THE MAIN LIVING LEVEL IS AT RL 12.59 (41) NEXT DOOR (43) IT IS 17.00m RE

W. Easton

12.07.19

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

for MD & AD EASTON.

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

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If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

ATTACHED COPY LETTER: TO TONY REIDY 9 JUL 19 3P

- : TYPICAL CROSS SECTION DWG A01
- : ELEVATION SHOWING ROOF SEAR DWG A02
- : PLAN " " " DWG A03
- : COPY L2 BESPOKE DRCS SHOWING ALL WORKS CLEAR OF CPY BDY DWG A04
- : COPY SITE PLAN RECORDING ROW CPY DWG A05

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

* GIVEN THE VERY SHORT LEAD TIME IN
PREPARING A VERY BASIC SUBMISSION
I/WE SEEK THE RIGHT TO MAKE A
MORE DETAILED SUBMISSION UPON RECEIPT
OF THE REVISED APPLICATION.

WFB 12/07/19

237.3

Douglas Easton

From: Douglas Easton <eastonconsult@xtra.co.nz>
Sent: Tuesday, 9 July 2019 4:27 p.m.
To: 'Tony Reidy'
Cc: 'Matthew Wright'
Subject: RE: Proposed Plan Change 26 to the Auckland Unitary Plan

Tony

Thankyou for the Rule 26 proposed plan changes

My wife and I are particularly concerned about the development controls which apply to the 41/43 Marine Parade boundary where currently an LUC 603033362 relating to 41 Marine Pde permits the owners, C & R Anderson, to build a substantial residence that will impose extreme adverse effect on our property at 43 Marine Parade due to the current HIRB of 3m+45 degrees applicable to that boundary. The previous Operative District Plan limited such works to 2m+ 35 degrees being in the south west sector of the recessionary plane indicator. Later Council achieved a 2m+ 0 degrees recessionary plane to take from us the right to wall our property.

Council achieved a Environment Court order limiting our wall to 2m above a timber deck well within the property at 41 Marine Parade which effectively, in part, limits our wall to zero above our land. The control point location achieved rejects the legal boundary as the Development Control location and rejects to land level difference between 41 and 43.

The current proposal allows for a generous so called 'maintenance deck' to be built to replace an existing simple form hipped tile roof and extend to within 80 cm of our property elevated about 3m above the site platform and to be about 1m above our land at the boundary and then to build a box like bedroom atop the deck to tower over our land and home. We have no doubt that the 'maintenance deck' is or will become a recreation deck and serve to further violate our quiet enjoyment of our property.

Our loss of privacy security and safety would be guaranteed, and would serve to downgrade both extremely valuable properties. We are very determined that that is not going to happen.

A previous owner succeeded in persuading Council to inflict a 7 year campaign against my wife and I over the building of a 2m high wall (above our land at legal boundary) N Griffiths and daughter planning lawyer Susan Rhodes with a David Kirkpatrick by alleging the wall to be 'adverse'.

Neither Norma Griffiths nor Susan Rhodes offered one word of explanation to support their allegation of 'adversity' during 7 appearances to the Environment Court where my wife and I were harassed repeatedly by the very Council accommodating Judge Smith but resulted in no benefit passed to the complainants. Griffiths sold the property immediately on achieving an order which saw our wall reduced to zero meters above our land in places.

The current 41 owner, Anderson, has reinstated some of the wall that was demolished to meet the Court Order.

Judge Smith, ref. transcript, threatened to cite me for contempt of Court for quoting the Operative District Plan rule relating to the location of the control point for a permissible boundary wall when measured from our land at the legal boundary.

Council, with a team of 3 lawyers from Buddle Findlay, attempted to have removed a stand of mature NZ native boundary trees, some of which had previously been the subject of Resource Consent protection.

Council also inflicted a NZ Police raid on my wife and I to gather 'evidence' which, if there was any failed to be revealed in Court.

We are particularly concerned that in locations such as Marine Parade there is an unacceptable attempt by Council to downgrade the quality of the built environment by reducing side yards, raising heights limits and daylight indicators and site coverage.

These properties are extremely valuable and generate a significant rate revenue for Council and as such will not benefit from crowding wider higher homes onto the existing sites.

Our particular site, of over 2000msq, was recognised in the previous ODP as conferring significant amenity value to the district by having generous yards, which provide significant privacy, an older style residence with sympathetic roof form, modest height and offering landscaping with many mature specimen trees and it is our intention not to lose any of these qualities by having a neighbour tower over us.

Further we are particularly concerned that the Anderson development has been built over the Coastal Protection Yard which is not only contrary to the consented plans but is adverse to our use of the common Right of Way which allows our access to the Waitemata foreshore.

Our concerns have been formally notified to Council now for nearly 2 years and prior to the issue of both the pool development consent and the major rebuild of the home however no response to date has allayed our concerns.

Would you please provide copy of objection notice form relating to Rule Change 26, Unitary Plan zone regulation for 41 and 43 Marine Parade, any zone relevant information, plan policy and objectives and Coastal Protection Yard information.

Our concerns have previously been directed to Matthew Wright.

Thankyou.

Regards

M Douglas Easton

For Douglas & Marlene Easton

From: Tony Reidy
Sent: Tuesday, 25 June 2019 2:36 p.m.
To: eastonconsult@xtra.co.nz
Cc: Unitary Plan <unitaryplan@aklc.govt.nz>
Subject: Proposed Plan Change 26 to the Auckland Unitary Plan

Hi Mathew – thank you for your enquiry regarding Proposed Plan Change 26. I am not sure if you are aware but the closing date for submissions for this plan change has been extended by 2 weeks until 12 July 2019. A public notice advising of this is to appear in the NZ Herald this Thursday 27 June 2019.

I have attached a copy of the actual plan change document. This will give you a good idea of what's intended. Also attached is a table showing what is to be considered now and how that compares to the proposed changes to the special character chapter.

In summary, the plan change seeks to clarify which rules apply to properties in the Single House Residential zone that also have a Special Character Overlay. When the Unitary Plan was prepared it was the intention that the Special Character Overlay Rules would "trump" the equivalent rules in the Single House zone. A recent Environment Court case has meant that is not so. The proposed Plan Change therefore clarifies what was intended. The rules would only affect a landowner if they were planning to build a new house or do additions to your existing dwelling, or construct a new fence.

There has been some misinformation that the Plan Change will weaken the controls applying to the Special Character Area, but this is certainly not the case.

I have also included a link to the Plan Change documents - [PC26](#)

If you have any questions after having a read, please do not hesitate to email me back. If you want to discuss it over the phone, please advise a suitable date and time and I can phone you back.

Regards

Tony Reidy | Acting Team Leader
Auckland-wide Planning, Plans and Places Auckland Council



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

7.30m.

ROOF
RL 17.870

**EXISTING GL.
AT 43 VARIES**

CL 15.320

RL 14.50

ANDERSON
WALL INDICATION
(INCORRECT)

GROUND FLOOR
FFL 12.590

12.500

CL 12.300

BASEMENT
FFL 9.900

RL 17.00 GROUND FL.

APPROVED
RESOLVED CONSENTS
71 NOV 2017
AUCKLAND COUNCIL

ANDERSON MAIN
LIVING LEVEL 12.590

o/s STAIRCASE
NOT SHOWN
ON CRABS
SECTION

Christian Anderson

christian anderson architects ltd
47 Princes St, Ponsonby Auckland 1011
PO Box 47144 Ponsonby Auckland 1144
New Zealand.
ca@christianandersonarchitects.co.nz
ph: +64 9 376 7370 mob: +64 21 777 370

christian anderson architects ltd
c h i t e c t s

client : CHRISTIAN ANDERSON
project : 41 MARINE PARADE, HERNE BAY
drawing : PROPOSED ELEVATIONS

10-09-17 BC ISSUE
date

design: CTILA
drawn: AB
checked: CTILA
date: JUL 2017
scale: 1:100 @ A3

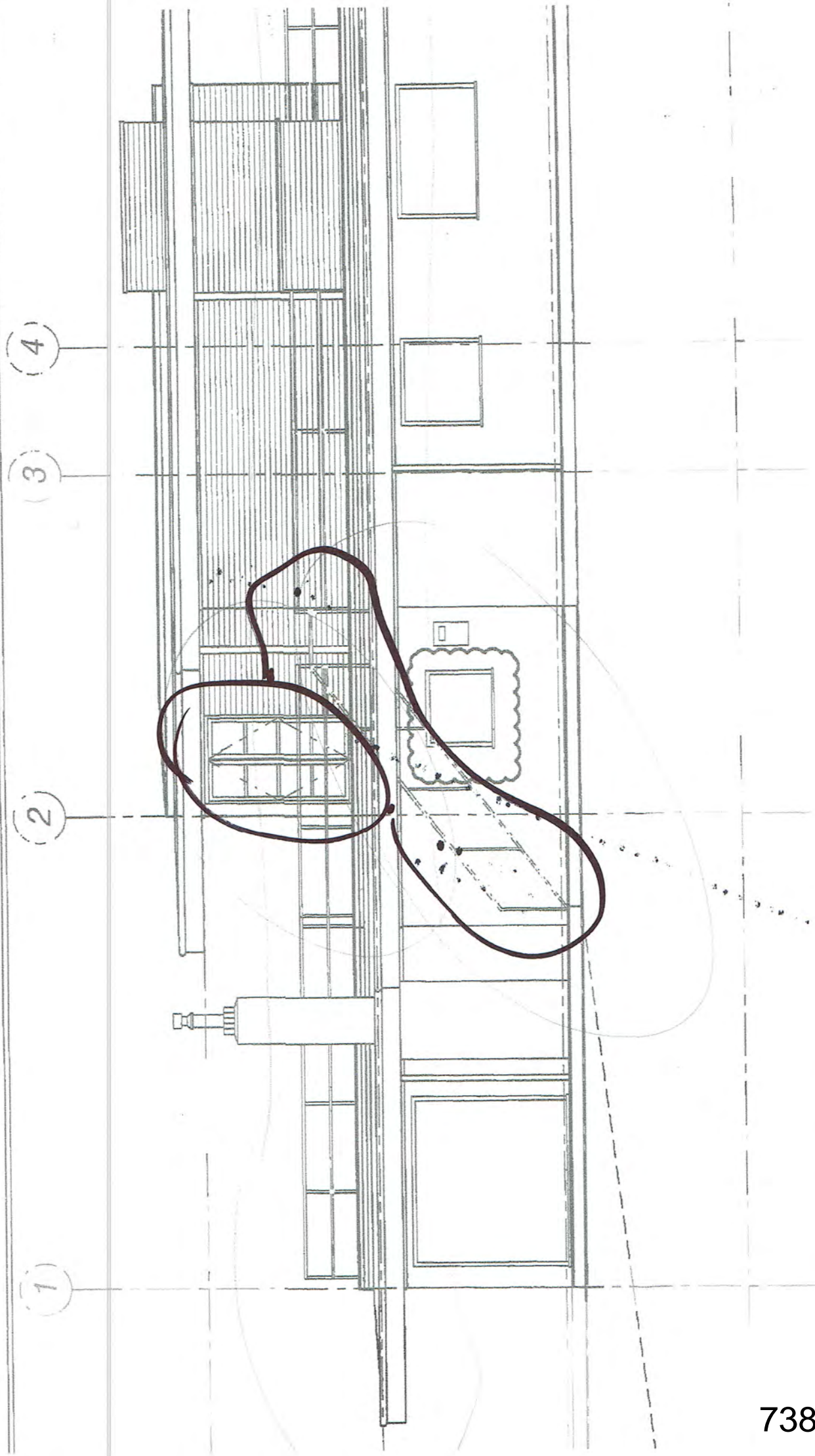
job no. 1512

issue: A
sheet A202
NTS

FILE NO. P 18 DATE 10/10/17

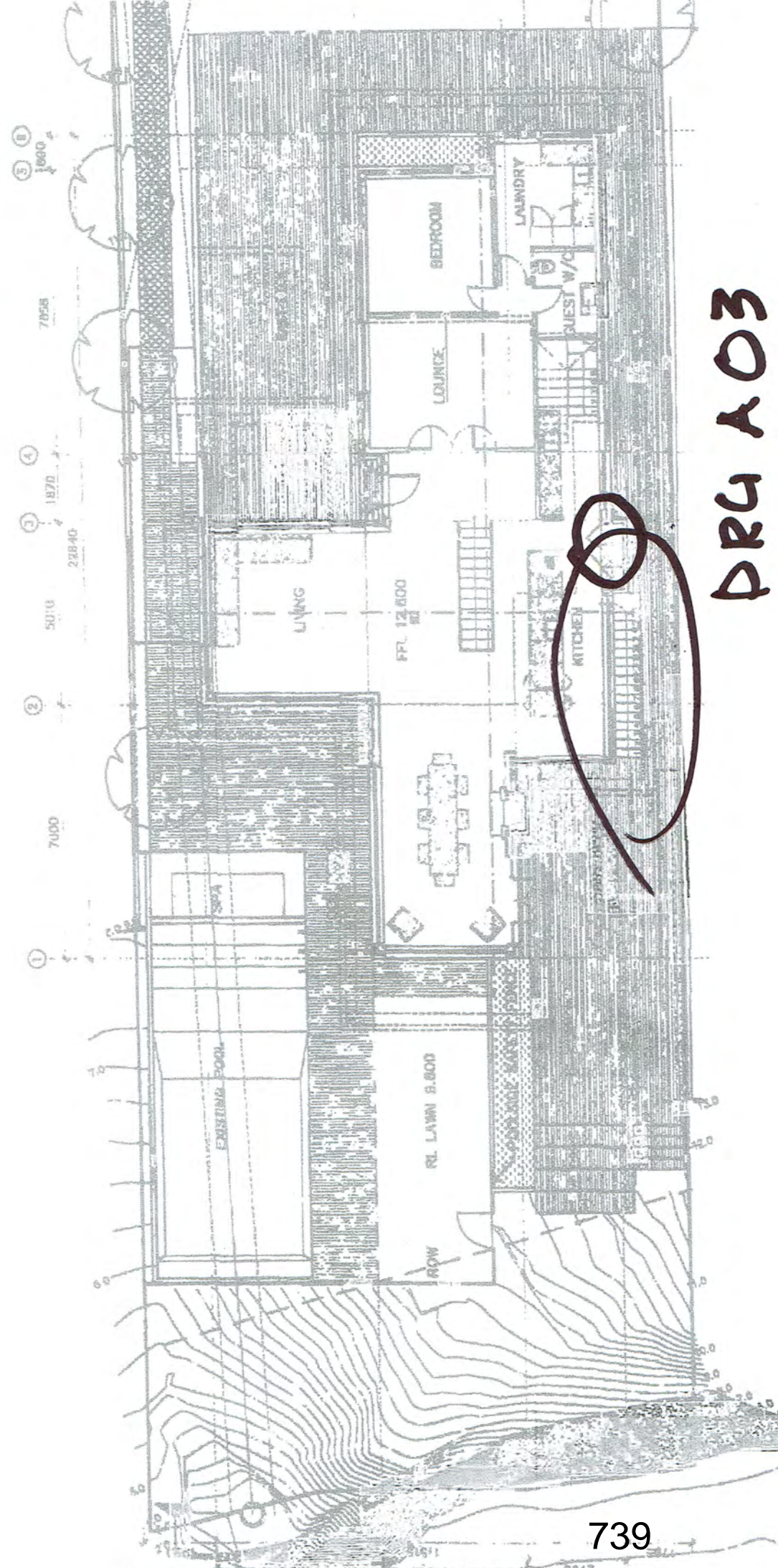
THIS DRAWING IS THE PROPERTY OF CHRISTIAN ANDERSON ARCHITECTS LTD AND NOT TO BE REPRODUCED WITHOUT WRITTEN PERMISSION

ENG. A 01

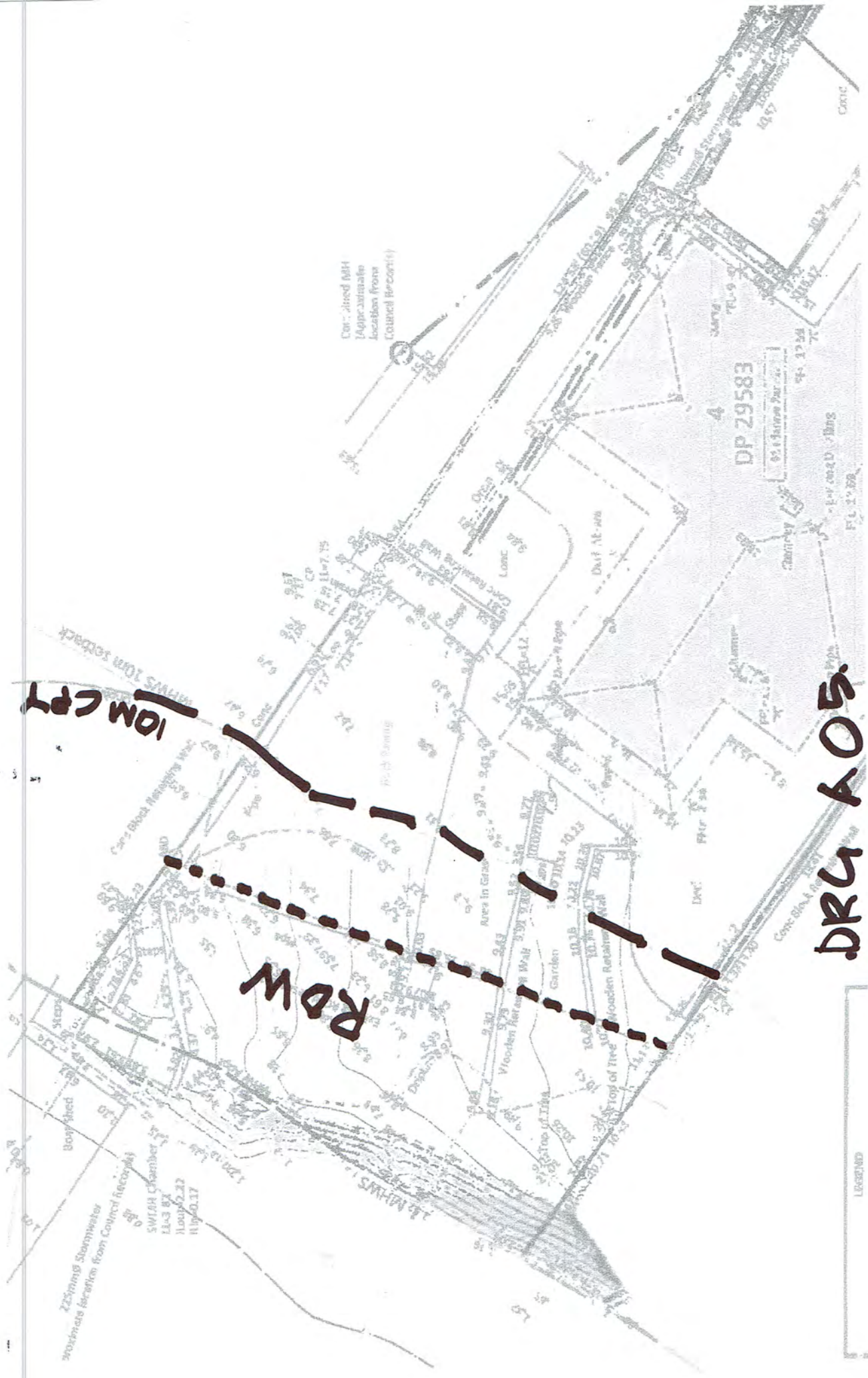


DWG A 02

1 SOUTH ELEVATION
A101 PROPOSED
SCALE 1:100



DR4 A 03



Con: Aired MH
 Approximate
 Location from
 Control (see Cont)

DP 29583

ION CPT

ROW

DRG AOS

225mm Stormwater
 Mainline Section from Control (see Cont)

SWISS Chamber
 11-3 87
 11-4 22
 11-5 17

LEGEND

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full name of Submitter: Andrew Body and Karen Paterson as trustees of GALATEA TRUST ("Galatea")
Address for Service: C/- Brown & Company Planning Group, PO Box 1467, QUEENSTOWN
Email: reception@brownandcompany.co.nz
Contact Person: J A Brown

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Proposed Plan Change 26 (**PC26**) to the Partially Operative Auckland Unitary Plan (**AUP**)

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay - Residential (**SCAOR**) and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

All provisions but particularly Standard D18.6.1.2 (Height in relation to boundary)

Or

Property Address

10-12 Anglesea Street, Freemans Bay

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

Galatea generally **SUPPORTS** Proposed Plan Change 26, subject to the matters raised in the following submission:

1. The details of the submission are:

- 1.1 Galatea owns properties that are identified as being subject to a SCAOR with an underlying residential zone (the Residential – Single House Zone) of the AUP;
- 1.2 Galatea supports the purpose of PC26;
- 1.3 Galatea supports the modifications to the Chapter D18 clauses relating to the relationship between the SCAOR and the underlying zone provisions;
- 1.4 Galatea supports the modifications to D18.4 – Activity Table (including the preamble); and the modifications to D18.6.1 with the exception of Rule D18.6.1.2 – Height in Relation to Boundary;
- 1.5 On Rule D18.6.1.2, Galatea supports part of the modifications to the rule and opposes other modifications, and considers that the rule should read as follows (the underlining and ~~strike through~~ are to the notified PC26 version of the rule):

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

- retain the character of the streetscape;
 - enable a built form that reflects the identified character of the area; and
 - maintain a reasonable level of sunlight access and minimise visual dominance effects.
- (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 side and rear boundaries of the site ~~where;~~
 - (a) ~~The site has a frontage length of less than 15m~~
 - (i) ~~For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.~~
 - (2) ~~The underlying zone height in relation to boundary standard applies where:~~
 - (a) ~~The site has a frontage length of 15m or greater; or~~
 - (b) ~~The site is a rear site.~~

...

[consequential renumbering of the subsequent clauses]

2. The reasons for this submission are as follows:

- 2.1 Galatea supports the purpose of PC26 for the reasons set out in *Proposed Plan Change 26 to the Auckland Unitary Plan: Clarifying the relationship between the Special Character Areas Overlay (Residential and General) and the underlying zones - Section 32 Evaluation Report* (**'the Section 32 report'**) as follows:
 - (i) to ensure that the Auckland Unitary Plan appropriately specifies the relationship between the SCAOR and the underlying zone provisions; and

- (ii) to ensure that the development standards that apply to sites in the SCAOR are most appropriately targeted to managing the special character values of the areas to which they relate¹.
- 2.2 Galatea supports the proposed modifications to D18.4 – Activity Table (including the preamble); and the modifications to D18.6.1, including the modifications to the standards for yards, impervious surface and fences in the SCAOR, because the modifications assist in achieving greater clarity and are more appropriately linked to the special character values they seek to maintain, particularly the relationship of built form to the street.
- 2.3 The removal of the requirement to apply a recession plane on the front boundary of sites in Rule D18.6.1.2 – Height in Relation to Boundary is supported because:
- 2.3.1 The removal better aligns the rules with the existing general character and typical architecture of the SCAOR, particularly in the Freemans Bay / Ponsonby area which includes early cottages, Victorian and Edwardian villas, and bungalows. These areas contain a significant number of dwellings of gable front design.
 - 2.3.2 The application of a recession plane on the front boundary would result in inconsistencies in the typical streetscape patterns that contribute to the character that the SCAOR seeks to maintain; its removal will therefore better achieve the objectives.
 - 2.3.3 A standard requiring recession planes with a starting height of three metres on the side and back boundaries would enable a greater flexibility of design for new buildings (and alterations and additions to existing buildings) which would in turn allow for design to respond positively to the special character values and context of the area as required by the policies in Chapter D18. Development would still be required to meet the other standards governing bulk and location (such as maximum height, building coverage and yards), therefore any actual or potential adverse effects would be avoided or adequately mitigated.
 - 2.3.4 The removal of the recession plane on the front boundary does not prevent a building design with a lower height in relation to the front boundary, where this is in keeping with the character of the streetscape.
- 2.4 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 because:
- 2.4.1 The rationale behind the application of the standard to only those sites with a frontage less than 15 metres is identified in the Section 32 report (in the table on page 39 and supported by Attachment 5) as related to the early phases of development within Auckland, where lot sizes “tended”² to be smaller and frontage widths narrower. However, the suburbs identified as first and second phase development also contain lots with frontages in excess of 15 metres, with design that reflects the development patterns of the earliest

¹ Page 15, Section 32 report

² Page 42, Section 32 Report and Page 1, Attachment 5

areas of the city. The potential for variation, even in those areas where frontage width may be typically narrow, is recognised within the character statements for a number of areas in Schedule 15, and Attachment 5 states that, while characterised by smaller-scale development, first phase development was also “ad hoc” and “informal”³. The *Residential 1 Zone Study*⁴, which is identified as a source for Attachment 5, also acknowledges that areas may be developed over longer periods of time and therefore have variation in the pattern of subdivision/lot size. For example, the Ponsonby⁵ and the Freemans Bay⁶ areas are identified as being developed over a period of approximately fifty years, and therefore have a greater variation in character.

- 2.4.2 If the application of height in relation to boundary standards is to be different based on the phase of development area the site is located in, it would be more efficient to identify these areas spatially. For example, those suburbs identified as first or second phase development could be mapped, and the rule applied to that area.
 - 2.4.3 Reducing the recession plane to the underlying zone standard (generally 2.5 metres) for those sites with frontages 15 metres or greater in length is arbitrary and could affect the original development patterns and therefore the special character of these areas. The purpose of standard D18.6.1.2 (as proposed by PC26) includes enabling a built form that reflects the identified character of the area. To apply the underlying Zone standard to those sites with frontages 15 metres and greater would not be enabling a built form that reflects the identified character of the area, as it could result in different standards being applied within one development phase.
 - 2.4.4 Limiting the application of the rule to only those sites with frontages less than 15 metres is not efficient as there are other standards that operate on a sliding scale based on site size (such as building coverage) that are effective methods for controlling bulk and location on different-sized sites and to maintain special character.
 - 2.4.5 Limiting the application of the rule to only those sites with frontages less than 15 metres is not the most appropriate way to achieve this purpose as set out above, and the relevant objectives of the Auckland Unitary Plan. In particular, the differentiation between sites of less than 15m frontage and sites with greater than 15m frontage, while appearing to remedy the confusion and inefficiency of the application of the SCAOR and underlying zone rules, creates new complexity by applying proposed standard D18.6.1.2(1) to selected sites within the SCAOR.
- 2.5 The provisions as proposed in this submission will better serve the principles of the Resource Management Act 1991 (“the Act”), in particular:
- (i) Section 7(b), in that increased building height in relation to boundary can provide for more efficient development of the land resources;

³ Page 1, Attachment 5

⁴ Matthews, A (2012) *Residential 1 Zone Study*, Plan Change 163

⁵ Ibid, page 30

⁶ Ibid, page 43

- (ii) Section 7(f), in that the increased building height in relation to boundary will allow for the enhancement of the quality of the environment through greater flexibility in building design;
 - (iii) Section 7(g), in that increased building height in relation to boundary will enable better use of the finite land resources.
- 2.6 The relaxing of the provisions relating to height in relation to boundary will also enable the community to better provide for its wellbeing, and for sustaining the potential of the land resources to meet the reasonably foreseeable needs of future generations. Future development or redevelopment of the land to realise the opportunities afforded by increased height in relation to boundary would not result in any adverse environmental effects that cannot be adequately avoided or mitigated in that additional bulk and location standards would still need to be complied with. Accordingly, relaxing the standard for height in relation to boundary will be consistent with and achieve the purpose stated in Section 5 of the Act.
- 2.7 The Section 32 report and supporting documents do not provide empirical evidence or analysis of the dominance (or otherwise) of sites with frontages less than 15 metres in length to justify limiting the application of the standard. The table setting out the development phases does not appear to take into account the evidence in the *Residential 1 Zone Study* that a number of areas were developed over longer periods of time, and therefore had a greater variability in subdivision pattern and may not fit neatly into a development phase.
- 2.8 The subject matter of this submission can be augmented by further information (in further submissions and hearings) if there is any identified risk of action or not acting in respect of this submission.

3. Galatea seeks the following decision from Auckland Council:

- 3.1 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:
 - 3.1.1 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
 - 3.1.2 Any other further amendments necessary to give effect to the intent of this submission.

238.2

238.3

Galatea seeks the following decision by the Council:

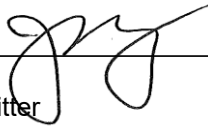
- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation

238.1

If the proposed plan change / variation is not declined, then amend it as outlined below.

As outlined in submission above

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter
(or person authorised to sign on behalf of submitter)

12/07/2019

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

12 July 2019

Leys Institute Library

20 St Marys Road,

Saint Marys Bay

Re: Proposed Plan change 26 – Clarifying the relationship between the Special character areas Overlay and underlying zone provisions to the Auckland Unitary Plan

This is show receipt of handwritten submission and typed submission relating to above proposed plan change 26.

Marian Kohler completed a submission online. However, did not receive notification that it has been received. Therefore, please accept this as proof.

Lucia Mataia

Manager – Leys Institute Library

A handwritten signature in cursive script, appearing to read 'Lucia Mataia', written in dark ink.

(1)

12/7/19

Submission on Plan Change 26;

Name: Marian Kohler
email: mariankohler03@gmail.com
address: 4 Herne Bay Road
Herne Bay
Auckland
Post code 1011.

→ The specific provisions of the proposal that my submission relates to are:

E38.8.2.6 Subdivision of sites identified in the S.C.A.O. - Residential & Business

(3) the minimum net site area controls within Table E.38.8.2.6.1 S.C.A.O. - Residential & Business subdivision controls take precedence over those within Table E.38.8.2.3.1 minimum net site area for subdivisions involving parent sites of less than 1 hectare - Submission relates to Isthmus A S.C.A.O. - Residential in S.H.Z.

(2)

D.18.6.1.2 Height in relation to Boundary

(1) Buildings in SCAO-Res must not project above 45 degrees recession plane measured from a point 3m above ground level along side & rear boundaries of the site where:

(a) The site has a frontage of less than 15m.

D.18.6.1.3 Yards

The deletion of 3 metre setback standard for rear yards

D.18.6.1.7 Fences & Walls structures "
The deletion of "~~other standards~~"
from this standard

D.18.8.1 Matters of Discretion.

The insertion of D.18.8.1.1.3(c)

The matters of discretion (or equivalent standard) in the underlying zone.

3

I OPPOSE the above specified provisions of Plan Change 26 and submit that they should be amended for the following REASONS:

1. These proposals are contrary to the objectives and policies of Auckland Unitary Plan H 3.2, H3.3, D18.2 and D18.3 (incl. D 18. 3 (3)).
2. The objectives of the overlay are to maintain and enhance existing special character areas over and above general provisions of the underlying zone; in this case SHZ. The operation of the overlay should not result in reduction or removal of key amenities provided by the SHZ, or result in intensification: more specifically:
 - A. Increasing the potential for subdivision in selected parts of the underlying SHZ-specifically in Isthmus A SCAO-residential.
 - (a) Reduction of the net minimum site from 600 square metres to 400 square metres by operation of the overlay taking precedence amounts to removal of a fundamental cornerstone and amenity of the SHZ. The vast majority of affected properties listed on Table E38.8.6.2.1 comprise Isthmus A SHZ properties.(See PPC 26 Evaluation table in 5.8)
 - (b) No relevant maintenance, enhancement or amenity value is produced by increasing the subdivisional potential in Isthmus A properties. The later housing areas of Isthmus A, which still contain subdivisible sites, are characterised by having a variety of larger sites (see UP Schedule 15-SCA statements). Further subdivision with new infill housing would destroy or detract from their existing special character, an integral part of which is larger sites.
 - (c) Council acknowledges the vulnerability of Isthmus A properties to increased subdivision/development in its Evaluation PPC 26 in 5.8 Chapter E38; Subdivision Urban.
 - (d) UP Schedule 15 does not contain any map for Isthmus A areas. Many people may be unaware that their property is subject to any subdivisional rules other than SHZ rules Public consultation for PUP showed preservation of SHZ as major concern.
 - (e) Most other SCAO categories have not had minimum vacant site reduced below 600 square metres e. g. Isthmus B, although often these categories of SCA are intermingled within a locality. Isthmus A should not be disadvantaged in terms of density.
 - (f) The adverse effects of this specific part of Plan Change 26 affect too many people and are too major to justify inclusion in its current form.
 - B. More permissive standards for building height in relation to boundary i.e. 3m plus 45% recession plane instead of 2.5m plus 45% under SHZ rules.
 - (a) Results are loss of amenity: more shadowing, loss of light and greater bulk and visual impact of buildings.
 - (b) The under 15 metre frontage length qualification does not take into account long narrow shaped sites or irregular shaped sites. These along with many sites of less than 15 metre frontage length, which are larger than 600 2m, do not require standards designed for very small sites.
3. Some of the proposed changes to reduce or delete particular standards in the SCAO rules act to reduce amenity values and do not produce maintenance or enhancement , specifically:
 - C. Yards: The reduction of the 3 m setback in rear yards to 1 m.
 - (a) This reduction is out of keeping with the traditional older SCAs where houses were built closer to the front boundary with more spacious back yards.

- D. Fences and Walls: the deletion of “other structures” from standards for fences and walls.
- E. Insertion of new rules for Matters of Discretion, namely underlying zone assessment criteria.
 - (a) Opposed where allows more permissive result than SCAO rules.

I

④

I accept the plan modification with amendments by Council.

239.1

→ The amendments I am submitting ~~of~~ to Council are:

→ Amend E.38.8.2.6.1 to delete Isthmus A S.C.A.O Residential properties in S.H.2 from Table E38.8.2.6.1 or alternatively amend E38.8.2.6(3) to state that Isthmus A S.C.A.O. residential properties in SH2 are not included in Table E38.8.2.6.1

239.2

→ Amend D.18.6.1.2 to limit 3m plus 45 degree recession plane standard to properties that have less than 15m frontage length and are less than 400sqm net size.

239.3

→ Amend D.18.6.1.3 Yards to reinstate 3m setback standard for Rear yards

239.4

(5) D. 18.6.1.7 Fences & walls

Reinstate " other structures in
his standard.

239.5

→ D. 18.8.2. Assessment Criteria.

* Limit D. 18.8.2.1(3)(c) to
criteria which do not permit
more density or intensification.

239.6

→ I wish to be heard

→ I do not have a trade connection
or advantage of any description.

→ I would agree to joining
with other parties making
similar submissions

→ I am not adversely affected
in terms of (natural) environment

Marian Kohler 12/7/19.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) David Abbott (Chair)

Organisation Name (if submission is made on behalf of Organisation)

The St Mary's Bay Association Inc.

Address for service of Submitter

P O Box 47376, Ponsonby, Auckland 1144

Telephone: 027 479 5764

Fax/Email: dabbott@xtra.co.nz

Contact Person: (Name and designation, if applicable) David Abbott

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 26

Plan Change/Variation Name Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) As on attached addendum sheet

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

The reasons for the views of the association are set out on the attached addendum sheet.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

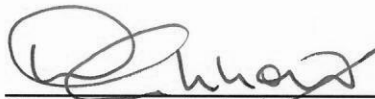
240.1

The amendments requested are set out in the attached addendum sheet

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

 (D.H. Abbott)

Signature of Submitter
(or person authorised to sign on behalf of submitter)

12 July 2019

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Addendum to submission by The St Mary's Bay Association Inc. dated 12 July 2019 on proposed plan change PC26

The plan provisions that this submission relates to are:

1. The Association generally supports the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers much of Herne Bay and St Mary's Bay and the underlying zoning which is predominantly Single House Zone.
2. At Rule D18.6.1.7 the Association seeks to retain the inclusion of the words – "and other structures".
3. The inclusion in Rule D18.8.1.1(3) of consideration for the maintenance of dwellings within an SEA overlay to ensure there is enough space between adjacent walls of existing or new dwellings to allow the maintenance and decoration of the adjacent façades on both properties. It is considered that a minimum distance of 1200 millimetres between adjacent walls of dwellings on separate sites, regardless of the location of the intervening title boundary, is adequate space to allow the erection of scaffolding or other equipment for the maintenance, repair and painting of the adjacent facades.
4. Related to the additional matter of discretion set out above the Association requests an amendment to Rule D18.8.2.1(4) by inserting a minimum distance between adjacent walls or façades of existing or proposed buildings to ensure maintenance of those walls can be achieved.

The reasons for the views of the association are:

1. In respect of **Rule D18.6.1.7** the Association requests the inclusion of the words – "**and other structures**" because there are many structures other than fences and walls which are able to adversely affect the amenities of neighbouring properties. The provision for "and other structures" was included by the Independent Hearings Panel following submissions made by the Association during the hearings on submissions arising from the proposed Auckland Unitary Plan. There is no explanation or reason for the omission of these words which have been in Rule D18.6.1.7 since the AUP was made operative. There is no s32 explanation.
2. The matter of discretion which the Association requests be added to **Rule D18.8.1.1(3)** is to ensure that any infringement of the side yard standard includes the consideration of whether the façade of an adjoining dwelling/building can continue to be maintained (repairs, maintenance and painting) in the event that the infringement is granted consent. This is a simple matter that has been in the previous legacy Auckland District Plan and previous Auckland District Schemes for at least 40 years. No infringement should be considered without a full assessment of its effect on the maintenance and amenity of the closes façade/wall of an adjacent house/building.

3. In support of the requested matter of discretion set out above, the Association requests that the following assessment criterion is added to Rule **D18.8.2.1(4)**:

(c) Maintaining a building services space of not less than 1200mm between the walls of existing or proposed dwelling/buildings on adjacent sites regardless of the location of the intervening site boundary.

The amendments that the association seeks are:

- | | | |
|--|--|-------|
| 1. Amend Rule D18.6.1.7 to include the words “and other structures” wherever they are struck out in the text of PC26. | | 240.2 |
| 2. 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. | | 240.3 |
| 3. Amend Rule D18.1.2.1(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. | | 240.4 |

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

PATRICIA GRINLINTON

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

19 CALLIOPE ROAD, DEVONPORT, AUCKLAND. 0624

Telephone:

09 445 9288

Fax/Email:

patgrinlinton@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

D18.6.1.3 yards; subdivision. E38.8.26

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

241.1

The reasons for my views are:

Please see attached separate sheet.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

P. Greenlinton

Signature of Submitter
(or person authorised to sign on behalf of submitter)

12/7/19

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

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If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**Patricia Grinlinton
19 Calliope Road, Devonport.
Submission on proposed plan change 26.**

Page 3

The reasons for my views are:

Yards 18.6.1.3.

I do not agree with this proposal to delete the 3 m rear yard setback to 1 metre.

241.2

This would mean that any potential new building on the property at the rear of mine would come right up to my back yard boundary fence.

In terms of visual impact, daylight shading and amenity/quality of life this proposal is unfair and unacceptable. **The rear boundary setback should remain at 3 metres.**

Subdivision

Table E38.8.2.6 Special Character Overlay

I object to the proposed reduction of the standard minimum lot size to 450 m² under the Single Housing Rules. This change would have detrimental consequences for me in terms of what can be built on my next door property. The implications are loss of visual impact, daylight shading, loss of amenity and thus quality of life. **The 600 m² should prevail.**

241.3

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Carolyn Fay Martin

Organisation name:

Agent's full name: Carolyn Martin

Email address: carolyn.martin@roche.com

Contact phone number: 021942836

Postal address:
18 Massey Avenue
Greenlane
Auckland 1061

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
All rules relating to PC 26 - Special Character Areas Overlay.

Property address: 18 Massey Avenue, Greenlane, Auckland 1061

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The reason being is the special character zoning relates to an overall neighbourhood look and feel. In a street of 34 houses only half the street is subject to the special character zoning. Of the 18 houses included in the special character zone all the NZ Government houses within this zone have been excluded a total of 5 houses. There is a further private house that has been excluded. Of the remaining twelve houses two of these houses already have garages within the front 4 to 10 metres. This leaves 10 houses scattered on neither side of the street therefore is no longer a consistent open front lawn appearance. Our property is last the property on the even numbered houses and therefore the section next door was subdivided some decades ago. The front lawn is also the south facing part of the section and wish to retain the ability to build so as to retain the sunny Northern aspect at the back for outside living. In addition we have all day parking and noise from the a popular kindergarten and feel we need to have a 2 metre high fence at the front for both privacy and noise reduction. We

feel our property is more suited to have the Single character home zone only without the restrictions of the character zone overlay. For the question below I'm not sure whether we should be asking for Decline the plan modification or Amend the plan modification if it is not declined. We are asking for exclusion of 18 Massey Avenue, Greenlane, Auckland 1061 from the Special Character overlay rules/conditions.

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 242.1

Details of amendments: We are asking for exclusion of 18 Massey Avenue, Greenlane, Auckland 1061 from the Special Character overlay rules/conditions.

| 242.2

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Proposed Plan Change 26 – relates to Chapter D18, Special Character Areas Overlay – Residential and Chapter E38 – Subdivision – Urban Unitary Plan

By Carolyn Fay Martin – for 18 Massey avenue, Greenlane, Auckland 1061

The following is a visual documentation to support the written online request for amendment being an exclusive of 18 Massey Avenue, Greenlane from the Special Character Areas Overlay.

1. Aerial Photo showing 18 Massey Avenue borders the zone change and the number of houses excluded within those in the Special Character overlay. There is no consistent open street frontage zoning.



2. Photos of houses in the Special Character Area Overlay where house, garages and or/parking have been allowed in the 4 to 10 metre front yard or less i.e. with 0 to 4 metres of the street frontage.

Property 11 Massey Avenue – garage within first 4 metres of the section



Property 11 Massey Avenue – along with the garage in the front 0 to 4 metres there is also minimal grassed area.



Property 14 Massey Avenue – garage within front yard zone which also has a 2m + hedge



Property 12 Massey Avenue – new house is within first 4 metres of the section



4 Massey Avenue – Parking within first 4 metres of front zone/yard:



3. Houses in zone where no open front yard and or hedges at 2 metres +
1 Massey Avenue, no open front yard hedge at 2 metres +



17 Massey Avenue, no open front yard, no grassed area in front yard either parking or decking. Directly opposite 18 Massey Avenue.



6 Massey Avenue, no open front yard, as 2 metre + hedge



4. Properties next to and diagonally across from 18 Massey but the start of the change of zoning for the rest of the street.

18A Massey Avenue next door to 18 Massey Avenue. 18 A is also a subdivided section with two dwellings.

Note: 18A has a garage right on the property edge i.e. 0 metres from road front.



19A Massey Avenue, is diagonally across from 18 Massey but the start of the change of zoning for the rest of the street.

19 A is also a subdivided section with two dwellings.

Note: 19A has a garage right on the property edge i.e. approx. 0.5 - 1 metres from road front. Fence at 2 metres



The picture for 19A also shows the kindergarten in close proximity (left side of photograph) which can be noisy and has a lot of traffic associated with it, including in weekends when the kindergarten is rented. Therefore, don't want to lose the ability to have a 2 metre fence on the front southern boundary for privacy and block noise.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Michael Fitzpatrick

Organisation name:

Agent's full name:

Email address: radfitz@mac.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

1. HEIGHT IN RELATION TO BOUNDARY 2. REAR YARD SETBACK 3. MINIMUM LOT SIZE

Property address:

Map or maps:

Other provisions:

Only the 3 rules stated in the box above.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

1. HEIGHT IN RELATION TO BOUNDARY The SCAO rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard of the SHZ for all of Auckland which is based on a 2.5m vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact with the 3m @45 degree envelope. 2. REAR YARD SETBACK There are boundary limit for side yards in the SCAO which require that no building is less than 1.2m from the boundary. However for the rear yard the proposal is to reduce the current 3m boundary to just 1m. This has a significant visual impact of new building as seen from neighbouring properties. Also, a very important consequence of relaxing the 3m setback for the rear yard is the impact it could have in areas of Devonport where sections near corner junctions have rear yards adjacent to side yards. The ability to build as close as 1m from the boundary to a neighbour's side yard would have significant impact on the value and enjoyment of a neighbours property even it is in their back garden.

3. MINIMUM LOT SIZE It is proposed that the minimum lot size specified in the Special Character Overlay: North Shore Area A, being 450m², will prevail over the underlying zoning: Single House Zone minimum lot size being 600m². This will have a significant visual impact from the street and/or neighbouring properties, and will detract from the enjoyment of neighbours property and reduce the amount of private green space in areas characterised not only by the houses but also the many beautiful gardens and mature trees.

I or we seek the following decision by council: Accept the plan modification with amendments

| 243.1

Details of amendments: 1. HEIGHT IN RELATION TO BOUNDARY: Apply SHZ rule of 2.5m vertical height and then a 45 degree incline to SCAO. 2. REAR YARD SETBACK: Retain current rule of 3m setback for rear yards in SCAO. 3. MINIMUM LOT SIZE: Retain SHZ standard of 600m².

| 243.2

| 243.3

| 243.4

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Julie Raddon Raddon

Organisation name:

Agent's full name:

Email address: jr3232@icloud.com

Contact phone number:

Postal address:

Stanley Point
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

1. HEIGHT IN RELATION TO BOUNDARY 2. REAR YARD SETBACK 3. MINIMUM LOT SIZE

Property address:

Map or maps:

Other provisions:

Only the 3 rules stated in the box above.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

1. HEIGHT IN RELATION TO BOUNDARY The SCAO rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard of the SHZ for all of Auckland which is based on a 2.5m vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact with the 3m @45 degree envelope. 2. REAR YARD SETBACK There are boundary limit for side yards in the SCAO which require that no building is less than 1.2m from the boundary. However for the rear yard the proposal is to reduce the current 3m boundary to just 1m. This has a significant visual impact of new building as seen from neighbouring properties. Also, A very important consequence of relaxing the 3m setback for the rear yard is the impact it could have in areas of Devonport where sections near corner junctions have rear yards adjacent to side

yards. The ability to build as close as 1m from the boundary to a neighbour's side yard would have significant impact on the value and enjoyment of a neighbour's property even it is in their back garden. 3. MINIMUM LOT SIZE It is proposed that the minimum lot size specified in the Special Character Overlay: North Shore Area A, being 450m², will prevail over the underlying zoning: Single House Zone minimum lot size being 600m². This will have a significant visual impact from the street and/or neighbouring properties, and will detract from the enjoyment of neighbour's property and reduce the amount of private green space in areas characterised not only by the houses but also the many beautiful gardens and mature trees.

I or we seek the following decision by council: Accept the plan modification with amendments

| 244.1

Details of amendments: 1. HEIGHT IN RELATION TO BOUNDARY: Apply SHZ rule of 2.5m vertical height and then a 45 degree incline to SCAO. 2. REAR YARD SETBACK: Retain current rule of 3m setback for rear yards in SCAO. 3. MINIMUM LOT SIZE: Retain SHZ standard of 600m².

| 244.2

| 244.3

| 244.4

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------------------------|
| For office use only Submission No: |
| Receipt Date: |

Submitter details

Full name of Submitter: R & M Donaldson
Address for Service: C/- Brown & Company Planning Group, Box 1467, QUEENSTOWN
Email: reception@brownandcompany.co.nz
Contact Person: J A Brown

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

| | |
|------------------------------|--|
| Plan Change/Variation Number | Proposed Plan Change 26 (PC26) to the Partially Operative Auckland Unitary Plan (AUP) |
| Plan Change/Variation Name | Clarifying the relationship between the Special Character Areas Overlay - Residential (SCAOR) and underlying zone provisions |

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

| | |
|-------------------|---|
| Plan provision(s) | All provisions but particularly Standard D18.6.1.2 (Height in relation to boundary) |
|-------------------|---|

Or

| | |
|------------------|-------------------------------------|
| Property Address | 14 Collingwood Street, Freemans Bay |
|------------------|-------------------------------------|

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

R & M Donaldson generally **SUPPORT** Proposed Plan Change 26.

1. The details of the submission are:

- 1.1 R & M Donaldson own a property that is identified as being subject to a SCAOR with an underlying residential zone (the Residential – Single House Zone) of the AUP;
- 1.2 R & M Donaldson support the purpose of PC26;
- 1.3 R & M Donaldson support the modifications to the Chapter D18 clauses relating to the relationship between the SCAOR and the underlying zone provisions;
- 1.4 R & M Donaldson support the modifications to D18.4 – Activity Table (including the preamble); and the modifications to D18.6.1 insofar as they relate to sites with a frontage less than 15m;
- 1.5 On Rule D18.6.1.2, R & M Donaldson support the application of a three-metre starting height for recession planes on the side and rear boundaries;
- 1.6 On Rule D18.6.1.2, R & M Donaldson support the modification to the rule that removes the requirement to apply a recession plane on the front boundary of sites within the SCAOR.

2. The reasons for this submission are:

- 2.1 R & M Donaldson support the purpose of PC26 for the reasons set out in *Proposed Plan Change 26 to the Auckland Unitary Plan: Clarifying the relationship between the Special Character Areas Overlay (Residential and General) and the underlying zones - Section 32 Evaluation Report* as follows:
 - (i) to ensure that the Auckland Unitary Plan appropriately specifies the relationship between the SCAOR and the underlying zone provisions; and
 - (ii) to ensure that the development standards that apply to sites in the SCAOR are most appropriately targeted to managing the special character values of the areas to which they relate¹.
- 2.2 R & M Donaldson support the proposed modifications to D18.4 – Activity Table (including the preamble); and the modifications to D18.6.1, including the modifications to the standards for yards, impervious surface and fences in the SCAOR, because the modifications assist in achieving greater clarity and are more appropriately linked to the special character values they seek to maintain, particularly the relationship of built form to the street.
- 2.3 The removal of the requirement to apply a recession plane on the front boundary of sites in Rule D18.6.1.2 – Height in Relation to Boundary is supported because:
 - 2.3.1 The removal better aligns the rules with the existing general character and typical architecture of the SCAOR, particularly in the Freemans Bay / Ponsonby area which includes early cottages, Victorian and

Edwardian villas, and bungalows. These areas contain a significant number of dwellings of gable front design.

2.3.2 The application of a recession plane on the front boundary would result in inconsistencies in the typical streetscape patterns that contribute to the character that the SCAOR seeks to maintain; its removal will therefore better achieve the objectives.

2.3.3 A standard requiring recession planes with a starting height of three metres on the side and back boundaries would enable a greater flexibility of design for new buildings (and alterations and additions to existing buildings) which would in turn allow for design to respond positively to the special character values and context of the area as required by the policies in Chapter D18. Development would still be required to meet the other standards governing bulk and location (such as maximum height, building coverage and yards), therefore any actual or potential adverse effects would be avoided or adequately mitigated.

2.3.4 The removal of the recession plane on the front boundary does not prevent a building design with a lower height in relation to the front boundary, where this is in keeping with the character of the streetscape.

3. R & M Donaldson seek the following decision from Auckland Council:

- | | | |
|-----|---|-------|
| 3.1 | Confirm the provisions of PC26 insofar as they relate to sites with a frontage less than 15m; and | 245.2 |
| 3.2 | In particular; confirm the application of a three-metre starting height for recession planes, applying on the side and rear boundaries only; and/or | 245.3 |
| 3.3 | Any other amendments necessary to address the matters raised in this submission. | 245.4 |

I seek the following decision by Council:

- | | | |
|---|-------------------------------------|-------|
| Accept the proposed plan change / variation | <input checked="" type="checkbox"/> | 245.1 |
| Accept the proposed plan change / variation with amendments as outlined below | <input type="checkbox"/> | |
| Decline the proposed plan change / variation | <input type="checkbox"/> | |
| If the proposed plan change / variation is not declined, then amend it as outlined below. | <input type="checkbox"/> | |

- | | |
|---|-------------------------------------|
| I wish to be heard in support of my submission | <input checked="" type="checkbox"/> |
| I do not wish to be heard in support of my submission | <input type="checkbox"/> |
| If others make a similar submission, I will consider presenting a joint case with them at a hearing | <input checked="" type="checkbox"/> |



 Signature of Submitter
 (or person authorised to sign on behalf of submitter)

12/07/2019

 Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.

*If you **could** gain an advantage in trade competition through this submission please complete the following:*

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

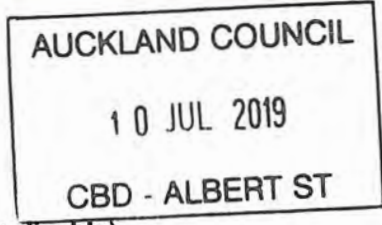
Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142



| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Nyo Ban Liang & Henmy Widijanti Sawang

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

10 Elgar St, Royal Oak, Auckland

Telephone: 09-6243431 Fax/Email: ptkpuNZ@xnet.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 27

Plan Change/Variation Name Amendments to Schedule 14.1 Schedule of Historic Heritage

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) E38.8.2-6 Subdivision of sites --- Residential and Business Item (3)

Or Property Address

Or Map

Or Other (specify) Table E38.8.2.6.1 Special character Areas Overlay - Residential and Business subdivision controls

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

① The Auckland City Rate is too high due to large backyard.

The reasons for my views are: Reducing the land area would reduce rate.

② Reducing minimum net site area allows sub division of land which allows additional houses to be built on established suburbs. ③ We live on the corner of the street and there is a big land at the back of property. Due to being a corner site, access to the back of the property is easy and will not impact on the character of the area. Also a tastefully designed moderate single storey dwelling will tie in well aesthetically with street frontage properties on Raukunga Ave. (continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

246.1

within table E38.8.2.6.1 the minimum net site area for Isthmus B2 shall be adjusted from 600 M² to 400 M² 246.2

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Signature of Submitter (Nyo Ban Liang)
(or person authorised to sign on behalf of submitter)

Date 8-7-2019

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Tania Fleur Mace

Organisation name: Grey Lynn Residents Association

Agent's full name:

Email address: hello@greyllynresidents.org.nz

Contact phone number: 021 826 426

Postal address:
C/- 24 Dryden Street
Grey Lynn
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.8 Assessment – Restricted Discretionary Activities D18.5 Notification D18.1.1 Matters of Discretion D18.6.1.3 Yards And also other matters relating to the Special Character overlay

Property address:

Map or maps:

Other provisions:
Also other matters relating to the Special Character overlay including extent of overlay in Grey Lynn and processing of consents covered by the Special Character overlay.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
See attached submission.

I or we seek the following decision by council: Accept the plan modification with amendments

| 247.1

Details of amendments: See attached submission.

Submission date: 12 July 2019

Supporting documents

GLRA Plan Change 26 Submission.pdf

About Grey Lynn Residents Association - information for plan change 26 submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Submission on Auckland Council's Plan Change 26: Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific parts of the proposed plan change that our submission relates to are:

D18.8 Assessment – Restricted Discretionary Activities

D18.5 Notification

D18.1.1 Matters of Discretion

D18.6.1.3 Yards

And also other matters relating to the Special Character overlay

We wish to have the provisions identified above amended.

We generally support the idea of a plan change that removes ambiguity and provides clear direction on the planning rules that apply in areas covered by the Special Character overlay. However we ask that the plan change be amended in to address the issues noted below and also that further work be undertaken to extend the Special Character overlay in Grey Lynn and remedy the problems that occur in the processing of consent applications.

Grey Lynn is fortunate in having well preserved special character streetscapes many of which are covered by the Special Character overlay. The rules governing development within the overlay need to be robust and decisions involving discretion need to be made by people with the appropriate skills and experience. We are well aware that the District Plan overlay that covered many character streetscapes in Auckland's eastern suburbs prior to the introduction of the Unitary Plan, failed to protect those streetscapes to the point where they lost their intact character and were therefore not included in the Special Character overlay in the Unitary Plan. Grey Lynn is now experiencing greater development pressure, probably similar to that of the eastern suburbs prior to the development of the Unitary Plan, and this puts our Special Character areas under greater threat. Therefore it is vital that the rules that apply within the Special Character overlay are clear, fit for purpose, and applied appropriately.

We are concerned that the Special Character overlay does not accurately reflect the full extent of character streetscapes in Grey Lynn. When the Unitary Plan replaced the former District Plans no further identification of established character streets in Grey Lynn was undertaken and the Special Character overlay was not extended beyond the extent of the Residential 1 zone identified in Grey Lynn in the early 1990s. There are a number of streets in Grey Lynn which have the exactly the same characteristics as streets that are covered by the Special Character overlay and yet are not protected by the overlay. It is not clear why this is the case. Selbourne Street is one example: only one block between Baildon and Firth Road was included in the Special Character overlay, despite the whole street being part of the Surrey Hills Estate subdivision, with similar housing types, streetscape and urban pattern as the block covered by the Special Character overlay.

Since the 1990s, many rundown villas and bungalows in Grey Lynn, that lie outside the area covered by the Special Character overlay, have been lovingly restored by owners who value the heritage character of their house, street and neighbourhood. The restoration of these properties has further reinforced the historic character of the area.

The Grey Lynn Residents Association asks that Council undertake a historic character assessment and field survey of the residential areas of Grey Lynn not currently included in the Special Character overlay, to allow the full extent of heritage streetscapes in Grey Lynn to be identified and protected with the Special Character overlay.

We believe that Auckland Council has done a very poor job of communicating what plan change 26 is about and what the changes will mean for residents who live within the Special Character overlay. Many of our members were confused by the information provided by Council. In order to meaningfully consult with residents, Council needs to ensure that information provided is clear and easy to understand.

Section D18.8 Assessment – Restricted Discretionary Activities

We would like to see a tightening of the rules around demolition within the Special Character overlay. Currently up to 30% demolition is a restricted discretionary activity. This allows planners who may lack experience in the heritage field to make inappropriate decisions allowing the demolition of a considerable amount of original built fabric. The process for making decisions in such cases needs to be more robust and should include input from a heritage expert. This would give the public a sense of reassurance that such decisions are not being made by people without the necessary skills and understanding of the intent of the Special Character provisions.

Section D18.5 Notification and D18.1.1 Matters of Discretion

Inconsistent decisions on consents in the Special Character overlay zones have caused considerable disquiet in the Grey Lynn community and this is exacerbated by such decisions often having no notification. Our Special Character streetscapes are a significant community, national and international asset. As Auckland Council had noted, Grey Lynn has:

‘the most extensive ranges of late Victorian and Edwardian timbered suburban housing in the world.’ (Draft Auckland Unitary Plan, Appendix 10.2)

The importance of these streetscapes means that Council should be much more cautious and considered in processing consents within the Special Character overlay and notification should be part of the processing of any applications that are at all contentious.

We note that the *Auckland Unitary Plan Overlays Analysis* written by Kath Coombes and Miriam Williams states that:

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.

We note that there is no mention of amenity values of neighbouring sites in Plan Change 26. We believe that it is vital that amenity values of neighbouring sites are considered especially given that there is a more generous building envelope within the Special Character overlay than the Single House zone. Furthermore, house sites in Grey Lynn’s Special Character overlay areas are small by comparison to many other Single House zoned areas in Auckland so the effects of alterations or additions on neighbours’ amenity values are likely to be much greater within the Special Character overlay than within the Single House zone. We ask that Plan Change 26 includes consideration of amenity values of neighbouring sites.

Section D18.6.1.3 Yards

Plan Change 26 seeks to delete the 3-metre rear yards that are currently part of the Special Character overlay rules and replace this with the rear yard rules for the underlying zone. The Single House Zone rules require only a 1-metre rear yard and we oppose this change. We feel

that the 3-metre rear yard rule should be retained as this will provide a better living environment for residents in Special Character overlay areas with an underlying Single House zoning.

We seek the following decision by Council:

Accept the proposed plan change/variation with amendments as outlined below:

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. | 247.2

Notify resource consents in situations where there are any matters that are contentious. | 247.3

Include consideration of amenity values of neighbouring sites when assessing consent applications within the Special Character overlay. | 247.4

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. | 247.5

Other Matters to be addressed by Council:

Commit to conducting a survey of residential streets in Grey Lynn to identify additional areas that are not 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. | 247.6

Ensure that the information from Council relating to future plan changes and other consultations is presented in a way that is clear, coherent and easy for members of the public to understand. | 247.7

We wish to be heard in support of our submission.

About the Grey Lynn Residents Association

Grey Lynn Residents Association (GLRA) represents the people of Grey Lynn. It does advocacy and activism work to make Grey Lynn the most liveable suburb in the world.

GLRA exists for the following reasons, as stated on its website (<https://www.greyllynresidents.org.nz/>):

- To provide a unified voice for the residents of Grey Lynn
- To promote and protect the interests and welfare of Grey Lynn residents
- To undertake advocacy and activism work to make Grey Lynn the most liveable suburb in the world

GLRA is an incorporated society and was incorporated in 2013. Membership is open to all and a committee is elected at an AGM each year. GLRA was formed in 2013 largely as the result of widespread community concern about the impact of the then Draft Unitary Plan. Since then, GLRA has engaged across a much wider set of issues, though planning and heritage remain important.

A needs assessment was undertaken by GLRA in 2015, surveying people who live, work, play and/or study in Grey Lynn (<https://www.greyllynresidents.org.nz/wp-content/uploads/Grey-Lynn-Needs-Assessment.pdf>). There were 516 respondents to the survey, 80% of whom lived in Grey Lynn (with smaller percentages from neighbouring suburbs such as Westmere and Ponsonby) and half of whom had lived in Grey Lynn for more than 10 years.

Respondents were asked what activities they did in Grey Lynn. The top three responses were parks, cafés and shops.

People were also asked what their biggest concerns were in Grey Lynn. These included the effects of intensification, threats to character, traffic and crime (Figure 1).

The survey also asked people what facilities they would like to see in Grey Lynn. The top three requests were a cinema, a pool and more cycle lanes/paths.



Figure 1: People's biggest concerns about Grey Lynn

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jacqui Goldingham

Organisation name:

Agent's full name: Jacqui Goldingham

Email address: goldie@kiwilink.co.nz

Contact phone number: 0211068508

Postal address:

goldie@kiwilink.co.nz

Auckland

Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

the change to relating to building height in relation to boundary, yards, paved areas and fences

Property address:

Map or maps:

Other provisions:

As I don't understanding the wording of the proposal I not sure which are the provisions have specified. I do not want people to be able to build closer or higher to their neighbours.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

To maintain the nature of victoirian buildings in Devonport. As it an heritage Area modern building extentions and infill should not be allowed.

I or we seek the following decision by council: Decline the plan modification

Submission date: 12 July 2019

Attend a hearing

248.2

248.3

248.4

248.5

248.1

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Submission on the Auckland Unitary Plan (Form5)

Clause 6 of Schedule 1, Resource Management Act 1991

To:

Auckland Council
Private Bag 92300
Auckland 1142
unitaryplan@aucklandcouncil.govt.nz

Attention: Planning Technician

Proposed Plan Change 26 Submission

Submitter: K Vernon

1. This is a submission on the proposed Plan Change 26 to the Auckland Unitary Plan.
2. I could not gain an advantage in trade competition through this submission.
3. The specific provisions of the proposal that my submission relates to are:
My submission relates to all provisions of the proposal.
4. My submission is:
See attached submission document.
5. I seek the following decision from Auckland Council:
See attached submission document.
6. I wish to be heard in support of my submission.



K Vernon

Signed by typing name above

Attachment 1: Submission

Date: 12 July 2019

Address for service of the submitter:

kvernon@xtra.co.nz

PO Box 99124
Newmarket
Auckland 1149

Auckland Unitary Plan, Proposed Plan Change 26

Attachment 1 to Submission Form Submission Submitter: K Vernon

General

1. In principle I support the view that the Special Character Area (SCA) Overlay activity status and standards should take precedence (prevail) over equivalent provisions in the underlying Zone sections.
2. However this position is subject to the SCA Overlay containing a satisfactory set of rules and standards to achieve the Objectives. Unfortunately the amendments as currently proposed by Plan Change 26 are in my view not adequate for this purpose.
3. I also note that as currently formatted the Unitary Plan requires the activity status to be determined by the most restrictive rule applying [see Rules C1.6 (1) and (2)]. This ensures that the prevailing provisions cannot be less restrictive than the underlying Zone.
4. The Plan Change however envisages the possibility of the Overlay being less restrictive. This is a matter of concern. It is difficult to see why this would be necessary or appropriate. In this regard the existing structure of the Plan has some advantages as it would prevent less restrictive provisions being applied.
5. For the avoidance of doubt it is recorded here that I oppose any SCA Overlay provision that would be less restrictive than the corresponding provision in the Single House Zone chapter.
6. Further I note that there are a number of different SC sub-areas each with its own character statement however there is only one set of SC Overlay standards. This inevitably creates difficulty establishing an Overlay that is appropriate to prevail in all cases. It may be that the Overlay will require a degree of sectionalising to correspond with SC sub-areas, or groups of areas, if the priority approach is to work satisfactorily.
7. The s32 evaluation report at page 4 paragraph 3 advises that the Court's decision on Declaration proceedings means all provisions including the underlying Objectives and Policies must be applied. The amendments proposed by PC26 do not change this situation with regard to Objectives and Policies which is important for matters related to protection of amenity for residents and adjoining sites. I support this approach.
8. I do not support the SCA Overlay standards "replacing" the equivalent underlying zone standard. That is quite different to "precedence over" which establishes a hierarchy but still requires the underlying standards to apply where there is no conflict.
9. The Plan Change proposes to remove the reference to land use in D18.4 on the basis that Table D18.4.1 does not apply to land use activities. But this raises the question why not? It may very well be appropriate to further limit the activities that are permitted within the SCA Overlay to reinforce the single house residential character. This would be consistent with Objective D18.2.3 *"The adverse effects of subdivision, use and development on the identified special character values of the area are avoided, remedied or mitigated."*

Auckland Unitary Plan, Proposed Plan Change 26

Amendments

D18.4 - Activity Table

10. 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 (with reference to Table H3.4.1 activity use identifiers);

Residential - A4, A10, A12, A14
Commerce - A19
Community - A21, A27
Rural - A30

249.1

(A discretionary activity status in Table D18.4 will override permitted status in underlying zones).

11. The proposed new paragraph 2 is acceptable noting that I oppose any provision that is less restrictive than the underlying single house zone.
12. The proposed new paragraph 3 is acceptable.

Table D18.4.1

13. The proposed addition of activities (A5A) and (A5B) is generally acceptable subject to proposed amendments to standard D18.6.7(1) and changing the description to “*Front, side and rear fences and walls*”.

249.2

D18.6- Standards

14. D18.6.1 Heading.
The proposed amendment to the heading is acceptable.
15. The proposed new paragraph (a) is acceptable.
16. The proposed new paragraph (b) is not acceptable in its current form.
17. The intention is for the overlay provisions to prevail (take priority or precedence over) the underlying zone provisions not “replace” (*see the s32 evaluation report page 4 paragraph 6, and point (b) on page 5*). To this extend any aspect of the underlying standards that are not in conflict with the Overlay standards including Purpose will continue to apply.
18. If this was not the case underlying standards would be totally lost and the Overlay provisions would have to deal with the full range of planning issues not just Special Character.
19. 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*”.
20. This is then consistent with the underlying zone Objectives and Policies and matters of discretion and assessment criteria continuing to apply.

249.3

Auckland Unitary Plan, Proposed Plan Change 26

21. For any proposal both the Overlay and underlying provisions must be considered but there will be a clear hierarchy established for the applicable standards to assist interpretation.
22. Also note that activities not included in the Overlay activity table D18.4.1, but listed in the underlying zone, are subject to the Overlay standards per new D18.6.1 (a).

D18.6.1.1- Building Height

23. The proposed Purpose statement is not entirely adequate for an overriding provision particularly in respect of adjoining properties.
24. Add a new bullet point "*Maintain a reasonable standard of residential amenity for adjoining sites*" | 249.4
25. This is necessary to ensure "*residential amenity for adjoining sites*" continues to be treated as an important priority consideration within Special Character areas.
26. This recognises that Special Character arises out of a combination of factors including the interrelationship of adjacent properties. If this is not clear in the special character statements they should be amended accordingly.

D18.6.1.2 - Height in relation to Boundary (HIRB)

27. The proposed Purpose statement is not entirely adequate for an overriding provision particularly in respect of adjoining properties.
28. Add a new bullet point "*Maintain a reasonable standard of residential amenity for adjoining sites*" (see comment under Height). | 249.5
29. I do not agree with the 3m and 45 degree HIRB standard for sites with a frontage less than 15m as proposed under sub-clause (1). | 249.6
30. The purpose of the HIRB control is in part to protect sunlight access for neighbours and to minimise visual dominance effects on neighbours. This is an important aspect of Special Character. The fact that a site has less width does not change that requirement.
31. It would also mean all Rear sites, by definition sites with a frontage of less than 7.5m (although the working dimensions of the site will likely be considerably larger) would have a 3m and 45 degree HIRB standard on all boundaries which is less onerous than the underlying single house zone standard of 2.5m and 45 degrees.
32. Similarly front sites with a narrow frontage but a wider larger area behind would be able to adopt the less stringent HIRB standard. Some unusual outcomes could also arise on corner sites where the standard is controlled by one frontage only per sub-clause (1)(a)(i).
33. In my view the normal HIRB standard (in most cases the single house 2.5m and 45 degrees) should continue to apply regardless of the frontage width.
34. Any breach of this HIRB standard should require a notified consent with neighbours given the opportunity to be heard. | 249.7

Auckland Unitary Plan, Proposed Plan Change 26

35. 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. This amendment to PC 26 is proposed.

249.8

36. The definition of Front boundary proposed by PC 16 and separate definition for Frontage is confusing, amendments are required.

37. 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”* [But note that I do not agree with sub-clause (1) or this Figure]. A separate Figure would then be required for sites with a frontage length of 15m and more.

249.9

38. The wording of sub-clause (1) is rather clumsy particularly when read with (2), (3) and (4).

39. The reference in (3) and (4) is to (1) only but probably applies to (2) also.

40. I am of the view that sub-clauses (1) and (2) could be combined 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.

249.38

41. The replacement clause would read as follows;

“Buildings in the Special Character Areas Overlay – Residential must not project above:

- (a) a 45 degree recession plane measured from a point 2.5m vertically above ground level along any side and rear boundary of the site; and*
- (b) a 45 degree recession plane measured from a point 3m vertically above ground level along any front boundary (frontage) of the site”*

(Include a Figure(s) that show this standard)

42. The s32 evaluation report draws attention to areas where subdivision involved narrower smaller sites. But this just points to the need for the SCA Overlay standards to be divided into SC sub-area categories.

43. I would also note that a site with a 15m frontage is not particularly narrow. It is actually quite close to the width of a traditional quarter acre site.

44. Also using only a frontage width does not take into account the shape factor of the site. In particular rear sites as mentioned above. That is sites with a narrow frontage but ample width and area behind.

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45. Further the 2.5m and 45 degrees HIRB standard is not particularly onerous. Before the unitary plan the HIRB standard for zone equivalent to single house consisted of a 2m step with a recession plane that varied from 45 degrees on the northern boundary to 35 degrees on the southern boundary.
46. At the end of sub-clause (3) I do not agree with the inclusion of the wording “.. or where a common wall is proposed.” If there is an existing common wall there is an existing use right but this is not a form of development that should be encourage in SC areas which are predominantly single house (*see the s32 evaluation report page 5 last paragraph*).
47. The current wording “.. 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*” 249.10
48. The exemption should only apply to that section of the boundary occupied by an existing common wall. Amend the wording accordingly.
49. The gable end, dormer or roof projection provisions in (5) and (6) are also unclear. What does “*cumulatively*” mean in (5)(b). Is it the sum of all projections or the total length of any one projection as per figure D18.6.1.2.2. In my view it should be *the total sum length of all projections on any elevation*. 249.11
50. Also, (6) allows up to two projections per 6m of site boundary. Is that the total boundary length? For instance for a rectangular site with dimension 16m by 30m or total boundary length of 92m this calculation gives a figure of 30.6 projections. That seems excessive. It would be clearer to state the maximum number of projections allowed per site. I proposed not more than 4 projections per site. 249.12

Definitions - Building and Height

51. The effectiveness of the Height and HIRB standards is dependent on the definitions of Building and Height, particularly the number of exclusions and the limitations on those exclusions.
52. The standards apply to “buildings”, any structure excluded from the definition of building therefore avoid the height, HIRB, yards and coverage standards. Similarly there are specific exclusions from the definition of “Height” that allow the standards to be breached. Further there are more exceptions in the standards such as for gable ends and dormers under the HIRB rule.
53. The issue is that there are too many exclusion and the limiting parameters on those exclusions are inadequate.
54. A number of amendments are required to tighten-up these definitions to ensure the purpose and application of the standards is not unduly compromised. This is particularly relevant to Special Character areas.

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Building definition

Table J1.4.1

Flagpoles, masts or lighting poles;

55. A cross section threshold of 1.2m is excessive (that is the size of a major tower). Reduce this figure to *150mm*.
56. The point of attachment should be at ground level for a 7m height. Installation within any Yard should be not permitted for structures of this type and height. Amend accordingly.
57. Alternatively apply a threshold of not more than *1m* above the applicable Height and Height in relation to boundary standard of the site, and not within any Yard.
58. The number of structures that are permitted to exceed normal controls on buildings should be restricted to “*..not more than 2 per site*”. Amend accordingly.
59. Amend the controls to ensure structures of this type are not installed in any Yard.

Table J1.4.1

Structures used as a dwelling, place of work, place of assembly or storage or that are in a reserve or camping ground;

60. The qualifier “*..in use for more than 32 days in any calendar year*” should be deleted. Amend accordingly.
61. Structures such as dwellings, place of work or assembly and storage that exceed a height of 1.5m must be treated as “buildings” without other qualifiers.
62. The addition of the word “and” under PC16 exacerbates the problem. Essentially this would allow a large “building” that is not in use frequently to avoid Height, HIRB, Yard and Coverage controls. If there is a need for a provision to cover temporary structures such as tents in camping grounds that should be dealt with separately. Mixing temporary and permanent type structure together is unwise.
63. Based on the current wording the exception would apply to any type of structure “*..in a reserve or camping ground*”. This requires amendment.
64. It is not unusual for District Plans to treat any structure whether permanent or temporary over 1.5m in height as a “building” with only very limited exceptions.

Exclusions

[Roof mounted chimneys (see PC16)], aerial and water overflow pipes;

65. This requires a control on the degree of projection through the Height and HIRB control and the number of projections permitted per site as follows – “*..that do not exceed the Height and HIRB standard of the site by more than 1m. Not more than 2 such projections are permitted per site.*”

Height definition

66. In item (2)(c) change the word “or” to “and” after sub-clauses (i) and (ii). The intent of this provision is to put a set of restrictions round the activity that establish thresholds for height, width and location that apply concurrently. Using the word “or” changes the interpretation.

Auckland Unitary Plan, Proposed Plan Change 26

67. In (2)(c)(i) after height add “...*and height in relation to boundary standard for the site (whichever is the lesser height)*...”
68. There is also no control on the number of projections. To address this add “*and ..(iv) more than 2 projections per site*” (does not exceed).
69. Similarly the word “or” must be changed to “and” in (2)(a) and (2)(b).
70. In item (2)(e) there is no threshold restrictions stated at all. To correct this add “*..that do not project more than 1m above the maximum permitted activity height and height in relation to boundary standard for the site (whichever is the lesser height), and provided that the cumulative horizontal length of all projections on any elevation does not exceed 3m.*”
71. Similarly, the terminology “*..cumulative width of all projections*” should be used in (1)(a), (2)(a), (2)(b) to limit the extent of projections allowed.
72. For item (2)(f) “guy wire” there is also no restrictions. Guy wires can be obtrusive and out of character particularly in residential areas. To correct this add “*.. provided that not more than 3 guy wires may exceed the maximum permitted activity height and height in relation to boundary standard for the site (whichever is the lesser height), and the cross section of any guy wire does not exceed 4mm*”.
73. In (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)*...” to ensure the HIRB standard also applies. (HIRB is a method of calculating height at particular locations of the site). 249.15
- D18.6.1.3 - Yards**
74. The proposed Purpose statement is not adequate for an overriding provision particularly in respect of adjoining properties.
75. Add “*.. and to maintain a reasonable standard of residential amenity for adjoining sites*” (see comments under Height). 249.16
- Table 18.6.1.3.1 - Yards
76. 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. 249.17
77. Also, 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. 249.18
78. Also include a figure to establish a minimum Front yard to avoid unusual outcomes – I propose “*..but not less than 3m*” (this is consistent with the Single House Zone). 249.19
79. Similarly include a figure for a maximum Front yard of “*.. and not more than 8m*”. 249.20

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80. Increase the Side yard figure to 1.5m. Setback from boundaries is an important aspect of special character. The proposed figure of 1.2m is only marginally more than the underlying single house zone figure of 1m. | 249.21

81. For the Rear yard I do not agree with a total deletion of the provision from the Table. A Rear yard should be retained in the Table. A figure of 1m is proposed. This will provide certainty that a minimum figure is in place regardless of what might happen in the underlying Zone provisions (*note on rear sites all boundaries yards are Rear yards*). | 249.22

Other Yard issues

82. In sub-clause (2) delete “.. or where a common wall is proposed” and add ““..this provision does not apply if a common wall is proposed””. | 249.23

83. The exemption should only apply to that section of the boundary occupied by an existing common wall. Amend the wording accordingly.

D18.6.1.4 - Building Coverage

84. The proposed Purpose statement is acceptable.

85. In Table D18.6.1.4.1 the break point for larger sites is set too low. In the SCA larger sites up to say 1500 m² are relatively common. The underlying SHZ uses a flat 35% coverage figure regardless of lot size.

86. I propose that the last two lines of the table are amended to read;
500m² to 1500m² - coverage 35% of net site area
Greater than 1500m² - coverage 25% of net site area | 249.24

D18.6.1.5 Landscaped Area

87. In the proposed Purpose statement delete “..and trees”. The term “Landscaped Area” is a defined term there is no need to add other qualifiers. | 249.25

88. In Table D18.6.1.5.1 the break point for larger sites should be 1500m² as per for Building Coverage above. | 249.26

That is;
500m² to 1500m² - 40% of net site area
Greater than 1500m² - 50% of net site area

D18.6.1.6 Maximum (paved) impervious area

89. In Table D18.6.1.6.1 the break point for larger sites should be 1500m² as per for Building Coverage above. | 249.27

That is;
500m² to 1500m² - 60% of net site area
Greater than 1500m² - 50% of net site area

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D18.6.1.7 – Fences (and) walls (and other structures)

- | | | |
|-----|---|--------|
| 90. | Change the title to “ <i>Front, side and rear fences and walls</i> ” for consistency with underlying zone standards. | 249.28 |
| 91. | Amend the propose Purposes statement by adding “ <i>.and to allow for a reasonable level of privacy and security</i> ”. | 249.29 |
| 92. | The fence and wall height in (1)(a) and (b) is not adequate for reasonable privacy and security. Change the figure of 1.2m to 1.8m in each of these sub-clauses. | 249.30 |
| 93. | The wording of sub-clause (b) is somewhat confusing particularly in respect of fences between the house and side boundary and forward of the front façade of the house. It requires some rewording. | 249.31 |
| 94. | The defined term “dwelling” should be used rather than the undefined “house”. | 249.32 |
| 95. | The terms “fences” and “walls” are not defined but if 2.5m or less in height are not “buildings”. | |

D18.8 Assessment – Restricted discretionary activities

- | | | |
|-----|---|--------|
| 96. | The proposed addition of D18.8.1.1 (c) is supported. | 249.33 |
| 97. | The proposed addition of D18.8.2.1 (4) (b) is supported. | 249.34 |
| 98. | This provides important additional ties to the underlying provisions including Objectives and Policies. | |

E38 - Subdivision Urban

- | | | |
|-----|---|--------|
| 99. | The proposed addition of E38.8.2.6 (3) is acceptable. | 249.35 |
|-----|---|--------|

Relief Sought

- | | | |
|------|--|--------|
| 100. | The following relief is sought: | |
| | (a) Make changes and amendments to the Auckland Unitary Plan / Proposed Plan Change 26 as required to address the above submission points; and | 249.36 |
| | (b) Make such other amendments to the Auckland Unitary Plan as are necessary or appropriate as a consequence of the primary relief sought. | 249.37 |

K Vernon

12 July 2019

**SUBMISSION ON PLAN CHANGE 26 TO THE AUCKLAND UNITARY PLAN
UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO THE RESOURCE
MANAGEMENT ACT 1991**

To: Auckland Council
Attn: Planning Technician
Level 24, 135 Albert Street
Private Bay 92300
AUCKLAND 1142

unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: Southern Cross Hospitals Limited

Address: c/- MinterEllisonRuddWatts
PO Box 3798
AUCKLAND 1140
Attention: Bianca Tree

Introduction

1. This is a submission on behalf of Southern Cross Hospitals Limited (**Southern Cross**) on proposed Plan Change 26 (**Plan Change**) to the Auckland Unitary Plan (**Unitary Plan**). The Plan Change was notified by Auckland Council (**Council**) on 30 May 2019.
2. The Plan Change proposes changes to the overlay provisions in the Unitary Plan to confirm that the provisions of the Special Character Area Overlay – Residential and Business (**SCA Overlay**) take precedence over the underlying zone rules. The Plan Change also seeks to add new purpose statements for the standards in the SCA Overlay, and amend some of the development standards.
3. Southern Cross opposes the Plan Change in part and supports the Plan Change in part.
4. This submission relates to the following provisions of the Plan Change:
 - (a) The purpose statements included at the beginning of the development standards in section D18.6.1 Standards for buildings in the Special

Character Areas Overlay – Residential and in the Special Character Areas Overlay – General (with residential zoning); and

- (b) The following development standards:
 - (i) D18.6.1.2 Height in relation to boundary;
 - (ii) D18.6.1.5 Landscaped Area;
 - (iii) D18.6.1.6 Maximum Impervious Area; and
 - (iv) D18.6.1.7 Fences, Walls and other structures.

Background to Southern Cross

- 5. Southern Cross has the largest network of private surgical hospitals and procedure centres in New Zealand, with ten wholly-owned hospitals as well as ten joint ventures operated in partnership with leading healthcare providers. Southern Cross is part of the Southern Cross Health Group.
- 6. Southern Cross provides essential social infrastructure and has an important role in the New Zealand health sector. In 2018, 80,000 New Zealanders were treated in a Southern Cross facility (compared with approximately 1.1 million in a public hospital).
- 7. Southern Cross' hospitals are located immediately adjacent to or within residential areas of towns and cities in New Zealand. They are also often located in proximity to public hospitals and other healthcare providers. New Zealand has significant projected population growth and an ageing population, which will require expansion in both the public and private healthcare services to keep up with the demand. It is important that Southern Cross maintains the development potential of each of its sites to meet current and anticipated capacity.
- 8. Southern Cross owns and operates Brightside Hospital, located at 3 Brightside Road and 149, 151 and 153 Gillies Avenue, Epsom, Auckland (**Brightside Hospital**). The sites at 149, 151 and 153 Gillies Avenue are zoned Single House and are subject to the SCA Overlay. Southern Cross has lodged Private Plan Change 21, which seeks to rezone Brightside Hospital to Special Purpose Healthcare Facility and Hospital zone and remove the SCA Overlay.

Trade competition

9. Southern Cross could not gain an advantage in trade competition through this submission.

Submission in opposition

10. Southern Cross opposes the inclusion of purpose statements at the beginning of each standard in D18.6.1 of the SCA Overlay.

Reasons for submission in opposition

11. The reasons for Southern Cross' opposition includes the following.
12. In general, the inclusion of purpose statements at the beginning of each standard in D18.6.1 of the SCA Overlay:
 - (a) is inconsistent with the relevant objectives and policies and framework of the Unitary Plan;
 - (b) is inconsistent with the purpose and principles of the Resource Management Act 1991 (**RMA**);
 - (c) does not meet the requirements to satisfy the criteria of section 32 of the RMA;
 - (d) will not meet the reasonably foreseeable needs of future generations; and
 - (e) is contrary to sound resource management practice.
13. Further, without derogating from the generality of the above, the inclusion of purpose statements at the beginning of each of the development standards in section D18.6.1 of the SCA Overlay is inappropriate for the following reasons:
 - (a) the purpose statements generally take a restrictive interpretation to the standards, which is not consistent with the plain wording of the standards;
 - (b) the effect of the standards in the SCA Overlay may be altered in a manner not anticipated by the Council as the standards would need to be interpreted in light of the purpose statements;

- (c) the purpose statements are unnecessary because the introductory section in the SCA Overlay clearly identifies the purpose of the SCA Overlay, which is to retain and manage the identified special character values of specific residential and business areas;
- (d) it is inconsistent with the purpose of Plan Change 26 because it introduces uncertainty about the interpretation of these standards in light of the purpose of the SCA Overlay;
- (e) it is inconsistent with the rest of the Unitary Plan, as no other overlays in the Unitary Plan include purpose statements within the standards section. This approach to drafting was only applied with zones and precincts, which prescribe the underlying rules and establish the overall nature of development in an area.

Submission in support

- 14. Southern Cross conditionally supports the amendments to the following development standards in D18.6.1 of the SCA Overlay (subject to the removal of the purpose statements):
 - (a) D18.6.1.2 Height in relation to boundary;
 - (b) D18.6.1.5 Landscaped Area;
 - (c) D18.6.1.6 Maximum Impervious Area; and
 - (d) D18.6.1.7 Fences, Walls and other structures.

Reasons for submission in support

- 15. The reasons for Southern Cross' conditional support includes the following.
- 16. In general, the amendments to the development standards in D18.6.1 of the SCA Overlay set out at 14(a)-(d) above:
 - (a) are consistent with the relevant objectives and policies of the Unitary Plan;
 - (b) are consistent with the sustainable management of physical resources and are otherwise consistent with the purpose and principles of the RMA;

- (c) will maintain and enhance amenity values and the quality of the environment;
 - (d) meet the requirements to satisfy the criteria of section 32 of the RMA;
 - (e) will meet the reasonably foreseeable needs of future generations; and
 - (f) are consistent with sound resource management practice.
17. Further, without derogating from the generality of the above, the amendments to the development standards in D18.6.1 of the SCA Overlay set out at 14(a)-(d) above are appropriate because they:
- (a) appropriately enable the purpose of the SCA Overlay;
 - (b) would effectively manage change and encourage ongoing maintenance of buildings in areas subject to the SCA Overlay;
 - (c) reduce uncertainty in the application of the development standards; and
 - (d) would be effective for retaining the physical attributes that define, contribute and support the special character of areas subject to the SCA Overlay, including streetscape qualities and cohesiveness.

Decision sought

18. The decision sought by Southern Cross is:

- (a) That the proposed purpose statement in each of the standards in the Special Character Areas Overlay be removed; 250.1
- (b) Subject to the removal of the purpose statements;
 - (i) that the amendments to the height in relation to boundary standard D18.6.1.2 be allowed; 250.2
 - (ii) that the amendments to the landscaped area standard D18.6.1.5 be allowed; 250.3
 - (iii) that the amendments to the maximum impervious area standard D18.6.1.6 be allowed; 250.4

(iv) that the amendments to the fences, walls and other structures standard D18.6.1.7 be allowed; and | 250.5

(c) Such relief and/or amendments to the Plan Change as may be necessary to address Southern Cross' concerns, as outlined above. | 250.6

19. Southern Cross wishes to be heard in support of its submission.

20. If others make a similar submission, Southern Cross will consider presenting a joint case with them at a hearing.

DATED this 12th day of July 2019

Southern Cross Hospitals Limited by its
solicitors and duly authorised agents
MinterEllisonRuddWatts



B J Tree

Address for service of submitter

Southern Cross Hospitals Limited

c/- MinterEllisonRuddWatts

P O Box 3798

AUCKLAND 1140

Attention: Bianca Tree

Telephone No: (09) 353 9700

Fax No. (09) 353 9701

Email: bianca.tree@minterellison.co.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jean Dorothy Day

Organisation name:

Agent's full name:

Email address: jday@kiwilink.co.nz

Contact phone number:

Postal address:
28a Niccol Ave. Narrow Neck 0624
Narrow Neck
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
PC 26

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
Would allow more destruction of important Heritage.

I or we seek the following decision by council: Decline the plan modification

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

| 251.1

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Brendan Kell

Organisation name:

Agent's full name:

Email address: oliverschristmas@orcon.net.nz

Contact phone number: 0211661075

Postal address:
163 Balmoral Road
Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

D18.6.1.2 Height in relation to boundary (1) Buildings in the special character areas overlay (a) (i) for corner sites D18.6.1.3 Yards - set backs D18.6.1.5 Landscaped area - D18.6.1.5.1

Property address: 163 Balmoral Road, Mt Eden

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

1.The proposed reduction to 2.5 would limit any future replacement of existing garage with a loft garage given our existing house coverage. 2. The method used for the set back in relation to the other properties in street would hinder any proposed replacement of existing garage on the basic same footprint and look ugly.

I or we seek the following decision by council: Decline the plan modification

Submission date: 12 July 2019

252.2
252.3
252.4

252.1

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Barbara Cuthbert and Michael Ashmore

Organisation name:

Agent's full name:

Email address: barbcuth@gmail.com

Contact phone number: 0274 124 825

Postal address:
2A St Aubyn St
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Change to the Height in Relation to Boundary Standard

Property address: 2A St Aubyn St, Devonport, Auckland 0624

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

We reject the provision that narrower sites (less than 15m in width) are to be subject to a more permissive height in relation to boundary recession plan for side and rear boundaries starting with a 3m height on the boundary instead of the existing standard of 2.5m. The narrower sites to which the standard will apply tend to be smaller sites with land areas less than 500m² in area, and have a higher building coverage provision. This gives more scope to expand the building at ground level. This provides for additional development potential, and would result in a more dominant building in relation to neighbouring sites if the proposed height in relation to boundary standard were adopted. The supporting documentation for the plan change has not established that narrower sites have less sensitivity to loss of sunlight, light and building dominance to justify a more permissive height in relation to boundary control on side and rear boundaries. We contend that sunlight, light and spacial outlook are equally valued in areas where sites are smaller and buildings closer to their boundaries.

The standard is a crude tool to protect sunlight, light and to control overlooking/building dominance, as it does not take account of site orientation to sunlight and relationship to adjacent buildings. It is therefore important that the standard applied remains at a 2.5m boundary starting height for the recession plane so that where it is exceeded the individual circumstances of sites and effects on neighbouring properties can be taken into account by way of a restricted discretionary consent.

I or we seek the following decision by council: Accept the plan modification with amendments

| 253.1

Details of amendments: Delete the proposed change to the height in relation to the boundary standard.

| 253.2

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jeanette Heilbronn

Organisation name:

Agent's full name:

Email address: jeanette.heilbronn@gmail.com

Contact phone number: 0211397555

Postal address:
18 Codrington Crescent
Mission Bay
Auckland 1071

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Fencing and height to boundary change 26 special character

Property address: Codrington Crescent

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The height for the front and side fences is too low for security reasons. A lot of 2 meter fences are of pillars with iron railing between which gives good views of the houses. Not all fences are solid as this amendment presumes. In some cases the houses are already closer to the boundary than now and it would look stupid to set in the wall and not in keeping with the character of the building.

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 254.1

Details of amendments: Retain 2 meter 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 .

| 254.2

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

12 July 2019

Tunncliffe Investment limited
Tunncliffe Glass Family trust
7 Belvedere Street
Epsom 1051

Attention: John Duguid
General Manager – Plans and Places

Regarding: Proposed Plan Change – Special Character Areas
62 Onslow Avenue, Epsom, Auckland 1023

We wish to formally dispute the requirement for a special character overlay at our property 62 Onslow Avenue, Epsom, Auckland 1023. Our property is positioned in an area between The Drive and St Andrews Road. This area does not have special character pertaining to the street view of the houses. Our property borders a sub-divided property to the west and a fully developed site on the eastern side. Number 60 has been both extended with garage and pool and more recently separate pool-house with minimal grassed areas. Number 64 is sub-divided and number 66 is a very large modern property covering the majority of the site. The rest of the street is lacking in any character homes.

255.1

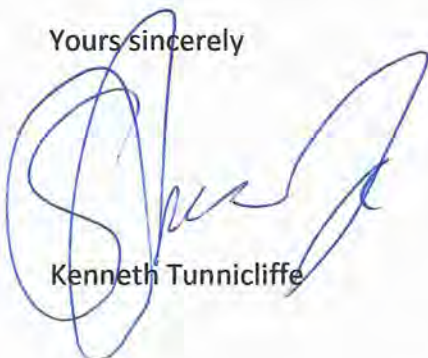
On the northern side of Onslow Avenue extensive sub-division has been undertaken. In our immediate surrounding area development of new homes is currently in progress.

To limit development of our 1148 square metre site by both extensive renovations and sub-division seems to make little sense, given the extensive development of other properties in the immediate vicinity.

Finally, we would like to see the fence height maintained at 1.8 metres to allow both privacy and animal control within the property.

255.2

Yours sincerely



Kenneth Tunncliffe



Esther Glass

Submission to PC26 to: unitaryplan@aucklandcouncil.govt.nz

1. **Submitter Details** – Bruce Lotter, 6A Reydon Place, Cockle Bay. A Resident & Ratepayer Howick, Auckland.
2. **Scope of Submission :**

PC26 Plan Change/Variation :clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.

The specific provisions that my submission relates to are:

Plan Provisions –

1. *I generally support the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers some parts of Howick which have a variety of underlying business and residential zones.*
2. *In Part D18.1 the exception of Howick from the Special Character Area Overlay considerations is not acceptable and should be deleted.*
3. *The Special Character Area at Howick is requested to be expanded over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.*
4. *A Special Character Area description for Howick covering residential and business areas is required to be inserted into Part D18.1 of PC26 and in Schedule 15 at Part 15.1.6.1..*
5. *In all other respects I support PC26 and seek to have the controls and standards within PC26 available to cover the expanded Special Character Area shown on the attached Plan.*

Submission: *I oppose the specific provisions identified above which exclude Howick from consideration under PC26.*

I wish to have the following provisions amended:

- (a) *The removal of the exemption of Howick from Part 18.1 Background.*
- (b) *The expansion of the Special Character Area at Howick to cover the properties identified on the attached plan.*
- (c) *The inclusion of a description for the existing and expanded Special character Areas of Howick into the table within D18.1 and within Schedule 15 at Part 15.1.6.1.*

The reasons for my views are –

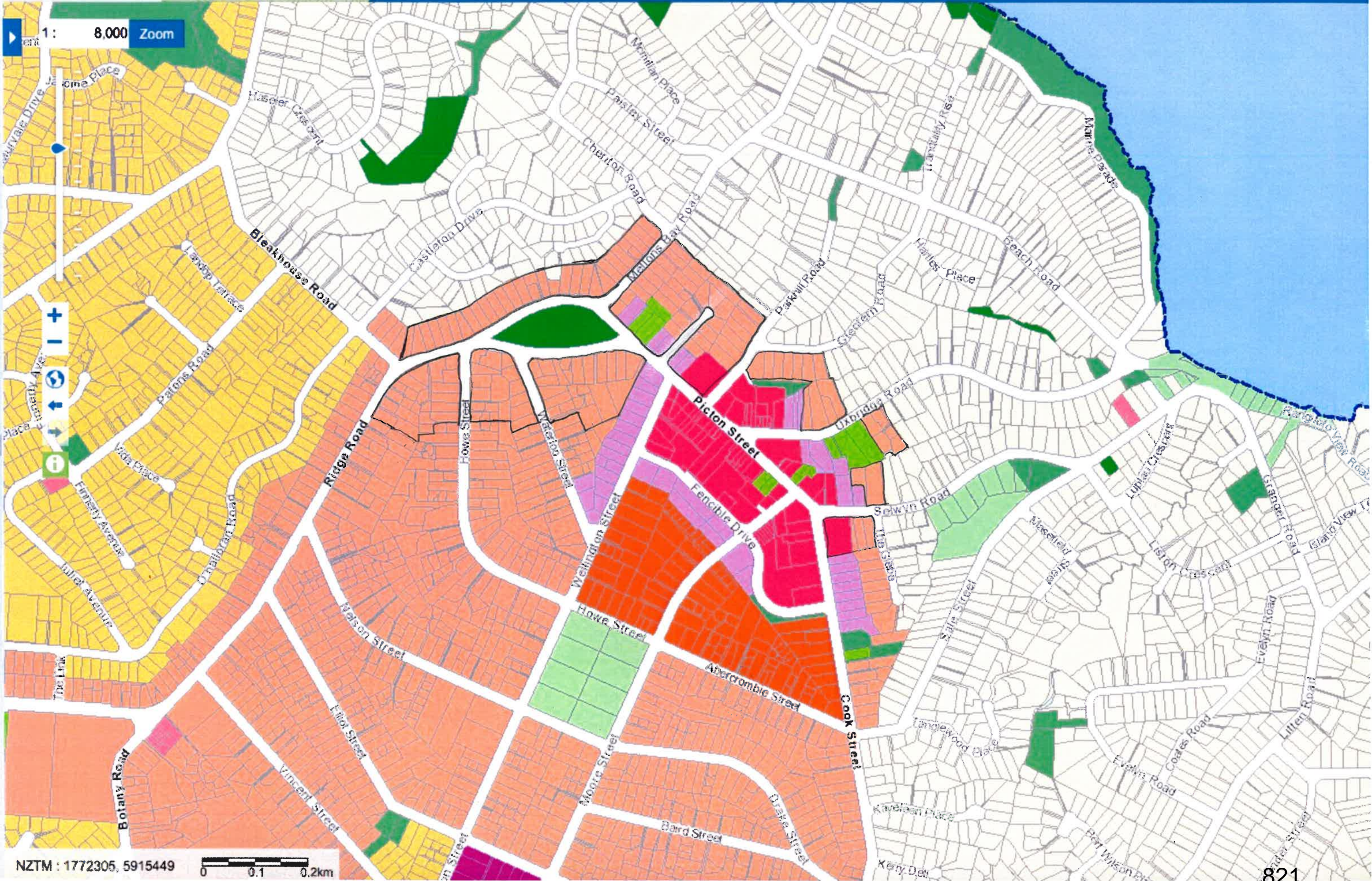
- 1. Howick has several special characteristics that require particular protection in the manner provided for in Part D18 of the Auckland Unitary Plan (AUP). For that reason it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1.*
- 2. I see that PC26 is an opportunity to address this long-standing omission in respect of Howick.*

I seek the following decision by the Council:

- | | |
|--|-------|
| <i>I accept the proposed Plan Change with the amendments outlined below.</i> | 256.1 |
| <i>Amendments Requested for the Reasons set out are –</i> | |
| <i>1. Amend Part D18.1 by removing the words "other than Howick".</i> | 256.2 |
| <i>2. Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan.</i> | 256.3 |
| <i>3. Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.</i> | 256.4 |
| <i>4. Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes.</i> | 256.5 |
| <i>5. 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.</i> | 256.6 |

I wish to be heard in support of my submission.

1: 8,000 Zoom



NZTM : 1772305, 5915449
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**SUBMISSION ON PROPOSED PLAN CHANGE 26: CLARIFYING THE RELATIONSHIP
BETWEEN THE SPECIAL CHARACTER AREAS OVERLAY AND THE UNDERLYING
ZONE PROVISIONS**

To: Attention: Planning Technician
 Auckland Council
 Private Bag 92300
 Auckland 1142
 unitaryplan@aucklandcouncil.govt.nz

From: Housing New Zealand Corporation

HOUSING NEW ZEALAND CORPORATION (“**Housing New Zealand**”) at the address for service set out below makes the following submission on Auckland Council’s proposed Plan Change 26: Clarifying the relationship between the Special Character Areas Overlay (“**the SCA Overlay**”) and the underlying zone provisions (“**the Plan Change**”).

Introduction

1. This submission on the Plan Change is made on behalf of Housing New Zealand.

2. Housing New Zealand’s role includes the efficient and effective management of state houses and the tenancies of those living in them. In the Auckland context, the housing portfolio managed by Housing New Zealand comprises some 30,100 dwellings.¹ Reconfiguring this housing stock in Auckland is a priority for Housing New Zealand to better deliver to its responsibility of providing efficient and effective affordable and social housing.

3. Housing New Zealand does not consider it can gain an advantage in trade competition through this submission. In any event, Housing New Zealand is directly affected by an effect of the subject matter of the submission that:
 - (a) Adversely affects the environment; and

 - (b) Does not relate to trade competition or the effects of trade competition.

¹ As at 31 May 2019.

Scope of the Submission

4. The submission relates to the Plan Change as a whole.

The Submission is:

5. Housing New Zealand opposes the Plan Change, for the reasons set out below.
6. In the absence of the relief sought, the Plan Change:
 - (a) Is contrary to the sustainable management of natural and physical resources and is otherwise inconsistent with Part 2 of the Act;
 - (b) Is inappropriate in terms of section 32 of the Act;
 - (c) Is inconsistent with the balance of the Unitary Plan provisions; and
 - (d) Will in those circumstances impact significantly and adversely on the ability of people and communities to provide for their social, economic and cultural wellbeing.
7. In particular, but without limiting the generality of the above:

Purpose of Proposed Plan Change / Consistency with Environment Court Decision

- (a) The stated purpose of the Plan Change is to address the outcome of the Environment Court case in *Auckland Council v Budden & Ors*² (“**Environment Court Declaration Decision**”), to which Housing New Zealand was a party. In summary, the Environment Court Declaration Decision concluded that the Council had incorrectly interpreted the provisions of the Auckland Unitary Plan – Operative in Part (“**Unitary Plan**”) in that it was processing applications seeking development in the SCA Overlay without reference to the provisions of the underlying zoning.
- (b) As part of this Plan Change process the Council proposes to respond to the Environment Court Declaration Decision by amending the Unitary Plan to include provisions to specify that the provisions of the SCA Overlay take

² [2017] NZEnvC 209; [2018] NZEnvC 003; and [2018] NZEnvC 2030.

precedence over the provisions of the zoning for a site subject to the SCA Overlay in respect of the following matters:

- (i) Development activities specified in the SCA Overlay activity table (e.g. total demolition or substantial demolition, external alterations or additions, and new fences and walls); and
 - (ii) Development standards applying to activities undertaken within the SCA Overlay (e.g. building height; height in relation to boundary; yards; building coverage; maximum impervious area; landscaped area or landscaping; and fences and walls).
- (c) The approach now proposed by the Council creates a situation whereby the SCA Overlay provisions take precedence over the zoning provisions on key matters such as building height, building coverage and landscaped areas, without any regard to the permissible development controls for the underlying zone. The current operation of the Unitary Plan, however, requires regard to be had to the zoning provisions in addition to the SCA Overlay provisions, meaning that the height permissible in the underlying zoning (as an example, the Terrace Housing and Apartment Buildings zone) would no longer be a relevant factor in determining the appropriate height for any re-development and instead the proposed height of 8 metres in the SCA Overlay would be the determinative planning consideration.
- (d) In addition, the Plan Change proposes a number of amendments, whereby existing 'standards' from the Single House zone are essentially being transferred into / duplicated within the SCA Overlay provisions. These proposed amendments have the effect of essentially using the Overlay itself as a 'zone'. The intent of an overlay, as set out in Chapter A1.6.2 of the Unitary Plan, is described as follows:

Overlays manage the protection, maintenance or enhancement of particular values associated with an area or resource. Overlays can apply across zones and precincts and overlay boundaries do not follow zone or precinct boundaries.

- (e) Similarly, the National Planning Standards identify the function of an overlay in a district plan as:³

An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.

And a zone as:⁴

A zone spatially identifies and manages an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.

- (f) Specific to the SCA Overlay, Chapter D18.1 of the Unitary Plan describes the purpose and focus of the SCA Overlay as follows:

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.

- (g) Therefore, the focus of the SCA Overlay provisions should be specific to the identified special character values, which are identified and discussed in Schedule 15 – ‘Special Character Schedule, Statements and Maps’ of the Unitary Plan. The predominant values identified in the Schedule 15 Special Character Statements focus on the relationship of built form, particularly as it relates to the streetscape and public realm. Housing New Zealand therefore considers that the SCA Overlay provisions need to be re-cast to focus specifically, and only, on these identified special character values – the SCA Overlay should not be seeking to duplicate, incorporate or alter the underlying zone provisions where these provisions are not specific to the values being managed. By not reviewing and re-casting the SCA Overlay in this manner, Housing New Zealand considers that the proposed provisions of the Plan Change are inconsistent with the first set of National Planning Standards (April 2019).

³ National Planning Standards at section 12, Table 18.

⁴ National Planning Standards at section 12, Table 18.

- (h) As such, Housing New Zealand opposes any amendments which seek to incorporate / duplicate underlying zone provisions within the SCA Overlay provisions. Such amendments proposed by Council through the Plan Change, which are opposed by Housing New Zealand, include:
- (i) 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) which all effectively seek to introduce the same provisions as currently exist in the Single House zone. Housing New Zealand seeks that these amendments are deleted; 257.7
 - (ii) The proposed amendments and new text introduced into Standard 'D18.6.1.3 Yards', including D18.6.1.3(2) and (3). Housing New Zealand seeks that these amendments are deleted; 257.8
 - (iii) The new text in the introduction to Activity Table D.18.4. Housing New Zealand seeks that this amendment is deleted; 257.9
 - (iv) 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. Housing New Zealand seeks that these amendments are deleted; and 257.10
 - (v) The newly proposed text at E38.8.2.6(3), in relation to subdivision controls specific to the SCA Overlay. Housing New Zealand seeks that this amendment is deleted. 257.11

Incorporation of 'heritage' concepts within the SCA Overlay

- (i) The Council has also sought to make amendments to the SCA Overlay, which once again seek to introduce the concept of Special Character as a heritage matter, rather than an amenity matter. For example, a definition for the purpose of the Yard control is proposed in the Plan Change as being "*to retain the historical built character of the streetscape...*". Notwithstanding that a 'purpose statement' has no clear role in the statutory interpretation of the Rule, it effectively introduces 'objectives' to the Rule (which are not consistent to the Objectives of the SCA Overlay itself).
- (j) These amendments to the SCA Overlay are made despite the recent decision of the Environment Court in *Housing New Zealand Corporation v Auckland*

*Council*⁵ which confirmed that Special Character was a section 7(c) RMA amenity issue, not a section 6(f) RMA heritage protection matter, meaning that the underlying premise of the SCA Overlay is not to require protection of existing special character buildings, but to encourage development which was in keeping with the special character amenity values defined for that area.

- (k) On this basis, Housing New Zealand opposes any amendments which seek to introduce heritage concepts within the SCA Overlay provisions. Such amendments proposed by Council through the Plan Change, which are opposed by Housing New Zealand, include:
- (i) The newly proposed 'purpose statement' for Standard 'D18.6.1.3 Yards'. Housing New Zealand seeks that this amendment is deleted.

257.12

Inconsistency of 'Purpose Statement's between underlying zones and the SCA Overlay

- (l) The Plan Change proposes numerous amendments to introduce new 'purpose statements' into the SCA Overlay provisions for the various 'Standards' set out in Chapter D18.6. As noted above, the statutory role of these statements is unclear, but in Housing New Zealand's view they effectively increase complexity and potential conflict between the correct pathway from Objective to Policy to Method by introducing a revised or 're-interpreted' objective statement. This issue becomes more complex, when referring back to the Residential Zone provisions of the Unitary Plan – where the 'purpose statements' to the standards in the Residential Zone provisions become a key aspect of the assessment framework for multi-unit development. The assessment criteria in relation to infringements of the residential zone 'standards' require proposals to be assessed against the degree to which they achieve the 'purpose' of the standard – effectively making the 'purpose statement' part of the rule framework itself.
- (m) In all cases, the newly proposed 'purpose statements' differ in their content and focus to both the 'purpose statements' set out in the underlying zones (noting their questionable role in statute in any case) and to the Objectives and Policies of the SCA Overlay. In particular, the purpose statements differ from the Single House zone. This complexity is compounded by the fact that the standards themselves are either aligned with – or are now seeking to duplicate the

⁵ [2017] NZEnvC 120; [2018] NZEnvC 186; and [2018] NZEnvC 213.

underlying zoning through the Plan Change (though apparently for a 'different purpose').

- (n) Housing New Zealand considers firstly that such purpose statements do not assist in plan integrity because of the potential confusion between these and the objectives and policies of the Unitary Plan. Notwithstanding this, a 'purpose statement', specific to a SCA Overlay 'standard' should only be necessary when the SCA Overlay standard itself differs from the equivalent standard in the underlying zone or where there are specific policies of the SCA Overlay that would signal that this is an appropriate method to apply. In such a circumstance, the content and focus of the 'purpose statement' in the SCA Overlay should then be to explain and describe how, and most importantly why, the standard will differ from that in the underlying zone.
- (o) As such, Housing New Zealand opposes any amendments which seek to introduce new 'purpose statements' into the SCA Overlay 'Standards' (Chapter D18.6), particularly where the focus and content of these 'purpose statements' differ from those contained in the underlying zones, and where the SCA Overlay standards themselves effectively align with or duplicate existing underlying zone provisions (in particular those of the Single House zone).
- (p) Such amendments proposed by Council through the Plan Change, which are opposed by Housing New Zealand, include:
 - (i) 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'. Housing New Zealand seeks that these amendments are deleted.

257.13

Proposed provisions which are consistent with the purpose and intent of the SCA Overlay

- (q) While recording Housing New Zealand's overall opposition to the Plan Change in full, we note that the Plan Change has proposed a number of amendments which do seek to better align the SCA Overlay provisions with the specific resource values which the Overlay is seeking to manage (e.g. maintenance and enhancement of identified special character values, particularly those with respect to the relationship of development and built form to streetscape character).

- (r) Examples of such amendments proposed in the Plan Change include:
 - (i) The proposed deletion of the 'rear yard' rule in Standard 'D18.6.1.3 Yards', given that 'rear yards' are not a matter which needs to be managed in the SCA Overlay, where the focus is on the relationship of built form to the streetscape environment; and 257.14
 - (ii) The proposed amendments to Standard 'D18.6.1.7 Fences and walls', where amendments have been proposed to those aspects of the standard which set height limits for rear and side fences. These proposed amendments are considered to be an improvement to the current standard, and better focus the standard to the management of fences, as they relate specifically to the streetscape. 257.15
- (s) In addition, Housing New Zealand also considers that the proposed amendments to the matters of discretion (Chapter D18.8.1.1(c)) and the assessment criteria (Chapter D18.8.2.1(4)(b)) do better align with the intent of the Environment Court Declaration Decision, which found that the provisions of the underlying zones are a relevant consideration for resource consent applications relating to development in the SCA Overlay. Housing New Zealand is therefore supportive of amendments to the SCA Overlay which we consider are consistent with the Environment Court Declaration Decision⁶. 257.16
257.17

Re-casting the SCA Overlay to specifically focus on addressing the resource values which the Overlay is seeking to manage

- (t) As discussed above (paragraph 7(g)) Housing New Zealand considers that the SCA Overlay needs to be reconsidered and reassessed as a whole, to ensure that the provisions of the SCA Overlay only seek to manage the specifically identified resource values, rather than the framing being put forward by Council which effectively replaces the function of the residential and business zone spatial layers. Given the intent of the SCA Overlay is to manage (through 'maintenance and enhancement') how built form and development relates generally to streetscape character and the wider streetscape environment, Housing New Zealand is of the opinion that 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. 257.18

⁶ [2017] NZEnvC 209; [2018] NZEnvC 003; and [2018] NZEnvC 2030.

such as roads / road reserves and open spaces), as development within the 'streetscape environment' also has the potential to adversely affect identified special character values which relate to the streetscape (e.g. such as landform and street trees / vegetation).

257.18

(u) In seeking such a full review of the role and purpose of the SCA Overlay, Housing New Zealand notes that the Section 32 Assessment undertaken by Council to support the Plan Change identified only three available options, being:⁷

- (i) Option 1 – “Status quo”;
- (ii) Option 2 – “Special Character Overlay Plan Change” (preferred option);
and
- (iii) Option 3 – “Wider review of special character management approach”.

(v) Housing New Zealand considers that the Section 32 assessment has not appropriately identified all the potential options available to the Council, nor has it appropriately identified the range of advantages / disadvantages costs and benefits associated with each of the options. In relation to the Option 3 (“Wider review of special character management approach”), the Council appears to have dismissed this option on the basis that it would require a significant amount of resources to undertake a wider review and would also likely lead to potentially large costs (such as for staff time, research and consultation). Housing New Zealand does not agree with the Section 32 assessment undertaken by the Council, in particular the Council’s assessment of the identified ‘Option 3’, and considers that a full, wider review of the SCA Overlay is appropriate and is exactly what is required in order to ensure the SCA Overlay operates as a true ‘Overlay’ (e.g. as outlined in the National Planning Standards, April 2019).

257.19

(w) As part of a holistic review of the SCA Overlay provisions in full, including the spatial application of the SCA Overlay, Housing New Zealand considers that the SCA Overlay needs to be ‘de-coupled’ from underlying zoning (rather than functioning more like a zone / sub-zone). As part of this ‘de-coupling’ process, Housing New Zealand considers that a full review, and likely re-zoning of, the residential land which is currently impacted by the SCA Overlay is required.

257.20

⁷ Plan Change 26, Section 32 Evaluation Report, page 18.

Housing New Zealand proposes that such a re-zoning exercise should be consistent with Housing New Zealand's submissions put before the Independent Hearings Panel ("IHP") during the proposed Auckland Unitary Plan submissions and hearing process.

257.20

(x) To assist with the consideration of this proposed relief, Housing New Zealand suggests that 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 hearings⁸ 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 (**attached** to this submission).

257.21

(y) Housing New Zealand considers that residentially zoned land currently impacted by the SCA Overlay should be re-zoned consistent with the above, and that the SCA Overlay 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.

Relief Sought

8. Housing New Zealand seeks the following decision from Auckland Council on the Plan Change:

(a) That the Plan Change be declined;

257.1

⁸ Housing New Zealand (HNZC) made submissions which provided for higher residential densities in areas that are proximate to services and facilities that enable quality living (e.g. in or near centres, frequent public transport routes and facilities, open spaces, community facilities, education and other social infrastructure and employment) using the following criteria:

- a. For sites where HNZC seeks that they be rezoned to Terrace Housing and Apartment Building Zone;
 - i. They are within 400m of a Metropolitan Centre or Town Centre (a proximate walking distance of 5min, which is considered a reasonable distance for people walking to daily facilities and amenities and an appropriate distance to complement the higher density urban form of the Centres themselves);
- b. For sites where HNZC seeks that they be rezoned to Mixed Housing Urban:
 - i. They are within 800m of the Metropolitan Centre or Town Centre (as a 10min walk time proximate, which is considered a reasonable walking distance for larger shopping amenities provided by such centres);
 - ii. They are within 400m of a Local Centre or Mixed Use Zone (a proximate walking distance of 5min, which is considered a reasonable distance for people walking to daily facilities and amenities);
 - iii. They are within 250m of either a Frequent Transport Network (providing for walkable access to public transport services); or
 - iv. They are within 250m of other social infrastructure sites mapped in the PAUP (e.g. schools and tertiary education facilities).
- c. For sites where HNZC seeks that they be rezoned to Mixed Housing Suburban:
 - i. They are within 800m of a Local Centre or Mixed Use Zone (a proximate walking distance of 10min, which is considered a reasonable distance for residents in development of this scale to be walking to such amenities); or
 - ii. They are within 400m of Neighborhood Centre as this zone provides for the daily access to amenities appropriate to support urban development.

- (b) 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. In particular: | 257.2
- (i) Re-casting of rule provisions to maintain their focus to the values associated with the special character amenity values that the SCA Overlay is seeking to recognise; | 257.3
 - (ii) Re-application of the SCA Overlay so that it applies to the geographic extent of resource values (rather than being zone specific); and | 257.4
 - (iii) 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); | 257.5
- (It is acknowledged that this relief may require that the Plan Change be re-notified);
- (c) 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. | 257.6

9. Housing New Zealand wishes to be heard in support of this submission.

10. If others make a similar submission, Housing New Zealand would be willing to consider presenting a joint case with them at hearing.

DATED this 12th day of July 2019

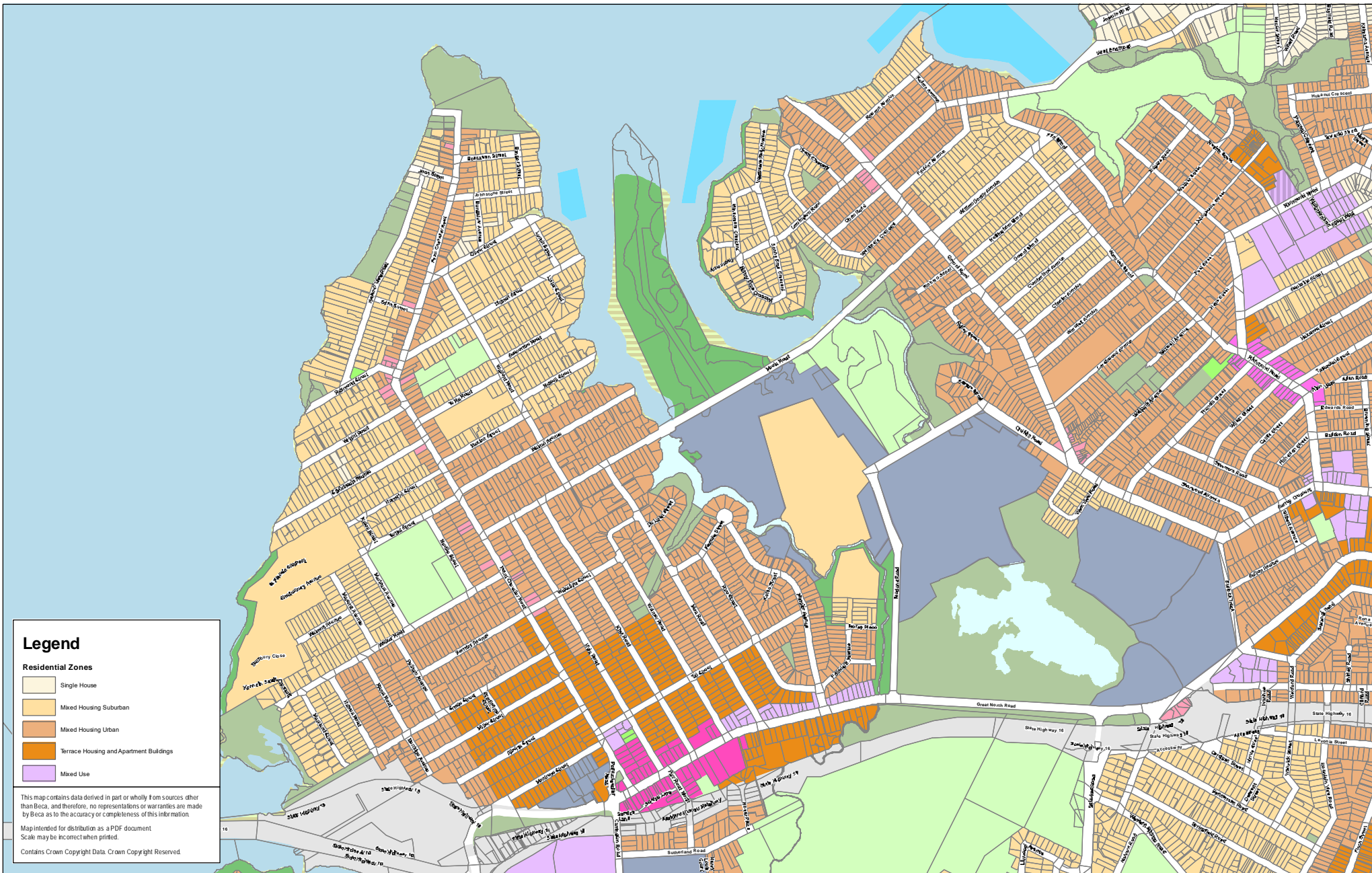
HOUSING NEW ZEALAND CORPORATION by its solicitors and duly authorised agents Ellis Gould

Dr Claire Kirman / Alex Devine

ADDRESS FOR SERVICE: The offices of Ellis Gould Lawyers, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Attention: Dr Claire Kirman / Alex Devine. ckirman@ellisgould.co.nz / adevine@ellisgould.co.nz.

Copy to: Amelia Linzey / Matt Lindenberg
Beca Ltd
PO Box 6345
Auckland 1141
Email address:
amelia.linzey@beca.com;
matt.lindenberg@beca.com

Attachment – Re-zoning maps presented to the IHP in Topic 081 of the Unitary Plan hearings process.



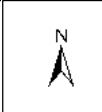
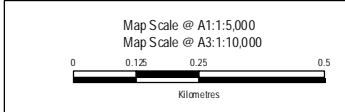
Legend

Residential Zones

- Single House
- Mixed Housing Suburban
- Mixed Housing Urban
- Terrace Housing and Apartment Buildings
- Mixed Use

This map contains data derived in part or wholly from sources other than Beca, and therefore, no representations or warranties are made by Beca as to the accuracy or completeness of this information.

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| Revision | Author | Checked | Approved | Date |
|----------|--------|---------|----------|----------|
| 1 | ATF | HEJ | ALJ | 29/02/16 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Point Chevalier

Client: Housing New Zealand

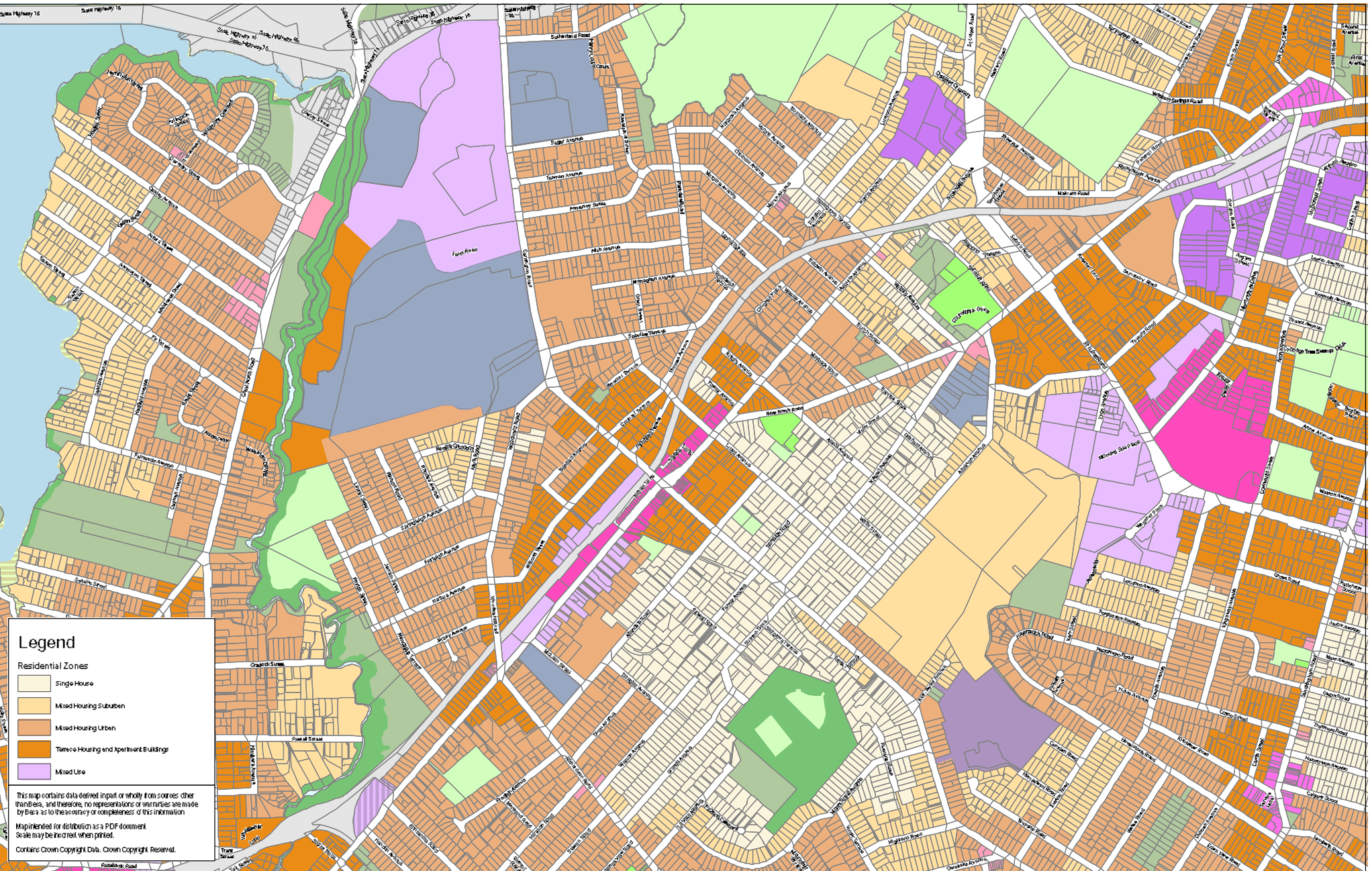
Project: Topic 081



Discipline: GIS

Drawing No: GIS-421567 2-37

File: P42162165710365_Worksheets101_mxd\GIS-421667-002_Rec zoning Summary for HNZ Properties - No.sites.mxd Author: Date: 10/20/2016



Legend

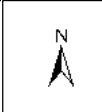
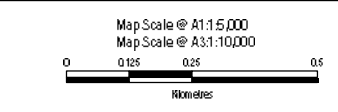
Residential Zones

- Single House
- Mixed Housing Suburban
- Mixed Housing Urban
- Terrace Housing and Apartment Buildings
- Mixed Use

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|----------|--------|---------|----------|------------|
| 1 | AT | 10/21 | AJ | 2016/10/19 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Waterview and Mount Albert

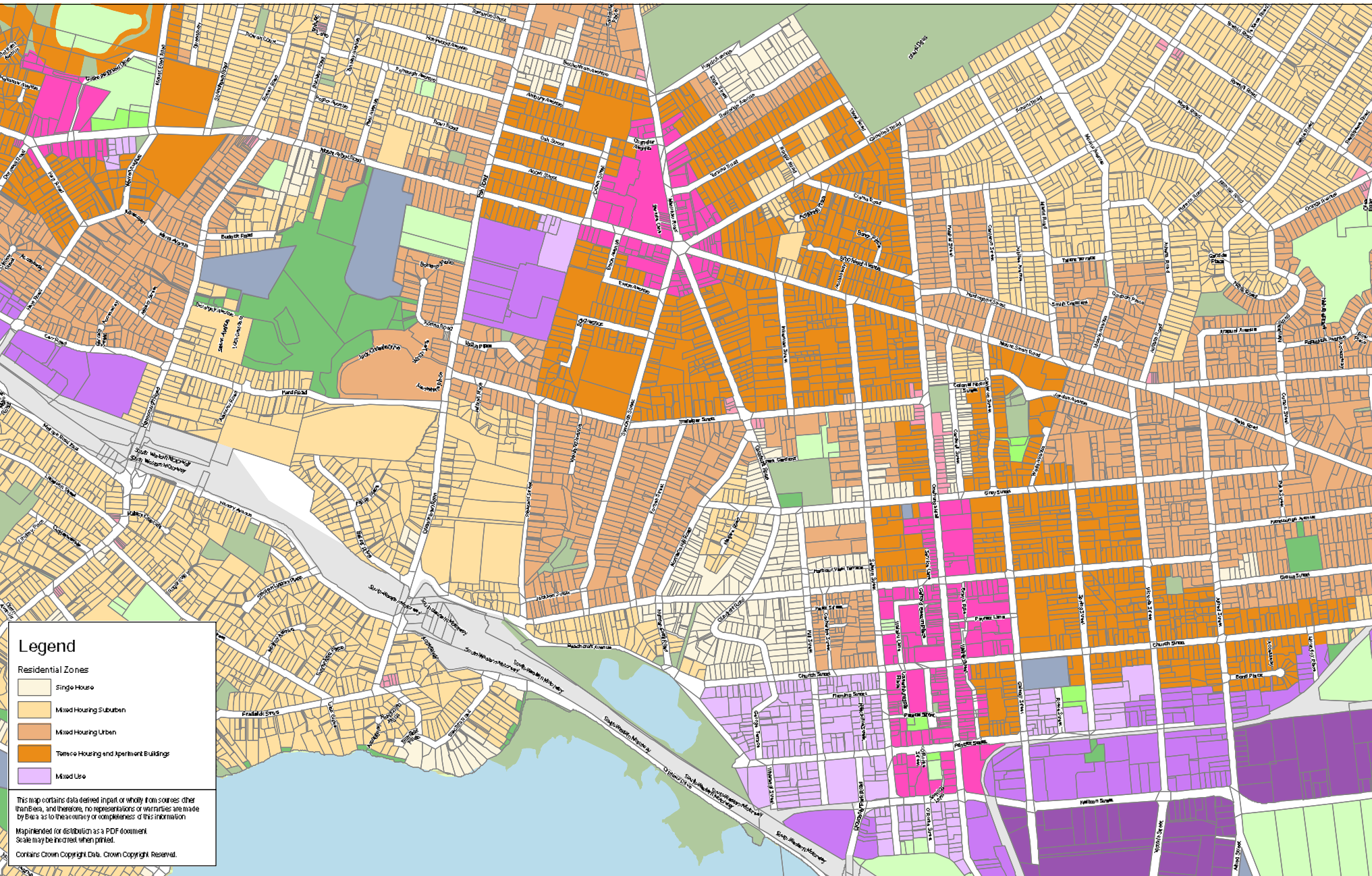
Client: Housing New Zealand

Project: Topic 01



Discipline: GIS

Drawing No: GIS-421667 2-37



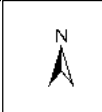
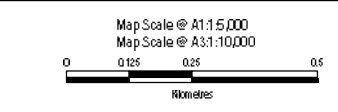
Legend

Residential Zones

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| 1 | AT | 10/21 | AJ | 2016/10/19 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Royal Oak and Onehunga

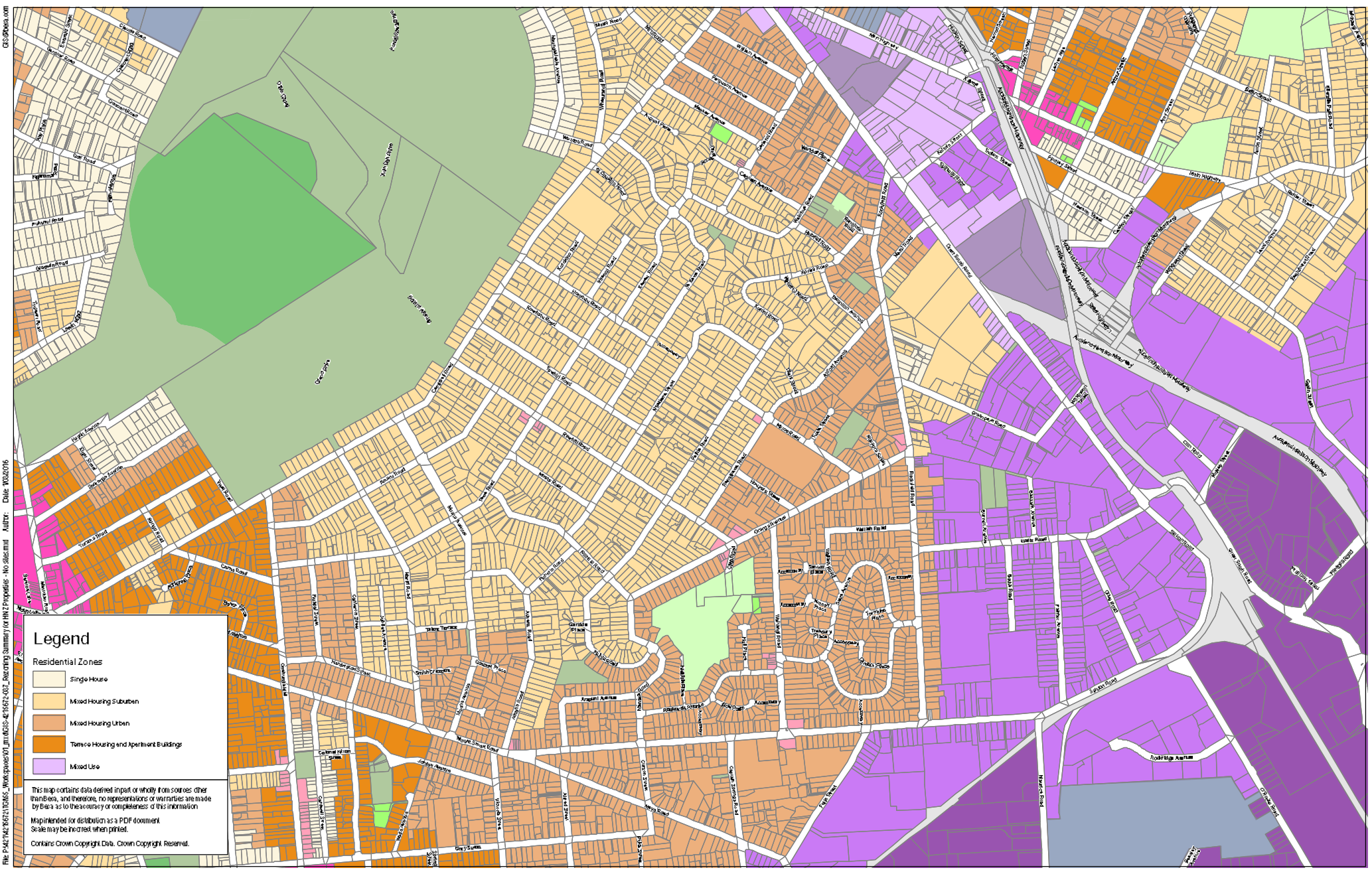
Client: Housing New Zealand

Project: Topic 081



Discipline: GIS

Drawing No: GIS-421567 2-37



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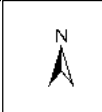
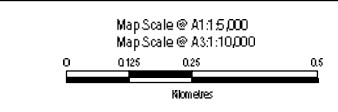
Residential Zones

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|----------|--------|---------|----------|------------|
| 1 | ATF | 10/21 | AJS | 2016/10/19 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Project: Penrose

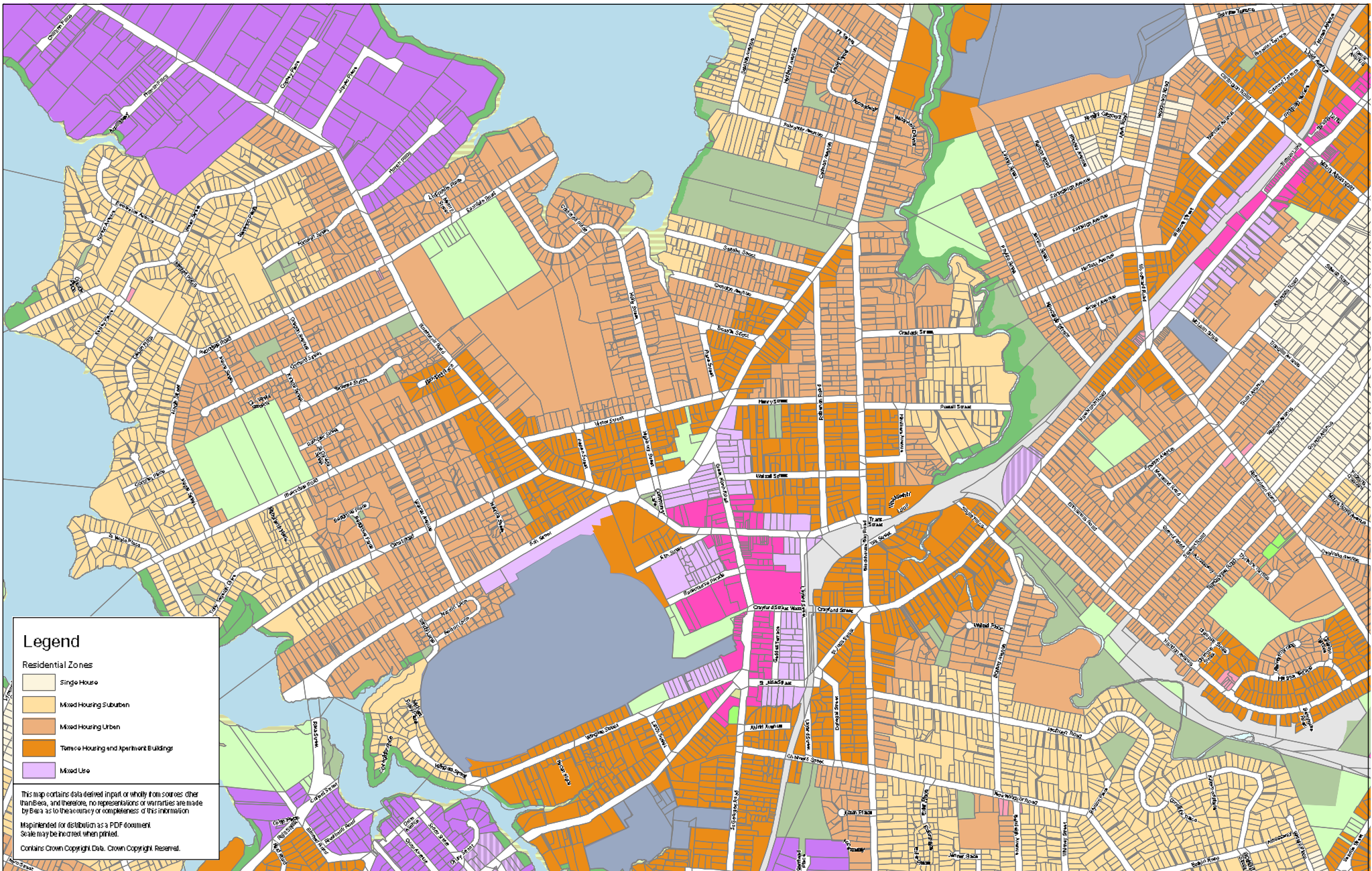
Client: Housing New Zealand

Project: Topic 081



Discipline: GIS

Drawing No: GIS-421661 2-37

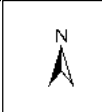
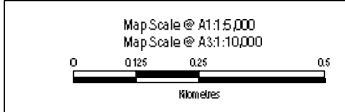


Legend

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| 1 | AT | 10/21 | AL | 2016/10/19 |

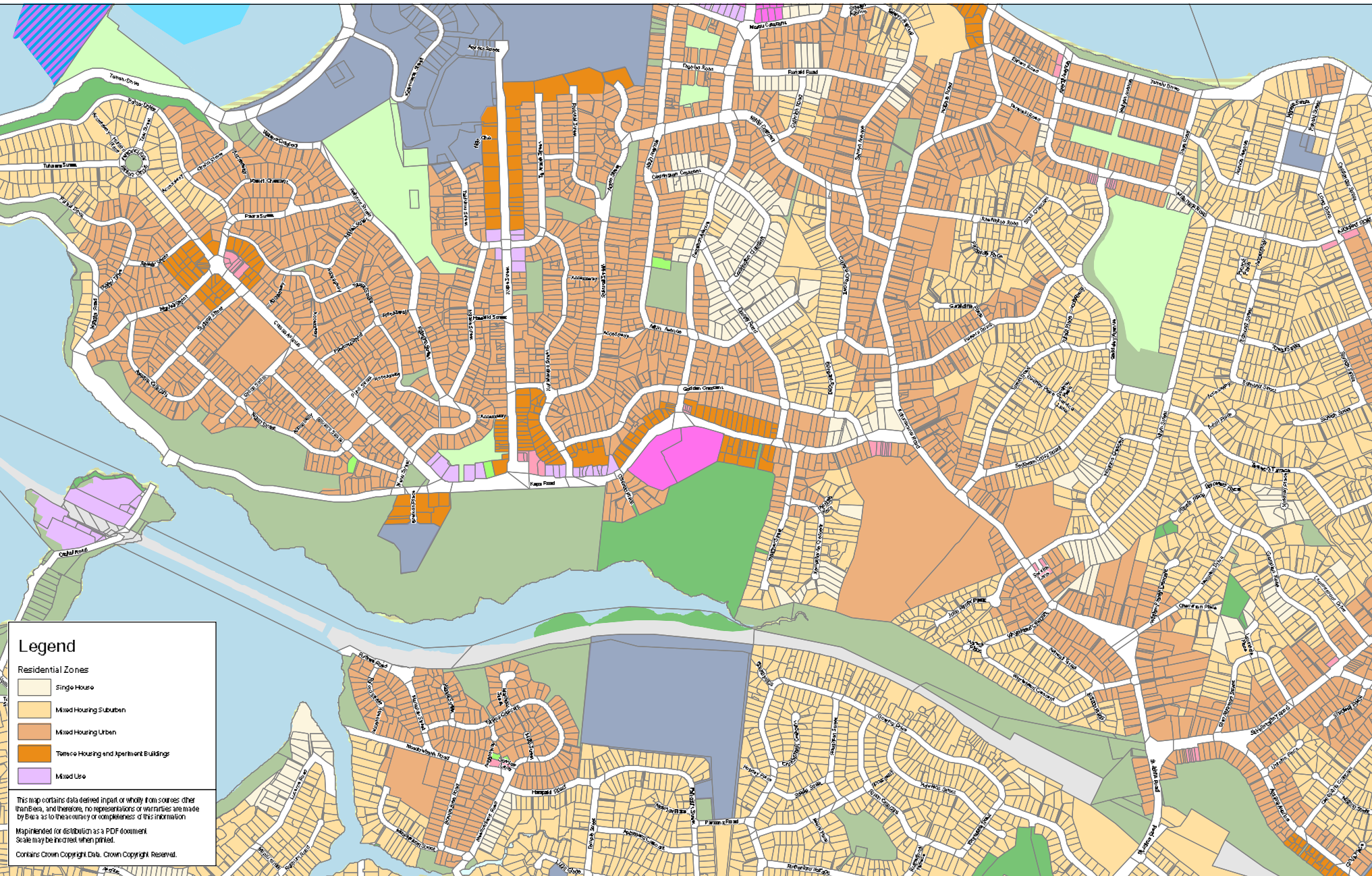
Title: Rezoning Summary for HNZ Properties and Consequential Amendments
Avondale

Client: Housing New Zealand
Project: Topic 081



Discipline: GIS
Drawing No: GIS-421567-2-37

File: P:\42162166\GIS-Workspaces\100_016162-082_Rec zoning Summary for HNZ Properties - No.sites.mxd Author: Dale W202016 Date: 10/20/2016

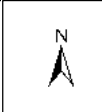
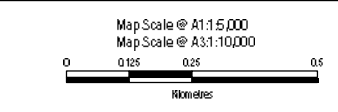


Legend

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|----------|--------|---------|----------|----------|
| 1 | AW | 10/21 | ALJ | 20/02/19 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Orakei and Meadowbank

Client: Housing New Zealand

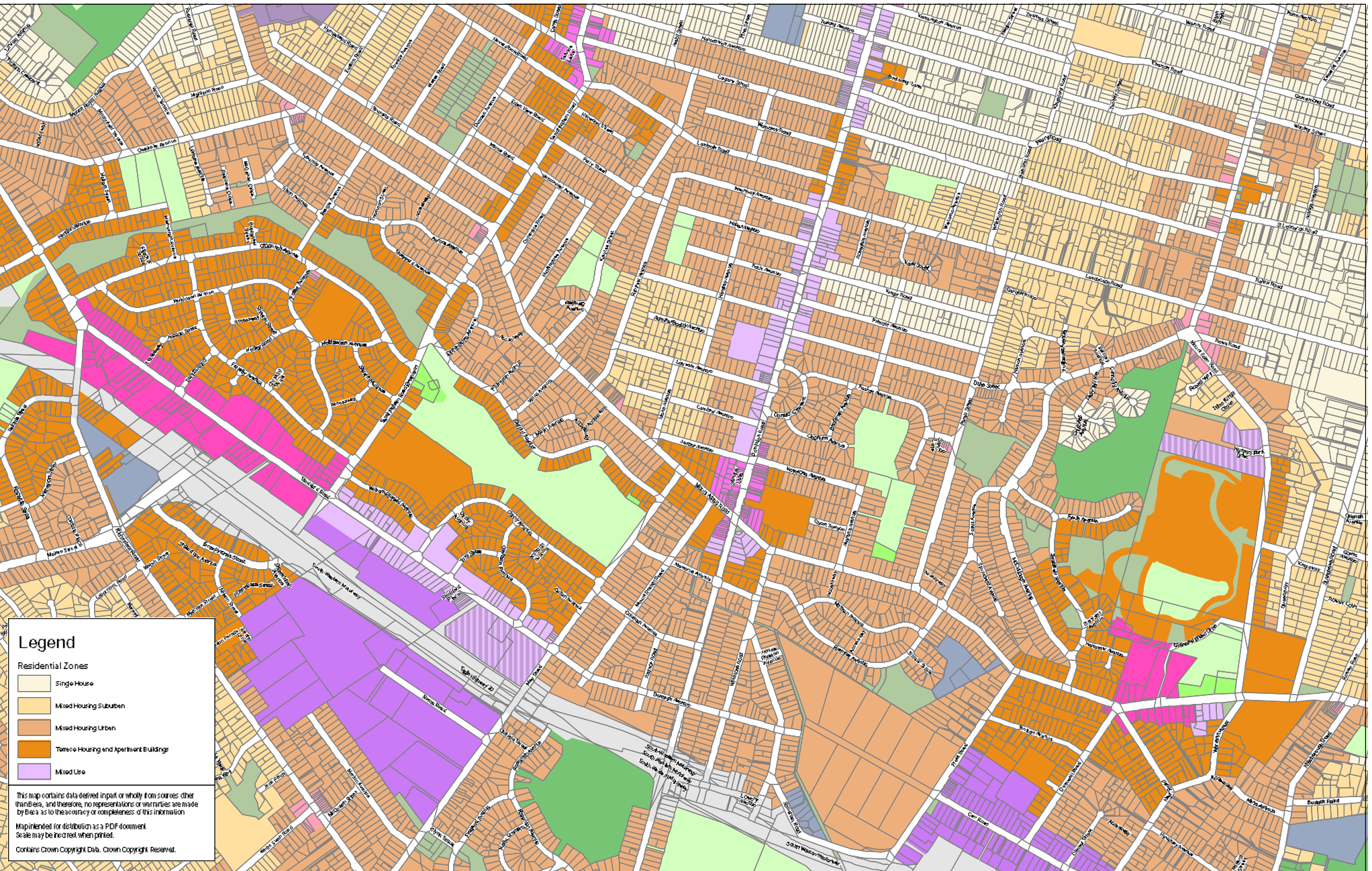
Project: Topic 081



Discipline: GIS

Drawing No: GIS-421667-2-37

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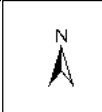
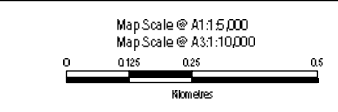


Legend

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| 1 | AT | 10/21 | AL | 2016/10/19 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Stoddard and Three Kings

Client: Housing New Zealand

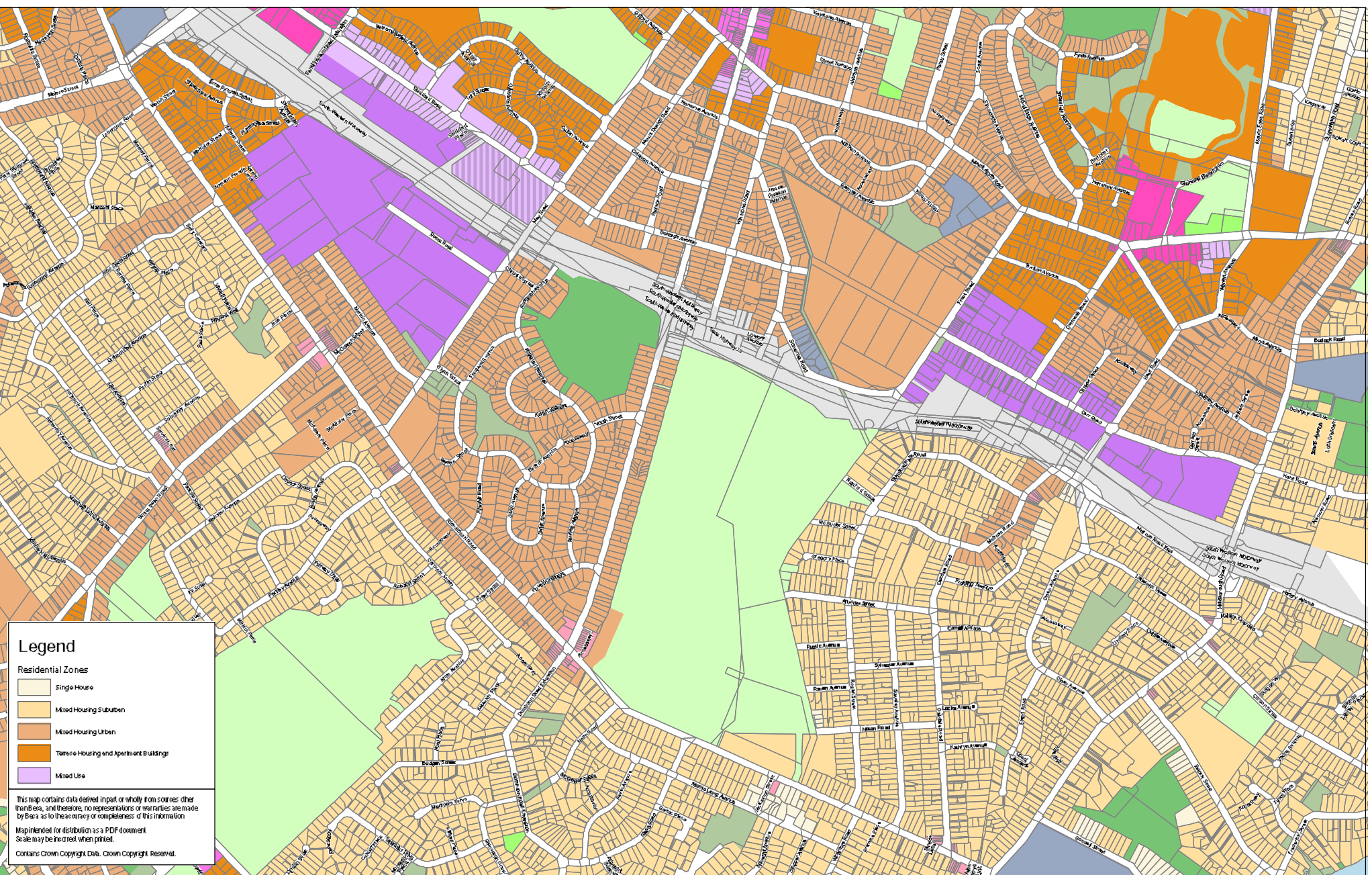
Project: Topic 081



Discipline: GIS

Drawing No: GIS-421567-2-37

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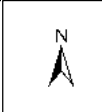
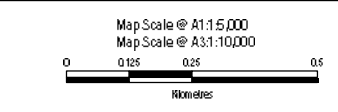
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|----------|--------|---------|----------|-----------|
| 1 | ATF | HEJ | ALJ | 29/02/199 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Mount Roskill

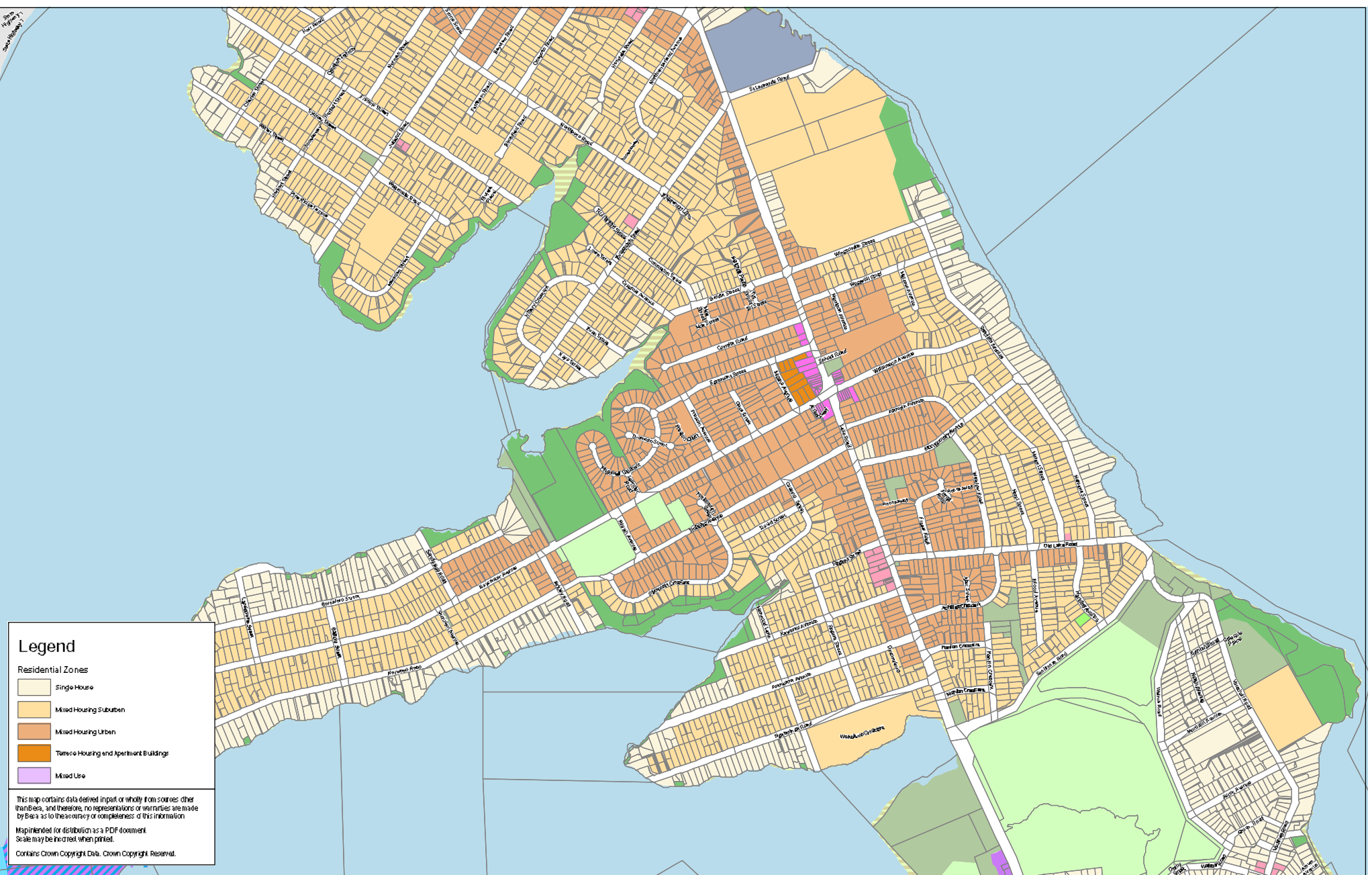
Client: Housing New Zealand

Project: Topic 081



Discipline: GIS

Drawing No: GIS-421567 2-37



Legend

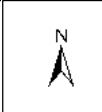
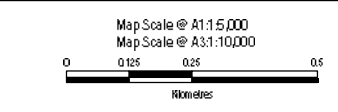
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| 1 | AT | AT | AT | 2016/01/11 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Belmont

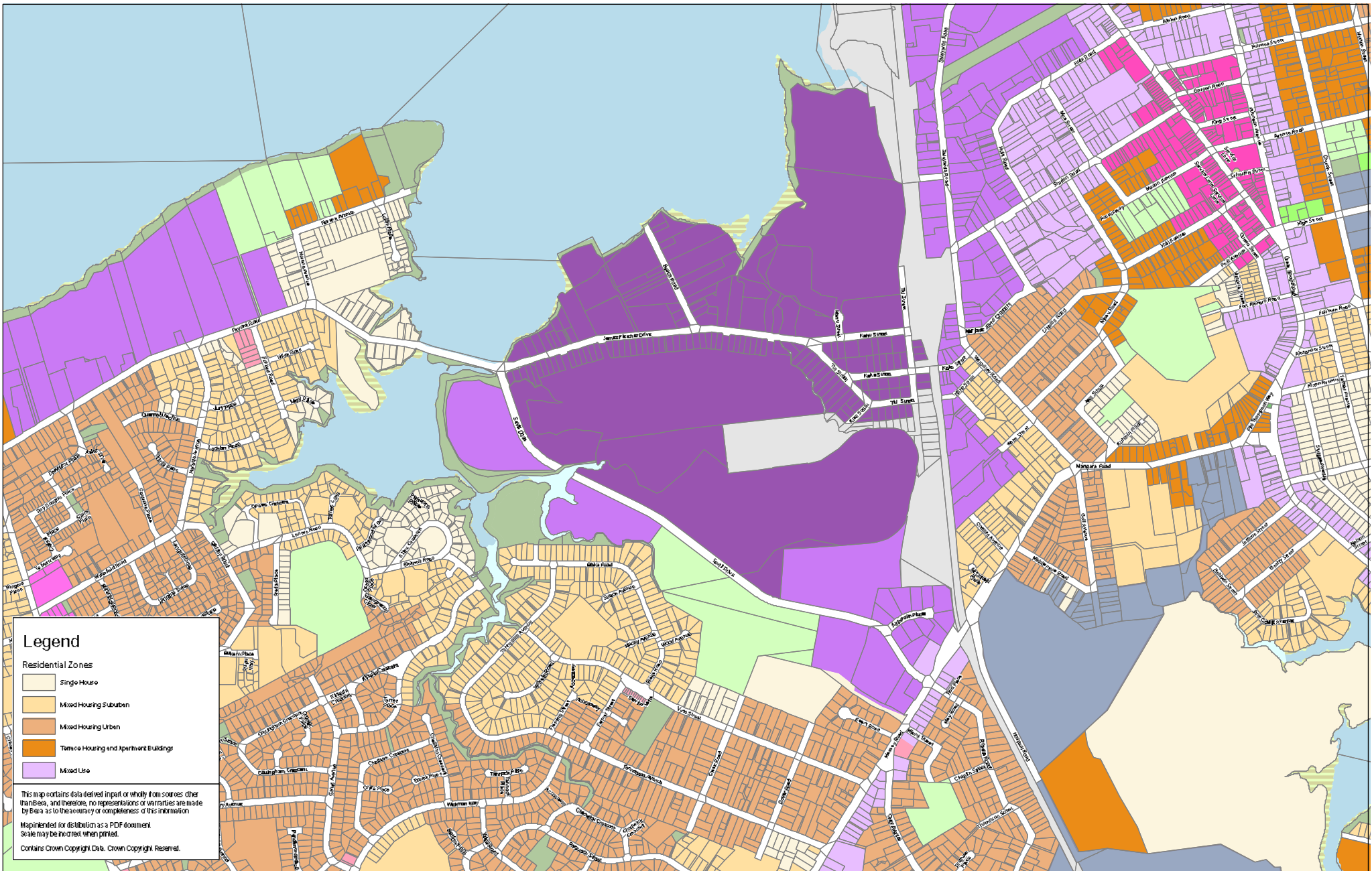
Client: Housing New Zealand

Project: Topic 01



Discipline: GIS

Drawing No: GIS-421667 2-37



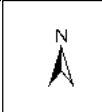
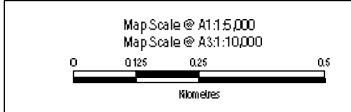
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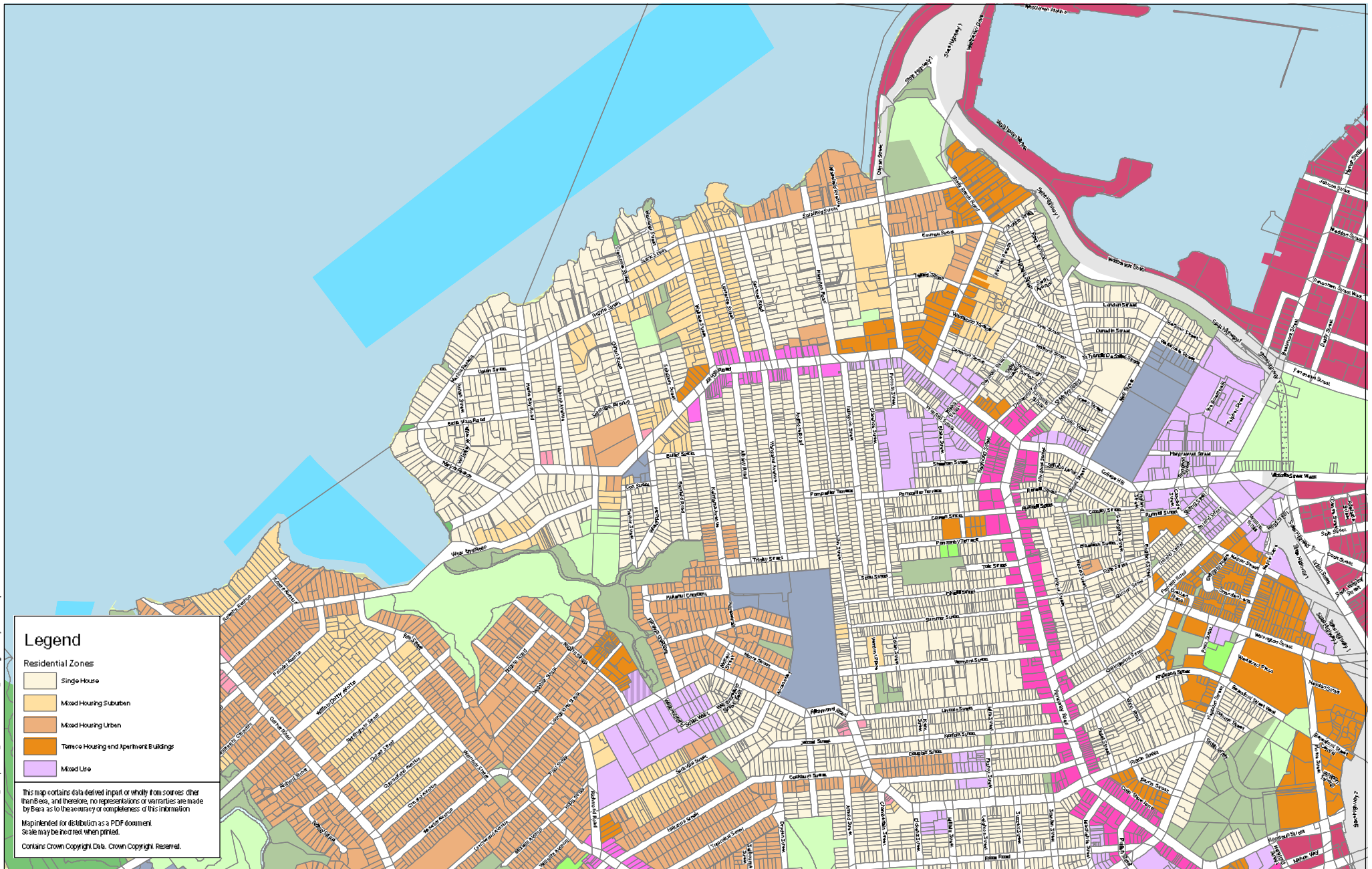
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|----------|--------|---------|----------|----------|
| 1 | AT | 16/11 | AL | 20/02/19 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments
Mangere 2

Client: Housing New Zealand
Project: Topic 081



Discipline: GIS
Drawing No: GIS-421667 2-37



Legend

Residential Zones

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Map Scale @ A1:15,000
Map Scale @ A3:1:10,000

0 0.125 0.25 0.5
Kilometres



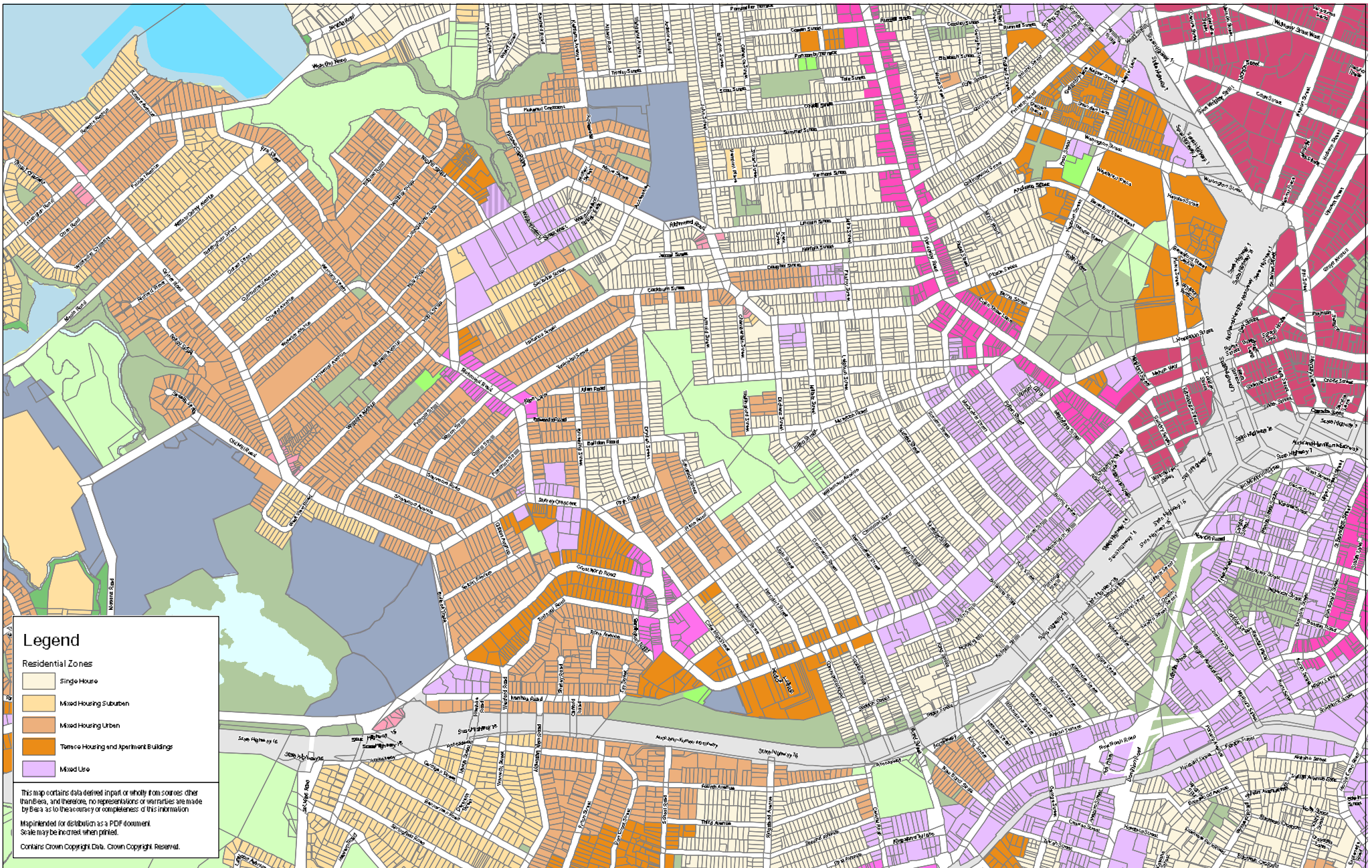
| Revision | Author | Created | Approved | Date |
|----------|--------|---------|----------|------------|
| 1 | ATF | 10/21 | AJS | 2016/10/19 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments
Grey Lynn, Westmere, Ponsonby and Freemans Bay

Client: Housing New Zealand
Project: Topic01



Discipline: GIS
Drawing No: GIS-421567-2-37



Legend

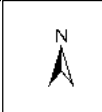
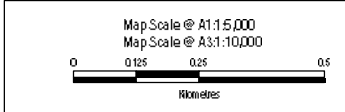
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| 1 | AT | 10/13 | AL | 2016/10/19 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Grey Lynn, Westmere, Ponsonby and Freemans Bay 2

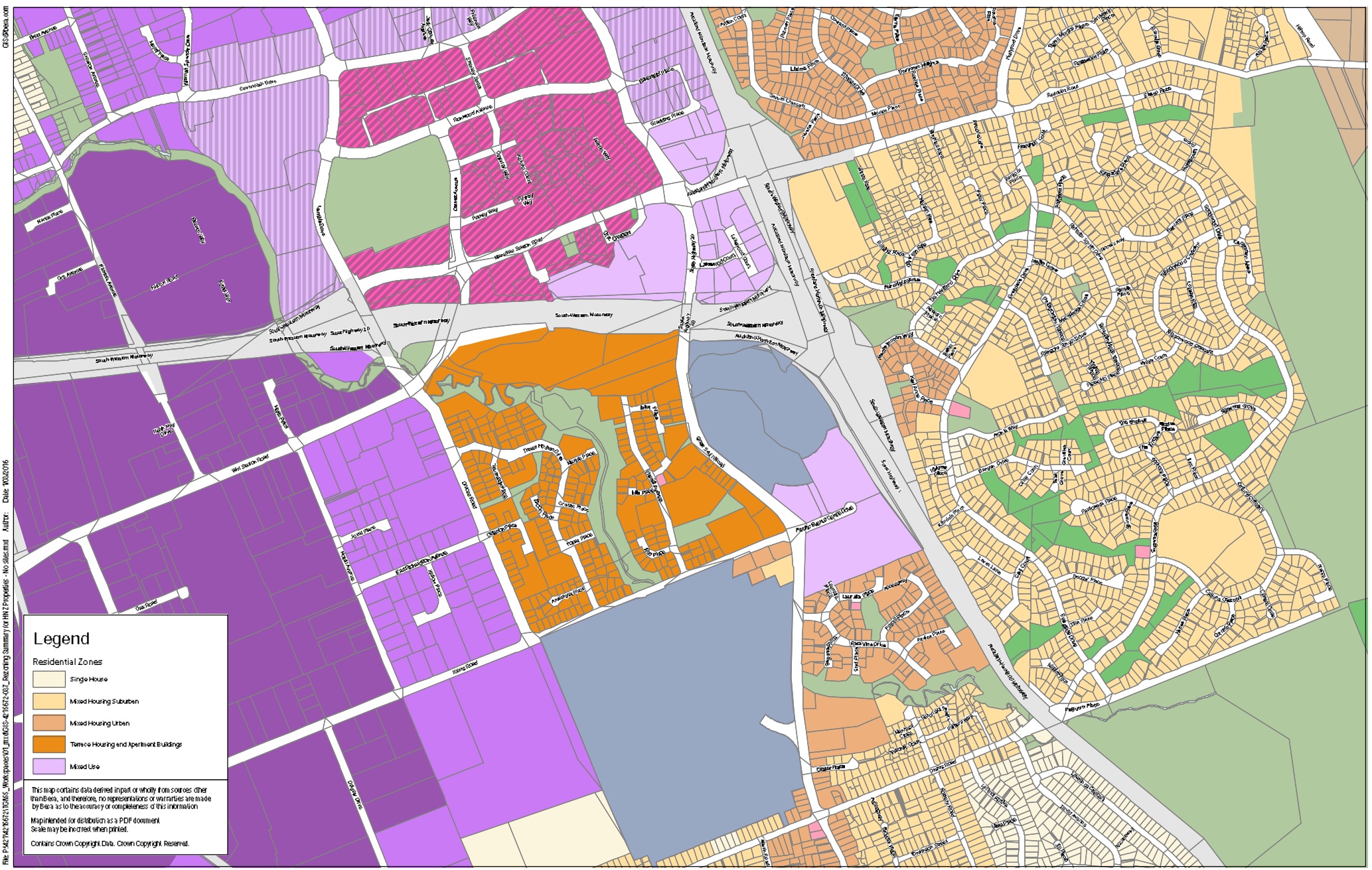
Client: Housing New Zealand

Project: Topic01



Discipline: GIS

Drawing No: GIS-421567 2-37



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Legend

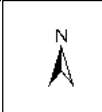
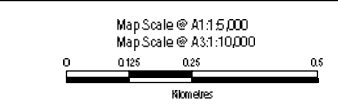
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| 1 | AW | 10/21 | AJ | 20/02/16 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Manakau 2

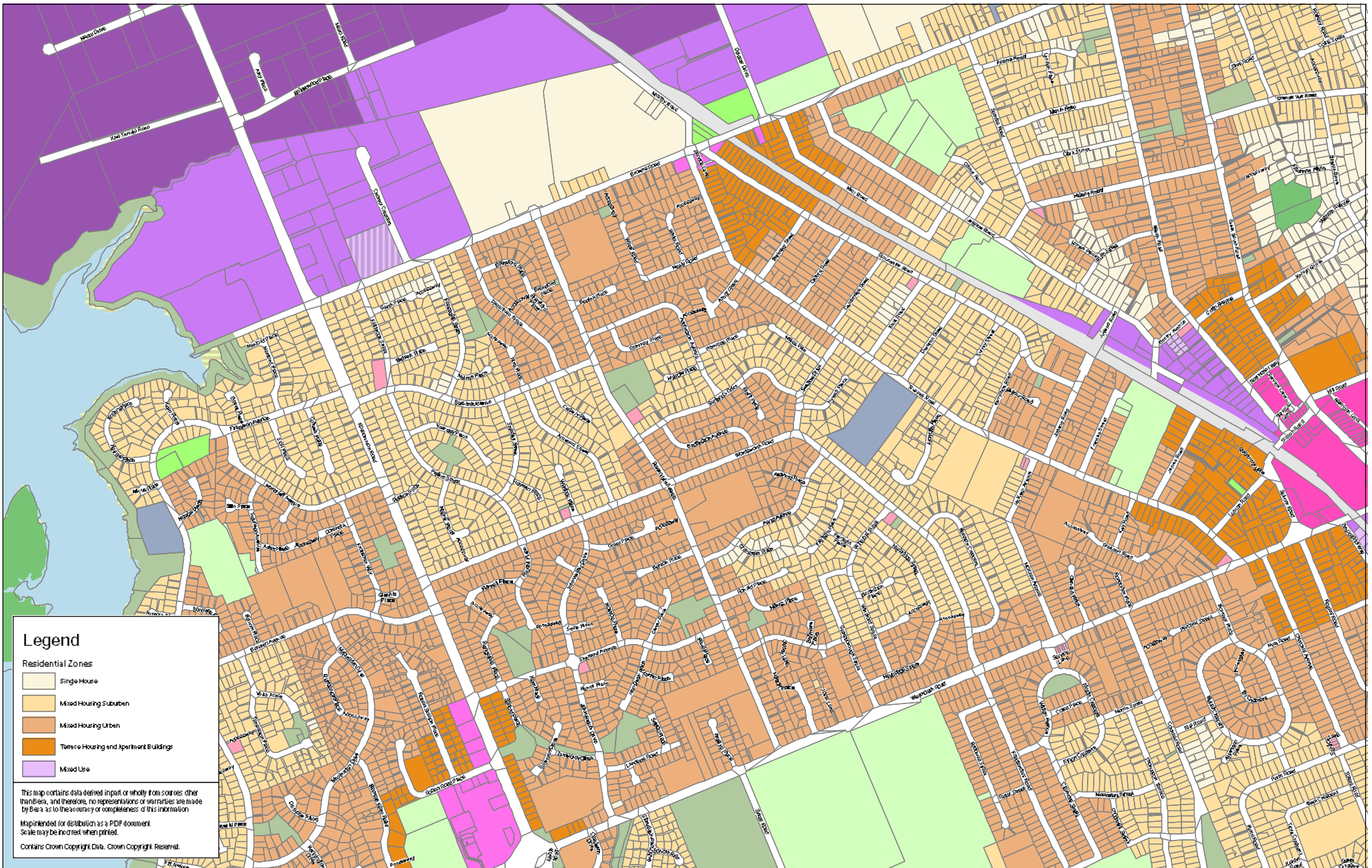
Client: Housing New Zealand

Project: Topic 01



Discipline: GIS

Drawing No: GIS-421567 2-37

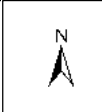
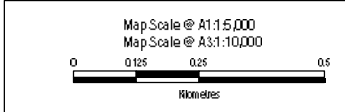


Legend

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| 1 | AW | HEJ | ALJ | 29/02/19 |

Title: Rezoning Summary for HNZ Properties and Consequential Amendments

Clendon and Weymouth

Client: Housing New Zealand

Project: Topic 081



Discipline: GIS

Drawing No: GIS-421567 2-37

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Julie M Hill

Organisation name: Parnell Heritage Inc

Agent's full name:

Email address: enquires@parnellheritage.org.nz

Contact phone number: 021930663

Postal address:
6 Bradford Street
Parnell
Auckland 1052

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Rule from the Special Character Overlay: -Height in relation to boundary. -Yards

Property address:

Map or maps: Special Character Overlay maps -Parnell residential

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

According to Auckland Council document (page 6 of Public notification 30 May 2019). The Special Character Purpose regarding building height is to retain built form character; maintain the relationship of built form to the street, and maintain a reasonable level of sunlight access and minimise visual dominance effects. In fact the single house zone is preferable as regards the later point. The special character overlay allows for building to occur closer to boundary (1 metre vs 3metre) and this will allow greater bulk and height. The single house zone would also appear to recognize more modern living where neighboring homes should have greater distance to mitigate the effects of modern living such as loud and/or amplifies TV radio and music.

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 258.1

Details of amendments: Have the activity table reflect the most restrictive criteria for building height, height in relation to boundary, yards, building coverage, landscaped area, from either the single house zone rules or the special character rules

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Submission to PC26 to: unitaryplan@aucklandcouncil.govt.nz

1. Submitter Details – Matthew Stephen John Brajkovich

Phone: 0279093555 or email: matthewboomer49@gmail.com

2. Scope of Submission :

PC26 Plan Change/Variation: clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.

The specific provisions that my submission relates to are:

Plan Provisions –

- 1. I generally support the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers some parts of Howick which have a variety of underlying business and residential zones.*
- 2. In Part D18.1 the exception of Howick from the Special Character Area Overlay considerations is not acceptable and I request to be deleted.*
- 3. The Special Character Area at Howick, is requested to be expanded to include Cockle Bay, Mellon Bay, and over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.*
- 4. A Special Character Area description for Howick, Cockle Bay, Mellons Bay covering residential and business areas is required to be inserted into Part D18.1 of PC26 and in Schedule 15 at Part 15.1.6.1..*
- 5. In all other respects I support PC26 and seek to have the controls and standards within PC26 available to cover the expanded Special Character Area shown on the attached Plan.*

Submission: *I oppose the specific provisions identified above which exclude Howick from consideration under PC26. The main reason is without this as stated in the PC26 document ADVERSE effect will occur to the environment and breach AUP policy and make decision making harder.*

I wish to have the following provisions amended:

- (a) The removal of the exemption of Howick from Part 18.1 Background.*
- (b) The expansion of the Special Character Area at Howick to cover the properties identified on the attached plan.*
- (c) The inclusion of a description for the existing and expanded Special character Areas of Howick into the table within D18.1 and within Schedule 15 at Part 15.1.6.1.*

Not limiting above (C) to just Howick but to include Cockle bay and Mellons Bay, as both support the integral function and amenity value of the Howick area and provide for the community by integrating with it.

The reasons for my views are –

- 1. Howick has several special characteristics that require particular protection in the manner provided for in Part D18 of the Auckland Unitary Plan (AUP). For that reason it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1.*
- 2. I see that PC26 is an opportunity to address this long-standing omission in respect of Howick, and Howick Beach. Cockle Bay and beach and Mellons Bay and beach, in particular the outcomes for the*

Hauraki Gulf and the Act 2000, along with all sections of the AUP for the protection of the environment of the catchments.

I seek the following decision by the Council:

I accept the proposed Plan Change with the amendments outlined below. | 259.1

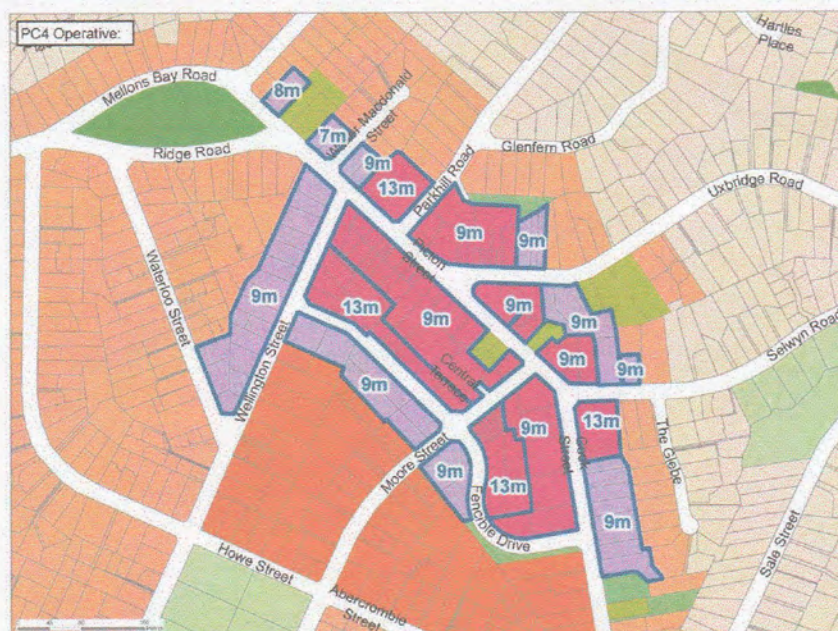
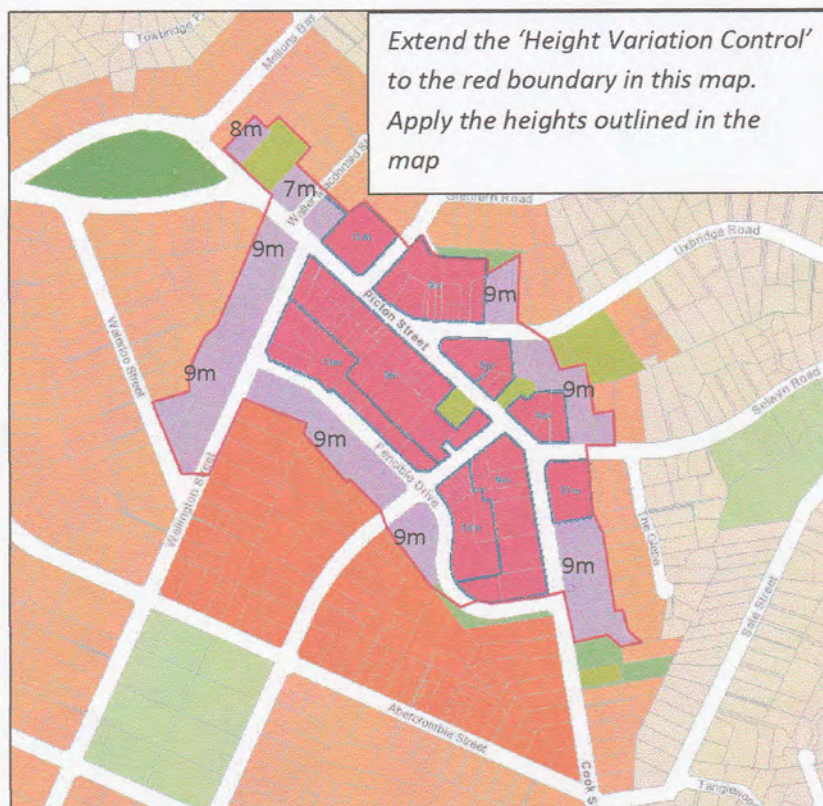
Amendments Requested for the Reasons set out are –

1. *Amend Part D18.1 by removing the words "other than Howick".* | 259.2
2. *Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan.* | 259.3
3. *Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.* | 259.4
4. *Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes.* | 259.5
5. *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. And include Cockle Bay and Mellons Bay.* | 259.6

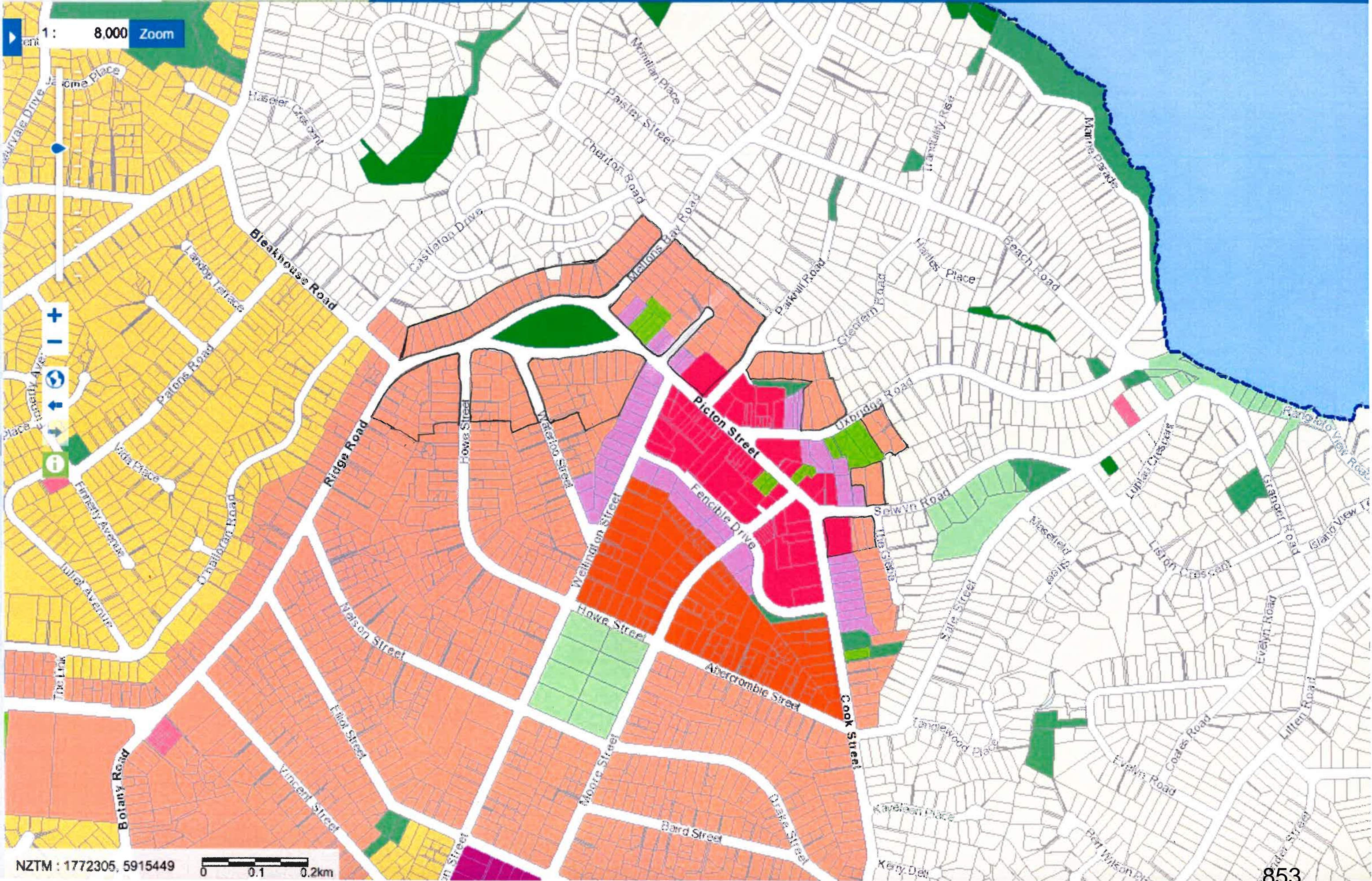
I wish to be heard in support of my submission re the above and any issues re protecting the environment, while still developing housing as both can be achieved.

Plan Change 4 Amendments to Auckland Unitary Plan GIS Viewer (maps)

| | |
|--------------------------|--|
| Geographic area: | South |
| Affected site(s) | Howick Town Centre (i.e. Picton Street, Fencible Drive, Cook street), Addresses attached overleaf |
| Plan Change 4 Amendment: | Adjust Height Variation Control for Howick Town Centre- Business Town Centre Zone and Business Mixed Use Zones |



1: 8,000 Zoom



NZTM : 1772305, 5915449 0 0.1 0.2km

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Yolande Wong

Organisation name:

Agent's full name:

Email address: yolandejoe@gmail.com

Contact phone number: 821896563

Postal address:
38 Allendale Road
Mount Albert
Auckland 1025

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
Height in relation to boundary

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I'm not satisfied that the new restriction of height in relation to boundary to apply to sites with a front boundary width of greater than 15 meters is justified. I do not see any clear evidence that this is warranted. There may be sites with existing buildings or topography where this restriction may create built form that is not in keeping with the objectives and policies of the zone. I would like the road frontage rule removed and 3m plus 45 retained for all sites in the overlay.

I or we seek the following decision by council: Accept the plan modification with amendments | 260.1

Details of amendments: Retain the 3m plus 45 height in relation to boundary for all sites in the overlay | 260.2

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Submission to PC26 to: unitaryplan@aucklandcouncil.govt.nz

1. **Submitter Details** – Friends of Cockle Bay Domain
2. **Scope of Submission :**

PC26 Plan Change/Variation :clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.

The specific provisions that my submission relates to are:

Plan Provisions –

1. *We generally support the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers some parts of Howick which have a variety of underlying business and residential zones.*
2. *In Part D18.1 the exception of Howick from the Special Character Area Overlay considerations is not acceptable and should be deleted.*
3. *The Special Character Area at Howick is requested to be expanded over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.*
4. *A Special Character Area description for Howick covering residential and business areas is required to be inserted into Part D18.1 of PC26 and in Schedule 15 at Part 15.1.6.1..*
5. *In all other respects we support PC26 and seek to have the controls and standards within PC26 available to cover the expanded Special Character Area shown on the attached Plan.*

Submission: *We oppose the specific provisions identified above which exclude Howick from consideration under PC26.*

We wish to have the following provisions amended:

- (a) *The removal of the exemption of Howick from Part 18.1 Background.*
- (b) *The expansion of the Special Character Area at Howick to cover the properties identified on the attached plan.*
- (c) *The inclusion of a description for the existing and expanded Special character Areas of Howick into the table within D18.1 and within Schedule 15 at Part 15.1.6.1.*

The reasons for our views are –

1. *Howick has several special characteristics that require particular protection in the manner provided for in Part D18 of the Auckland Unitary Plan (AUP). For that reason it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1.*
2. *We see that PC26 is an opportunity to address this long-standing omission in respect of Howick.*

We seek the following decision by the Council:

We accept the proposed Plan Change with the amendments outlined below.

| 261.1

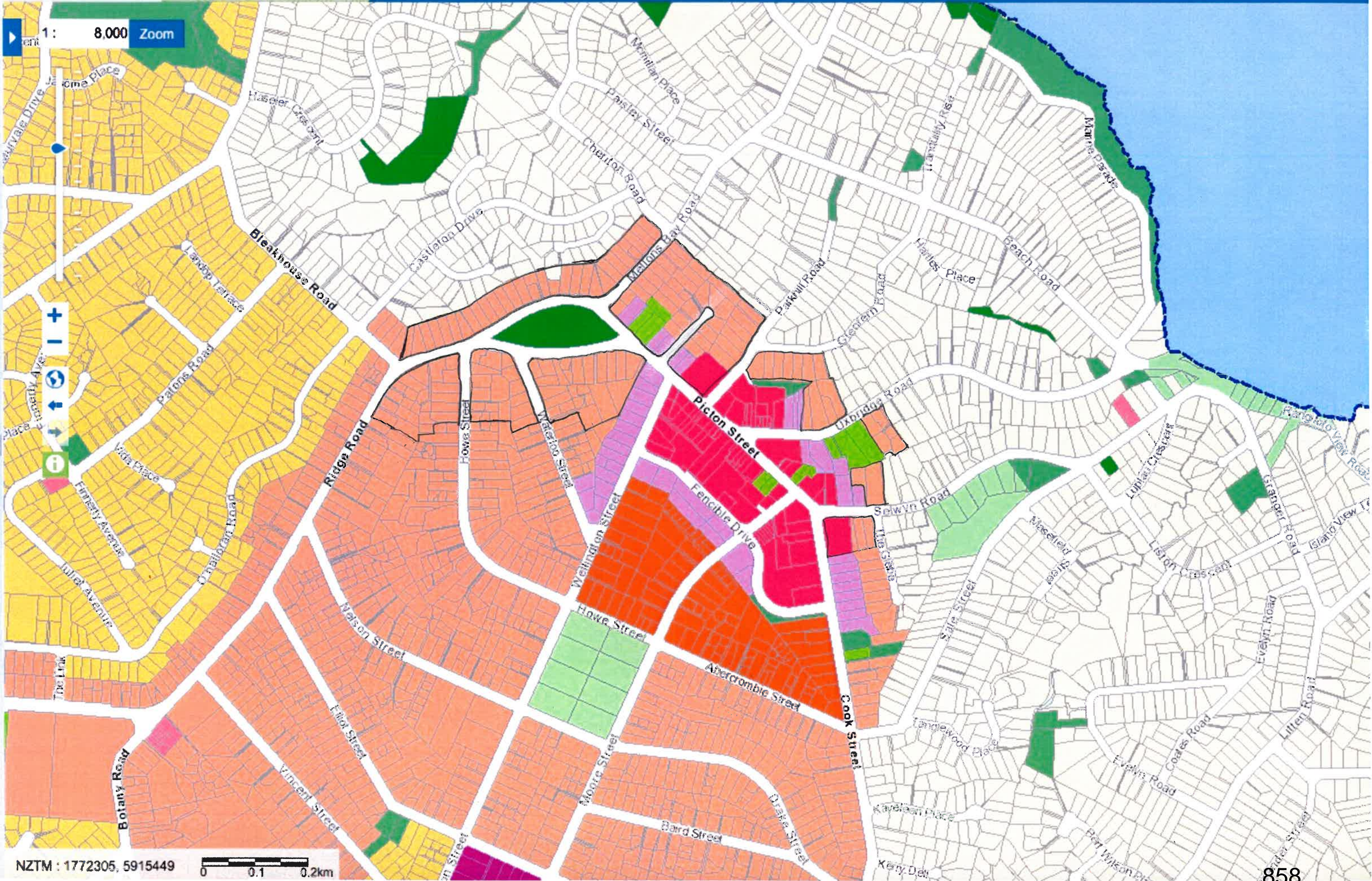
Amendments Requested for the Reasons set out are –

1. *Amend Part D18.1 by removing the words "other than Howick".* | 261.2
2. *Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan.* | 261.3
3. *Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.* | 261.4
4. *Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes.* | 261.5
5. *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.* | 261.6

We wish to be heard in support of our submission.



1: 8,000 Zoom



NZTM : 1772305, 5915449 0 0.1 0.2km

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Simon Nicolaas Peter ONNEWEER

Organisation name:

Agent's full name:

Email address: piet88@yahoo.com

Contact phone number:

Postal address:
61 Seafield View Road
Grafton
Auckland 1023

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
All

Property address: It says this is optional.

Map or maps: All

Other provisions:
It says this is optional.

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
The Special Character Overlays can play an important part in helping to protect Auckland's heritage. Confirming their primacy over underlying zones will make them more effective.

I or we seek the following decision by council: Accept the plan modification

Submission date: 12 July 2019

Attend a hearing

| 262.1

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Fiona Bower

Organisation name:

Agent's full name:

Email address: fi_bower@hotmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

All of it

Property address:

Map or maps: Auckland

Other provisions:

Heritage areas of Auckland.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The document presented to the community is ambiguous in its wording. Requires clarification for the citizens of Auckland to actually understand what has been presented. People have found the submission information confusing and Council has been remiss in not having any public meetings to explain the affects that this change will make. In Heritage areas such as Devonport Heritage to be critical (i) Height in relation to boundary and (ii) the rear yard setback

I or we seek the following decision by council: Decline the plan modification

Submission date: 12 July 2019

Attend a hearing

| 263.1

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Debbie Holdsworth

Organisation name:

Agent's full name:

Email address: d.holdsworth@xtra.co.nz

Contact phone number:

Postal address:

Mt Eden
Auckland 1041

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.7. Fences and walls

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I do not support a maximum height of 1.2m as it means the threshold for having to apply for restricted discretionary resource consent is too low. Given anecdotal feedback of individuals experience of the cost, time delays and frustrations going through this process it would mean the costs are likely to be too prohibitive relative to the cost of a new fence. Most of the fences in our street are higher than this, and the low fences in the street which have aesthetic appeal and character range between 1.3m and 1.5m. At 1.5m there is still a sense of openness and appropriate streetscape character.

I or we seek the following decision by council: Amend the plan modification if it is not declined

| 264.1

Details of amendments: Increase the height threshold to 1.5m and provide some certainty around the costs, timeframes in addition to streamlining the process.

264.2
264.3

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jennifer Anne Strange

Organisation name:

Agent's full name:

Email address: j_a_strange@hotmail.com

Contact phone number: 0211427832

Postal address:

PO Box 37743

Parnell

Auckland

Parnell

Auckland 1151

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:

Ch D18 Special Character-residential provisions Single Housing Zone provisions

Property address: 15 Logan Terrace Parnell and surrounding neighbourhood

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions The provisions in the Special character area overlay(SCAR) even with the proposed amendments to consider neighbour's amenity, are too narrow in purpose to allow consideration and protection of natural heritage. Allowing corresponding SCAR provisions to prevail with the amendments proposed, could result in larger houses with smaller planted areas surplanted the nineteenth century houses and destroying landform and vegetation..Therefore they 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 Purpose statements of the Single House zone in the AUP are important and should prevail

| 265.2

I or we seek the following decision by council: Decline the plan modification

| 265.1

Submission date: 12 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Iain Rea

Organisation name:

Agent's full name: Iain Rea

Email address: iainrea@gmail.com

Contact phone number: 027 5685522

Postal address:
18 Ngataringa Road
Ngataringa
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

Plan modification name: PC 26 Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

My submission relates to

Rule or rules:
D18.6.1.2. D18.6.1.3. Yards

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Existing height in relation to boundary is sufficient. A back yard area and how houses relate to each other are as much part of the special heritage area as the buildings themselves. Do not agree that a back yard should be the same as every other boundary.

I or we seek the following decision by council: Accept the plan modification with amendments

| 266.1

Details of amendments: Remove the amendments to the two sections, D18.6.1.2. D18.6.1.3.

| 266.2

Submission date: 12 July 2019

| 266.3

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



To: **Auckland Council**
Name of submitter: **Civic Trust Auckland**
Submission on: **Proposed Plan Change 26**

Introduction

Civic Trust Auckland (**Civic Trust**) is a non-profit public interest group, incorporated in 1968, with membership, activities and interests throughout the greater Auckland region. Its aims include the protection of natural landforms, the preservation of heritage in all its aspects, and the encouragement of good planning for the city and region.

Submission

1. Civic Trust 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.¹
2. Civic Trust submits that the SCA overlay currently acts to manage the values of special character, but not so much to retain them.
3. Restoration, repair, and minor alterations to buildings are enabled within the SCA overlay and thus the SCA overlay is for the management of activities such as the construction of new buildings.
4. The Plan Change also makes some amendments to some of the development standards in the SCA overlay to ensure that they are appropriately tailored to the special character values in the areas to which they relate. These include *building height, height in relation to boundary, yards, building coverage, maximum impervious area, landscaped area, and fences and wall.*
5. There appear to be instances where the implementation of SCA rules as proposed would result in a consented building with designs that may be inappropriate in the context of other properties in close proximity which form part of the collective value identified in the special character statements.

267.1

¹ AUP D18.1 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.

6. Such problems appear to arise when two potentially conflicting rules (in the form of activities and standards), with differing activity statuses or metrics, apply to the same activity.
 7. D18.6 provides that all activities must comply with the development standards as listed. Those aspects of design (*namely: building height, height in relation to boundary, yards, building coverage, maximum impervious area, landscaped area or landscaping, fences and wall*) will, when approached differently by different owners, result in any number of design outcomes. D18.6.1 b) starts by saying "*Except where otherwise specified in this chapter ..* "
 8. Council notes that the plan change may result in some provisions being more restrictive than they are under the status quo, but that some provisions may be more enabling.
 9. Civic Trust supports the plan change generally in its intention, but seeks that (*as provided for in D18.6.1 b*), 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.
- Civic Trust could not gain an advantage in trade competition through this submission.
 - Civic Trust does wish to be heard in support of its submission.

267.2

Signature of person authorised to sign
on behalf of submitter



12 July, 2019

| | |
|------------------------------|--------------------------------------|
| Organisation name: | Civic Trust Auckland |
| Contact phone number: | 09 368 1516 |
| Email address: | cta@civictrustauckland.org.nz |
| Postal address: | PO Box 74049 Greenlane Auckland 1546 |
| Contact name: | Audrey van Ryn |

Enquiry type: Something else

Tell us what the problem is and more details about the location.

Please include Howick in PC26 as a special area. We are one of the original settlements in Auckland and Stockade Hill has significant historical importance. Do not allow the views to be built out and enable the area to retain its unique appearance.

Gail Russell resident

268.1

Contact details

First name Gail

Last name Russell

Contact phone 0272519224

Email address gailyr52@gmail.com

Can we contact you if we need more information? Yes

As a owner and resident of 6 Hillcrest Grove Manurewa I wish to object to the proposed reduction in minimum section size from 750m2 to 600m2.

The special character of this suburb (single dwelling,abundance of native bush,abundance of well established trees etc) will be potentially badly affected by this proposed change.

I believe it has possibly slipped through in error.

I had difficulty in accessing the official submission form, but I trust this objection is fairly straightfoward and will be accepted,

Yours faithfully

Brian Wood

mershwood@gmail.com

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Adele Joanne WHITE

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

52 Pearson Road Whitford Auckland 2571

Telephone: 0274 784 092 Fax/Email: dellys@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 26

Plan Change/Variation Name Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) Special character overlay

Or Property Address

Or Map

Or Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I believe clarification of wording in the ALIP is necessary to ensure that the special character areas overlay will override the zoning

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation | 270.1
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Opdetel White

Signature of Submitter
(or person authorised to sign on behalf of submitter)

12/07/2019
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------------------------|
| For office use only Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

JOHN ROSS SPILLER

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

P.O. Box 38-190, HOWICK, 2145 or
c/- 102 Picton Street, Howick 2014

Telephone:

021 870 770

Fax/Email:

spiljon55@outlook.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

ANY PARTS OF AUCKLAND THAT THE SPECIAL CHARACTER OVERLAY AFFECTS

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

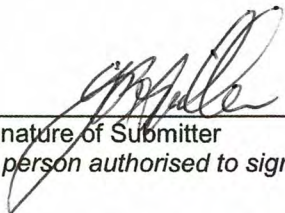
The reasons for my views are: I believe that clarification of wording in the Auckland Unitary Plan is essential to ensure that Special Character Area Overlays will override the underlying zonings in the A.U. P.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation | 271.1
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing


Signature of Submitter
(or person authorised to sign on behalf of submitter)

12-07-2019
Date

Notes to person making submission:
 If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

My property at [94 Stanley point Road](#) is located in the Special Character Area. It abutts land that was previously in the Heritage Res 3/special character area, where the owner successfully sought exclusion from heritage zoning provisions.

The land excluded is at; 70, 76, 80, 90 & [92 Stanley Point Road](#).

When originally excluded, the right of way (ROW) parts of the titles were not shown as being part of the exclusion. Decisionmakers acknowledged that the streetscape was integral to the heritage provisions and deliberately did not exclude the ROW portions, with heritage provisons continuing to apply.

In subsequent decisions the retention of the heritage provisions over ROWs has been overlooked. This appears to be by error rather than in response to any submission. Would you please explain how that occurred?

I submit;

- That the ROW portions of 70, 76, 80, 90 & [92 Stanley Point Road](#) be included in the special character area. | 272.1
- That the heritage provions take precedence wherever the special character area interfaces with the single house zone, at 70, 76, 80, 90 & [92 Stanley Point Road](#). | 272.2
- That the 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](#). | 272.3
- 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](#). | 272.4
- That all ROW side fences be limited to 1.2m within 5m of the front boundary, to allow for improved legibility of the special chgaracter zone from the street and to contribute to improved safety outcomes for pedestrians and other raod users. | 275.5

I wish to appear before the hearing committee.

Name: Diana Renker

Address: 94 Stanley Point Road, Devonport, Auckland 6024

Kind regards,

Diana Renker

renkerd@gmx.net

The reasons for my views are:

that unless the provisions are amended, a child could climb a fence to gain access to a pool by climbing on an adjacent structure

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

273.1

I would like to add that if a swimming pool fence is proposed close to a structure that a child could climb and so scale the swimming pool fence, it should be fence should be built at least a meter away from the

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

273.2

Structure rather than the fence be built more than 2m. above ground level. This would ensure that both health & safety and H3.6.12. ① would be adhered to.

Signature of Submitter (or person authorised to sign on behalf of submitter)

Date

R. M. Rive

12-7-19

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

Robin Rive
robinrive1939@icloud.com

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---------------------|
| For office use only |
| Submission No: |
| Receipt Date: |

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

SARAH ELIZABETH WITHELL

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

3 RYLE ST, FREEMANS BAY, AUCKLAND 1011

Telephone:

021 414151

Fax/Email:

seg@xta.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

D 18 - Special Character Overlay / E 38 - Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

I believe the Plan Change will provide clarity for development in a Special Character Overlay area. These rules help manage and retain our heritage areas. These rules should not be open for interpretation, depending on a sites underlying Zone. The Special Character Overlay rules should always replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

274.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Richard

Signature of Submitter
(or person authorised to sign on behalf of submitter)

26-06-2019

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could /could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online further submission.

Contact details

Full name of person making a further submission: Zhiming Yang

Organisation name:

Full name of your agent:

Email address: zhmyang@gmail.com

Contact phone number: +61477745254

Postal address:
89 King George Avenue
Epsom
Auckland 1023

Submission details

This is a further submission to:

Plan modification number: Plan Change 26

Plan modification name: PC 26: Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

Original submission details

Original submitters name and address:
Zhiming Yang
89 King George Avenue, Epsom, Auckland 1023

Submission number: 19

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:
Point number Changed to Residential-Mixed housing Suburban Zone

The reasons for my or our support or opposition are:
Why does only my house 89 King George Avenue Unitary Plan be the Zone: Residential – Single House Zone, and the Unitary Plan of all the other houses in King George Avenue are the Zone: Residential – Mixed Housing Suburban Zone? Back in 2017, my house, 89 King George Avenue and a few of my neighbour's houses in King George Avenue were in the Residential Zone 2 plan. After 2017 all the house Unitary Plan in King George Avenue have been changed to the Zone: Residential – Mixed Housing Suburban Zone except my house. Only my house Unitary Plan has been changed to Zone: Residential – Single House Zone in King George Avenue. This definitely devalue my house compared to my neighbour's houses. Because we cannot find any other land in Epsom close to my house to build a new house for our son, and also the land are too expensive now, we need to plan to subdivide our house land which is 950m2 and it could be enough for two houses.

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:

Please changed my house zone to Residential-Mixed housing Suburban Zone as same as all the other houses in King George Avenue

Submission date: 5 September 2019

Attend a hearing

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

What is your interest in the proposal? I am the person representing a relevant aspect of the public interest

Specify upon which grounds you come within this category:

Zone to be changed to Residential - Mixed housing Suburban Zone

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---|
| For office use only Further Submission No: |
| Receipt Date: |

FURTHER SUBMITTER DETAILS

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Organisation Name (if further submission is made on behalf of Organisation)

BA Trustees Ltd

Address for service of Further Submitter

*C/- Hardacre Planning Ltd, PO Box 87-127
Meadowbank, AKL 1742*

Telephone:

027 280-8409

Fax/Email:

colin@hardacreplanning.co.nz

Contact Person: (Name and designation, if applicable)

SCOPE OF FURTHER SUBMISSION

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

| | |
|------------------------------|--|
| Plan Change/Variation Number | PC 26 |
| Plan Change/Variation Name | Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions |

I support : Oppose (tick one) the submission of:

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number

Point-

249

249

1

Mr Keith Vernon

The reasons for my support / opposition are:

See HPL further submission document attached.

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) See HPL further submission

of the original submission be **allowed**

disallowed

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Colin Hardacre

Signature of Further Submitter
(or person authorised to sign on behalf of further submitter)

Date

18/09/2014

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

See HPL further submission.

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

Further Submission in Support of, or Opposition to a Publicly Notified Proposed Plan Change or Variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6

Emailed submission to: unitaryplan@aucklandcouncil.govt.nz

Attention: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

FURTHER SUBMITTER DETAILS

Full Name: BA Trustees Ltd
507/101 Customs Street West
Viaduct Harbour
Auckland City 1010

Attention: Mr Brian McClure

Full Name of Agent: Mr Colin Grant Hardacre

Organisation Name: Hardacre Planning Ltd

Address for Service: Hardacre Planning Ltd
P.O. Box 87 – 127
Meadowbank
AUCKLAND CITY 1742

Telephone: 027 – 280 – 8409.

Email: colin@hardacreplanning.co.nz

SCOPE OF FURTHER SUBMISSION

This is a further submission in opposition to a submission on the following proposed plan change/variation:

Plan Change 26

Plan Change/Variation Name – Clarifying the relationship between the Special Character Areas Overlay and underlying zones

I oppose the submission by Mr Keith Vernon of P.O. Box 99124, Newmarket, Auckland 1149.

Submission number: # 249.

Point – 1.

The reasons for my opposition are:

1. This proposed amendment/ relief is ultra vires/illegal. It is quite clear from the plan change documentation that the Council are proposing no changes to the Business zones.
2. As such, the submitter has no legal standing to request such a change to the Business zones.
3. This proposed amendment / relief is out of scope of the plan change.
4. The purpose of the plan change, Clarifying the relationship between the Special Character Areas Overlay and underlying zones relates to an Environment Court Declaration in relation to the competing and confused wording relating to the Residential Single House Zone and Residential Special Character overlay and the administration of the relevant development standards and assessment criteria in relation to resource consents.
5. Notwithstanding the above, amending the D18.4 Activity table and Table D18.4.2 Activity table – Special Character Areas Overlay – Business with identified character supporting buildings, (A19), Any demolition of the front facade of a character supporting building as a discretionary activity rather than existing restricted discretionary activity will not meet the aims of the Resource Management Act 1991, in particular it:

Will be contrary to Part II and other provisions of the Act;

Will not meet the reasonably foreseeable needs of future generations;

Will not enable social, economic and cultural wellbeing;

Will be contrary to the purposes and provisions of the Act and other relevant planning documents; and

Will be inappropriate and inconsistent with the purpose and principles of the Act.

6. There is no valid Resource Management Act or town planning principle where any provision in the relevant zone has to be less restrictive or more restrictive in the underlying overlay.

7. As per Part II of the act, the Resource Management Act is about the control of adverse environmental effects. The submitter's relief will be contrary to those principles and the purpose of the act.
8. There is no valid RMA/town planning reason to have the demolition of the front facade of a character supporting building as a full discretionary activity and relying only on general matters of discretion and assessment criteria, unlike those specified in clauses D18.8.1. Matters of discretion, D18.8.1.2. Special Character Business Areas and the D18.8.2. Assessment Criteria, D18.8.2.2. Special Character Areas Overlay – Business.
9. The D18 Special Character Areas Overlay – Business were considered as part of the Unitary Plan process and should remain.
10. This plan change is not the correct forum for such relief required by the submitter. That would require a further and specific Council initiated plan change relation to the D18 Special Character Areas Overlay – Business objectives, polices, activity table, development standards, matters of discretion and assessment criteria.


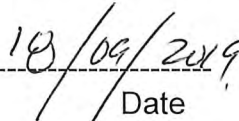
I seek that:

This part of the submission, **Submission #249.1**

Of the original submission be **disallowed in full.**

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature of further submitter or authorised agent Date

The further submitter is a person who has an interest in the plan change proposal that is greater than the interest that the general public has because the company has sites which are zoned Business and the Special Character Areas Overlay – Business.

A copy of this further submission has been served on the original submitter by email and within 5 working days after that it is served on the local authority.

Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---|
| For office use only Further Submission No: |
| Receipt Date: |

FURTHER SUBMITTER DETAILS

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Organisation Name (if further submission is made on behalf of Organisation)

BA Trustees

Address for service of Further Submitter

*C/- Hardacre Planning Ltd PO Box 87-127,
Meadowbank, ARL 1742*

Telephone:

027 280 8409

Fax/Email:

colin@hardacreplanning.co.nz

Contact Person: (Name and designation, if applicable)

SCOPE OF FURTHER SUBMISSION

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

| | |
|------------------------------|--|
| Plan Change/Variation Number | PC 26 |
| Plan Change/Variation Name | Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions |

I support : Oppose (tick one) the submission of:

(Please identify the specific parts of the original submission)

(Original Submitters Name and Address)

Submission Number

Point-Number

*Grey Lynn Residents Association
(Inc)*

247

1, 2, 3 & 4

The reasons for my support / opposition are:

see HPL further submission document attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) See HPL further submission info attached

of the original submission be **allowed**

disallowed

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Colin Hardacre (authorised agent) 18/09/2019
Signature of Further Submitter Date
(or person authorised to sign on behalf of further submitter)

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

See HPL further info attachment

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

Further Submission in Support of, or Opposition to a Publicly Notified Proposed Plan Change or Variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6

Emailed submission to: unitaryplan@aucklandcouncil.govt.nz

Attention: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

FURTHER SUBMITTER DETAILS

Full Name: BA Trustees Ltd
507/101 Customs Street West
Viaduct Harbour
Auckland City 1010

Attention: Mr Brian McClure

Full Name of Agent: Mr Colin Grant Hardacre

Organisation Name: Hardacre Planning Ltd

Address for Service: Hardacre Planning Ltd
P.O. Box 87 – 127
Meadowbank
AUCKLAND CITY 1742

Telephone: 027 – 280 – 8409.

Email: colin@hardacreplanning.co.nz

SCOPE OF FURTHER SUBMISSION

This is a further submission in opposition to a submission on the following proposed plan change/variation:

Plan Change 26

Plan Change/Variation Name – Clarifying the relationship between the Special Character Areas Overlay and underlying zones

I oppose the submission by Grey Lynn Residents Association Inc C/- Ms Tania Fleur Mace, 24 Dryden Street, Grey Lynn, Auckland 1021.

Submission number: # 247.

Points – 1, 2, 3, and 4.

The reasons for my opposition are:

1. By the wording of the submission and its general nature reference in relation to section D18.8. Assessment – Restricted discretionary activities, this submission could relate to the Special Character Areas Overlay – Business provisions of the Plan. Clause D18.8 includes clause D18.8.1.2. Special Character Business Areas and D18.8.2.2 Special Character Areas Overlay Business, which could include the business sections of the overlay. This proposed amendment / relief is ultra vires/illegal. It is quite clear from the plan change documentation that the Council are proposing no changes to the Business zones, if that is the intention of the submission.
2. By wording of the submission and its general nature reference in relation to section D18.5 Notification that could include the business sections of the overlay. The submitter wishes to notify resource consent applications where there are any matters that are contentious. This is contrary to sections 95A through to 95F of the act.
3. Any resource consent application being contentious is not a matter for limited public notification or full public notification under section 95A through to 95G of the act.
4. Amenity values of neighbouring sites is not a relevant consideration for this plan change nor the special character overlay relating to residential or business sites. Amenity values mentioned in the D18 Special Character Areas Overlay – Residential and Business section relates to streetscapes, streetscape character and streetscape amenity values.
5. Tightening the rules regarding demolition within the Special Character overlay is not part nor the purpose of this plan change.
6. The relevant existing business and residential provisions of the D18 have been well canvassed under the Unitary Plan.
7. The purpose of the plan change, Clarifying the relationship between the Special Character Areas Overlay and underlying zones relates to an Environment Court Declaration in relation to the competing and confused wording relating to the Residential Single House Zone and Residential Special Character overlay and the administration of the relevant development standards and assessment criteria in relation to resource consents.
8. This plan change is not the correct forum for such relief required by the submitter. That would require a further and specific Council initiated plan change relation to the D18 Special Character Areas Overlay – Business objectives, polices, activity table, development standards, matters of discretion and assessment criteria.

9. As such, the submitter has no legal standing to request such a change to the Business zones, if that is the intention of their submission.
10. The proposed relief/amendments to the plan change and ultimately the relevant sections of D18 will not meet the aims of the Resource Management Act 1991, in particular it:
- Will be contrary to Part II and other provisions of the Act;
 - Will not meet the reasonably foreseeable needs of future generations;
 - Will not enable social, economic and cultural wellbeing;
 - Will be contrary to the purposes and provisions of the Act and other relevant planning documents; and
 - Will be inappropriate and inconsistent with the purpose and principles of the Act.

I seek that:

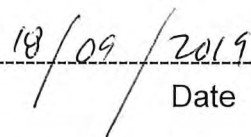
This part of the submission, **Submission #247.1, 2, 3 and 4.**

Of the original submission be **disallowed in full.**

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.





Signature of further submitter or authorised agent

Date

The further submitter is a person who has an interest in the plan change proposal that is greater than the interest that the general public has because the company has sites which are zoned Business and the Special Character Areas Overlay – Business.

A copy of this further submission has been served on the original submitter by email and within 5 working days after that it is served on the local authority.

Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---|
| For office use only Further Submission No: |
| Receipt Date: |

FURTHER SUBMITTER DETAILS

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Mr Colin Hardacre

Organisation Name (if further submission is made on behalf of Organisation)

Hardacre Planning Ltd

Address for service of Further Submitter

PO Box 87-127, Meadowbank, AKL 1442

Telephone:

027 280 8409

Fax/Email:

colin@hardacreplanning.co.nz

Contact Person: (Name and designation, if applicable)

SCOPE OF FURTHER SUBMISSION

This is a further submission in support of ~~(or opposition to)~~ a submission on the following proposed plan change / variation:

| | |
|------------------------------|--|
| Plan Change/Variation Number | PC 26 |
| Plan Change/Variation Name | Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions |

I support : Oppose (tick one) the submission of:

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number

Point-Number

John Childs Consultants Ltd
PO Box 46015
Herne Bay
AKL 1147.

| | |
|------------|-------------------------------|
| <u>173</u> | <u>1, 2, 3, 4, 5, 6 and 7</u> |
|------------|-------------------------------|

The reasons for my support / opposition are:

See HPL further info attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) _____

of the original submission be **allowed**

disallowed

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Colin Hardacre

Signature of Further Submitter
(or person authorised to sign on behalf of further submitter)

10/09/2019

Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

See HPL further submission info attached.

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

Further Submission in Support of, or Opposition to a Publicly Notified Proposed Plan Change or Variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6

Emailed submission to: unitaryplan@aucklandcouncil.govt.nz

Attention: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

FURTHER SUBMITTER DETAILS

Full Name: Mr Colin Grant Hardacre

Organisation Name: Hardacre Planning Ltd

Address for Service: Hardacre Planning Ltd
P.O. Box 87 – 127
Meadowbank
AUCKLAND CITY 1742

Telephone: 027 – 280 – 8409.

Email: colin@hardacreplanning.co.nz

SCOPE OF FURTHER SUBMISSION

This is a further submission in support to a submission on the following proposed plan change/variation:

Plan Change 26

Plan Change/Variation Name – Clarifying the relationship between the Special Character Areas Overlay and underlying zones

I support the submission by John Childs Consultants Ltd, P.O. Box 46015, Herne Bay, Auckland 1147.

Submission number: # 173.

Points – 1, 2, 3, 4, 5, 6 and 7.

The reasons for my support are:

1. The proposed amendments / relief requested will lead to better development within the overlay and will be consistent with the special character, special character amenity values, streetscape, streetscape character, streetscape amenity values, promoted by the overlay;
2. In terms of the 3m plus 45 degree height in relation to boundary rule applying to rear sites and site with more than 15m of frontage relief, it will be consistent with special character, special character amenity values, streetscape, streetscape character, streetscape amenity values, etc., promoted by the overlay;
3. the 3m plus 45 degree height in relation to boundary rule is a long established and accepted rule in this overlay, consistent with the existing development patterns which were promoted by the former Residential 1 zone in the City of Auckland's 1999 Isthmus District Plan and earlier District Plans;
4. In terms of the yard relief, it will be consistent with the special character, special character amenity values, streetscape, streetscape character, streetscape amenity values, promoted by the overlay;
5. Certainty will be provided and thereby, avoid any confusion in rule interpretation;
6. In terms of the coverage relief, it will be consistent for the larger sites with the special character, special character amenity values, streetscape, streetscape character, streetscape amenity values, promoted by the overlay;
7. The proposed 35% building coverage, 40% landscaping area and 60% a maximum paved area development standards are an acceptable for larger sites. These development standards are long established, accepted and acceptable within the former Auckland City Council administrative area, the rest of the city and NZ;
8. The proposed relief/amendments to the plan change will be consistent with the existing and future built form and patterns of development e.g. additions and alterations at the rear of dwellings, pop top additions with these Special Character – Residential overlay which mostly have areas of small sites, small frontages, character or period dwellings with additions and alterations, high site coverages, small side yards, infringing height in relation to boundaries building areas, limited landscaping, carports in the front, under dwelling garaging and the like;
9. The proposed relief/amendments to the plan change will provide consistency and certainty for the sites affected by the D18 Special Character – Residential overlay;
10. The proposed relief/amendments to the plan change will be consistent with the D18 section's objectives and policies;
11. The proposed relief/amendments to the plan change and ultimately, the relevant sections of D18 will meet the aims of the Resource Management Act 1991, in particular it:

Will be consistent with Part II and other provisions of the Act;

Will meet the reasonably foreseeable needs of future generations;

Will enable social, economic and cultural wellbeing;

Will be consistent with and promote to the purposes and provisions of the Act and other relevant planning documents; and

Will be appropriate and consistent with the purpose and principles of the Act.

I seek that:

This submission, **Submission #173**

Of the original submission be **allowed in full**.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Colin Hardacre

18/09/2019

Signature of further submitter or authorised agent

Date

The further submitter is a person representing a relevant aspect of the public interest being a town planning consultant who has lodged and obtain consent from the Council for resource consent applications in the Special Character – Residential and Special Character – Business Overlays under the Unitary Plan, resource consent applications including demolition of dwellings and their replacement with modern special character type dwellings under the former City of Auckland 1999 Isthmus District Plan as well as being involved with Plan Change 163 for around 7 years of the 9 years that the Council took to conclude that plan change before the Environment Court.

I also made client submissions and appearances as an expert planning witness to the Business zones and Special Character – Business overlays as part of the Unitary Plan process.

A copy of this further submission has been served on the original submitter by email and within 5 working days after that it is served on the local authority.

Qualifications and Experience: Colin Grant Hardacre

Qualifications

Bachelor of Regional Planning (Massey University)
Full Member of the New Zealand Planning Institute
Member of the Resource Management Law Association

Experience

My 39 years of experience include 25 years in the private sector and the remainder with local authorities. I have extensive experience in obtaining resource consents from Councils primarily in the Auckland region but also throughout New Zealand.

| | |
|-----------------------------|---|
| September 2003 – present | Director /Owner of Hardacre Planning Ltd |
| October 1994 – August 2003 | Associate/Senior Planning Consultant Planning Network Services Ltd |
| October 1987 – October 1994 | Senior Planner Auckland City Council |
| May 1984 – October 1987 | Borough Planner Pukekohe Borough Council |
| June 1981 – May 1984 | Assistant Planner Gisborne District Council |

Projects have included:

- new bulk retail outlets for The Warehouse Ltd;
- new petrol stations for Gull Petroleum Ltd;
- large industrial developments;
- terraced houses, apartment buildings and individual houses;
- mixed use developments;
- restaurants;
- child care centres; and
- high rise tower developments in Auckland's CBD.

I have also prepared private Plan Changes, made submissions to District Plan and District Scheme Plan Changes and appeared before Councils' Planning Committees on a regular basis. I have appeared before the Planning Tribunal, Environment Court, District Court, Liquor License Commission, Liquor License Authority, High Court and Court of Appeal as an Expert Planning Witness.

Hi there,

Please see below my submission on Proposed Plan Change 26. My original submission number is 90. I don't support PC26, due to the reasons below:

- special character area statements and the special character values that are identified on Schedule 15 for Princes Avenue are in accurate.
- It makes no sense that PC 26 is proposing to use this wrong statement on Schedule 15 to enforce its unrealistic requirements on the streetscape of Princes Avenue.
- As D18 Special Character Areas Overlay is closely linked with Schedule 15; D18 and PC26 need to be discussed in conjunction with Schedule 15.

Regards
Sharyn Qu

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSION
ON THE AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGE 26**

Clause 8 of Schedule 1, Resource Management Act 1991

To: Auckland Council

Further Submitter: Mark Crosbie, Heidi Crosbie, and Adeux Trustee Limited (**'Submitter'**)

- 1.1 This is a further submission in support of, or opposition to, submissions on Proposed Plan Change 26 (**'PC26'**) named "Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions" as listed in the below schedule. The reasons for support or opposition and the decisions sought from Council are set out in the below schedule.
- 1.2 The Submitter is a person who has an interest in the proposal that is greater than the interest the general public has:
- (a) As a person who made a submission on PC26; and
 - (b) As a person who has an interest in land affected by PC26.
- 1.3 The Submitter could not gain an advantage in trade competition through this submission.
- 1.4 The Submitter wishes to be heard in support of its submission.
- 1.5 If others make a similar submission, the Submitter will consider presenting a joint case with them at the hearing.



Sarah Burgess, Barker & Associates Limited,
(as person authorised to sign on behalf of the Submitter)

DATE: 19 September 2019

Address for Service: Mark Crosbie, Heidi Crosbie, and Adeux Trustee Limited
c/- Barker & Associates Limited
PO Box 1986
Shortland Street
Auckland Central 1140
Attn: Sarah Burgess
Ph: 09 375 0900
Email: sarahb@barker.co.nz

| Sub # | Sub Point | Submitter Name | Summary | Support or Oppose | Reason for Support/Opposition | Relief Sought |
|-------|-----------|---|---|-------------------|---|-------------------------------------|
| 7 | 7.2 | Graham William Arthur Bush and Norma Ann Bush | 7.2 Reinstate a rear yard of 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed |
| 7 | 7.3 | Graham William Arthur Bush and Norma Ann Bush | 7.3 Oppose changes to impervious area | Oppose | Does not enable sufficient flexibility in being able to develop SCAR sites. | That this submission be disallowed |
| 8 | 8.1 | Adonis Souloglou | 8.1 Accept the plan modification with amendments to the height in relation to boundary control - retain the existing control | Support | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |
| 21 | 21.10 | Martin Evans | 21.10 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 | Oppose | Fences of 2m in height to side and rear yards are appropriate to provide for privacy and security, and consistent with all other residential zones. | That this submission be disallowed |
| 26 | 26.2 | Elisabeth Sullivan | 26.2 Remove the requirement for 1.2m minimum side yard for Isthmus A properties, should be 1m | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 35 | 35.2 | Heritage Landscapes Attn: Amanda McMullin | 35.2 Back yard to be kept at 3m minimum | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
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| 51 | 51.3 | Janet Digby | 51.3 Oppose the change to the rear yard from 3m to 1m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 56 | 56.2 | Charles Laurence Digby | 56.2 Retain current rules relating to height in relation to boundary | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 56 | 56.3 | Charles Laurence Digby | 56.3 Opposed to changing the 3m boundary to just 1m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 73 | 73.3 | Catherine Spencer | 73.3 Maintain the current 3m boundary for rear yard setback | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 84 | 84.3 | Lambert Hoogveen | 84.3 Re-instate the rear yard set-back of 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 88 | 88.1 | Passion Fruit Trust | 88.1 The more restrictive height to boundary measure be used | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 88 | 88.2 | Passion Fruit Trust | 88.2 The more restrictive rear yard setback be used | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 89 | 89.2 | Kathy Prentice | 89.2 Retain the Single House zone height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 89 | 89.3 | Kathy Prentice | 89.3 Retain the Single House zone rear yard control of 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 96 | 96.2 | Colin and Jocelyn Weatherall Attn: David Wren | 96.2 Replace the words "takes precedence over" with "replaces" in D18.4 Activity Table | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 96 | 96.4 | Colin and Jocelyn Weatherall Attn: David Wren | 96.4 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 | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |

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| 96 | 96.7 | Colin and Jocelyn Weatherall Attn: David Wren | 96.7 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 | Support | Provides for clarity and simplicity. | That this submission be allowed. |
| 96 | 96.8 | Colin and Jocelyn Weatherall Attn: David Wren | 96.8 Amend E38.8.2.6 Subdivision by replacing the words "takes precedence" with "replace" | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 97 | 97.2 | Peter Ng Attn: David Wren | 97.2 Replace the words "takes precedence over" with "replaces" in D18.4 Activity Table | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 97 | 97.4 | Peter Ng Attn: David Wren | 97.4 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 | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |
| 97 | 97.7 | Peter Ng Attn: David Wren | 97.7 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 | Support | Provides for clarity and simplicity. | That this submission be allowed. |
| 97 | 97.8 | Peter Ng Attn: David Wren | 97.8 Amend E38.8.2.6 Subdivision by replacing the words "takes precedence" with "replace" | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 102 | 102.2 | M.Carol Scott | 102.2 Retain rear yard setbacks at 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 102 | 102.3 | M.Carol Scott | 102.3 Apply suitable greater restriction on two-storey houses, e.g. larger yards | Oppose | The height and HIRTB standards manage building height without the need for additional controls that would unnecessarily restrict development. | That this submission be disallowed. |
| 121 | 121.2 | Darcy McNicoll | 121.2 Retain the SHZ height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 121 | 121.3 | Darcy McNicoll | 121.3 Retain the 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 122 | 122.2 | Robyn McNicoll | 122.2 Retain the SHZ height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 122 | 122.3 | Robyn McNicoll | 122.3 Retain the 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 129 | 129.1 | Gretta McLeay | 129.1 Oppose relaxing the HIRTB for the front boundary | Oppose | SCAR sites are characterised by closely-built dwellings, particularly to streets. HIRTB from the front boundary does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 150 | 150.5 | B Dayal c/- Vijay Lala - Tattico Limited | 150.5 Amend additions and alterations in D18.4.1 - Activity table - change wording to A4 as per submission | Support | Provides for clarity. | That this submission be allowed. |
| 150 | 150.7 | B Dayal c/- Vijay Lala - Tattico Limited | 150.7 Amend HIRTB in D18.6.1.2 - height in relation to boundary - change wording to delete 15m trigger | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |

| Sub # | Sub Point | Submitter Name | Summary | Support or Oppose | Reason for Support/Opposition | Relief Sought |
|-------|-----------|--|---|-------------------|--|-------------------------------------|
| 150 | 150.8 | B Dayal c/- Vijay Lala - Tattico Limited | 150.8 Amend side yard setback to 1m in D18.6.1.3.1 - Yards | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 151 | 151.3 | Bronwyn Hayes | 151.3 Retain 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 153 | 153.2 | Michael Neil Hayes | 153.2 Retain 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 153 | 153.3 | Michael Neil Hayes | 153.3 Retain 2.5m 45 Hirtb | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 154 | 154.1 | Mrs Anna Lomas Breckon | 154.1 Agree to HIRTB as proposed | Oppose | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 154 | 154.2 | Mrs Anna Lomas Breckon | 154.2 Amend side yard depth to 1m not 1.2m | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 160 | 160.5 | Helen Louise Phillips-Hill | 160.5 Oppose the different rules for longer frontages (for height in relation to boundary controls) | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |
| 161 | 161.2 | Anthony Chapman | 161.2 Change side yard to 1m | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 161 | 161.3 | Anthony Chapman | 161.3 Support allowing 2m high fences | Support | Fences of 2m in height to side and rear yards are appropriate to provide for privacy and security, and consistent with all other residential zones. | That this submission be allowed. |
| 162 | 162.3 | Kirsty Gillon, Buchanan House Trust c/- Grant Gillon | 162.3 Retain 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 182 | 182.2 | Michael Snowden c/- Philip Brown -Campbell Brown Planning | 182.2 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 | Support | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. The 3m + 45° HIRTB is appropriate. | That this submission be allowed. |
| 249 | 249.3 | Keith Vernon | 249.3 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" | Oppose | The SCAR provisions should replace the underlying zone provisions to provide for clarity and flexibility in development of the sites. | That this submission be disallowed. |
| 249 | 249.4 | Keith Vernon | 249.4 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" | Oppose | The purpose already contains provisions relating to effects on neighbouring sites. | That this submission be disallowed. |
| 249 | 249.5 | Keith Vernon | 249.5 D18.6.1.2 - Height in relation to boundary - Add a new bullet point "Maintain a reasonable standard of residential amenity for adjoining sites" | Oppose | The purpose already contains provisions relating to effects on neighbouring sites. | That this submission be disallowed. |
| 249 | 249.6 | Keith Vernon | 249.6 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 | Oppose | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics | That this submission be disallowed. |
| 249 | 249.7 | Keith Vernon | 249.7 Any breach of this HIRB standard should require a notified consent with neighbours given the opportunity to be heard | Oppose | An infringement does not automatically mean effects are such that notification is required under the RMA. | That this submission be disallowed. |

| Sub # | Sub Point | Submitter Name | Summary | Support or Oppose | Reason for Support/Opposition | Relief Sought |
|-------|-----------|----------------|---|-------------------|--|---|
| 249 | 249.8 | Keith Vernon | 249.8 Retain a HIRB standard for the front boundary in the SCA Overlay. The 3m and 45 degree control that currently applies is acceptable | Oppose | SCAR sites are characterised by closely-built dwellings, particularly to streets. Historically the Residential 1 zone did not contain front boundary HIRTB requirements. | That this submission be disallowed. |
| 249 | 249.9 | Keith Vernon | 249.9 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" | Support | Provides for clarity (in the event that the 15m frontage provision is retained). | That this submission be allowed in the event that the 15m frontage provision is retained. |
| 249 | 249.11 | Keith Vernon | 249.11 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 | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.12 | Keith Vernon | 249.12 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. | Oppose | Two projections per 6m of site boundary is consistent with underlying zones and considered to be appropriate given the small extent of infringements enabled by these exemption provisions. | That this submission be disallowed. |
| 249 | 249.16 | Keith Vernon | 249.16 Add ".. and to maintain a reasonable standard of residential amenity for adjoining sites" to the purpose statement for D18.6.1.3 - Yards | Oppose | The purpose already contains provisions relating to effects on neighbouring sites. | That this submission be disallowed. |
| 249 | 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 | Oppose | Unnecessary complex and pertains to few sites. | That this submission be disallowed. |
| 249 | 249.18 | Keith Vernon | 249.18 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 | Support | Recognises alternative street layout scenarios. | That this submission be allowed. |
| 249 | 249.19 | Keith Vernon | 249.19 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" | Oppose | SCAR sites are typically characterised by dwellings closely-built to streets. This provision would not provide for a coherent and reasonably consistent streetscape interface which is the purpose of the averaging rule. | That this submission be disallowed. |
| 249 | 249.20 | Keith Vernon | 249.20 Include a figure in D18.6.1.3 - Yards for a maximum Front yard of ".. and not more than 8m". | Oppose | This provision would not provide for a coherent and reasonably consistent streetscape interface which is the purpose of the averaging rule. | That this submission be disallowed. |
| 249 | 249.21 | Keith Vernon | 249.21 Increase the Side yard figure to 1.5m | Oppose | SCAR sites are characterised by closely-built dwellings. A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be disallowed. |
| 249 | 249.22 | Keith Vernon | 249.22 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 | Oppose | This amendment is unnecessary as the rear yard provisions would revert to the underlying zone, which in the majority of cases, is 1m. | That this submission be disallowed. |
| 249 | 249.25 | Keith Vernon | 249.25 Amend D18.6.1.5 - Landscaped area by deleting " and trees" from the purpose statement | Support | Provides for simplicity and consistency. | That this submission be allowed. |
| 249 | 249.28 | Keith Vernon | 249.28 - 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 | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.29 | Keith Vernon | 249.29 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" | Support | Provides for the main purpose of fencing and walls (which is to provide for people's privacy and security) to be recognised in the standards. | That this submission be allowed. |
| 249 | 249.31 | Keith Vernon | 249.31 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 | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.32 | Keith Vernon | 249.32 Use the defined term "dwelling" instead of the undefined term "house" in D18.6.1.7 - Fences and walls | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.38 | Keith Vernon | 249.38 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 | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSION
ON THE AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGE 26**

Clause 8 of Schedule 1, Resource Management Act 1991

To: Auckland Council

Further Submitter: Auckland Grammar School ('AGS')

- 1.1 This is a further submission in support of, or opposition to, submissions on Proposed Plan Change 26 ('PC26') named "Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions" as listed in the below schedule. The reasons for support or opposition and the decisions sought from Council are set out in the below schedule.
- 1.2 AGS is a person who has an interest in the proposal that is greater than the interest the general public has:
- (a) As a person who made a submission on PC26; and
 - (b) As a person who has an interest in land affected by PC26.
- 1.3 AGS could not gain an advantage in trade competition through this submission.
- 1.4 AGS wishes to be heard in support of its submission.
- 1.5 If others make a similar submission, AGS will consider presenting a joint case with them at the hearing.



Sarah Burgess, Barker & Associates Limited,
(as person authorised to sign on behalf of AGS)

DATE: 19 September 2019

Address for Service: Auckland Grammar School
c/- Barker & Associates Limited
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Shortland Street
Auckland Central 1140
Attn: Sarah Burgess
Ph: 09 375 0900
Email: sarahb@barker.co.nz

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| 7 | 7.2 | Graham William Arthur Bush and Norma Ann Bush | 7.2 Reinstate a rear yard of 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed |
| 7 | 7.3 | Graham William Arthur Bush and Norma Ann Bush | 7.3 Oppose changes to impervious area | Oppose | Does not enable sufficient flexibility in being able to develop SCAR sites. | That this submission be disallowed |
| 8 | 8.1 | Adonis Souloglou | 8.1 Accept the plan modification with amendments to the height in relation to boundary control - retain the existing control | Support | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |
| 21 | 21.10 | Martin Evans | 21.10 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 | Oppose | Fences of 2m in height to side and rear yards are appropriate to provide for privacy and security, and consistent with all other residential zones. | That this submission be disallowed |
| 26 | 26.2 | Elisabeth Sullivan | 26.2 Remove the requirement for 1.2m minimum side yard for Isthmus A properties, should be 1m | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 35 | 35.2 | Heritage Landscapes Attn: Amanda McMullin | 35.2 Back yard to be kept at 3m minimum | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 51 | 51.2 | Janet Digby | 51.2 Retain the current stricter height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 51 | 51.3 | Janet Digby | 51.3 Oppose the change to the rear yard from 3m to 1m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 56 | 56.2 | Charles Laurence Digby | 56.2 Retain current rules relating to height in relation to boundary | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 56 | 56.3 | Charles Laurence Digby | 56.3 Opposed to changing the 3m boundary to just 1m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 73 | 73.3 | Catherine Spencer | 73.3 Maintain the current 3m boundary for rear yard setback | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 84 | 84.3 | Lambert Hoogveen | 84.3 Re-instate the rear yard set-back of 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 88 | 88.1 | Passion Fruit Trust | 88.1 The more restrictive height to boundary measure be used | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 88 | 88.2 | Passion Fruit Trust | 88.2 The more restrictive rear yard setback be used | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 89 | 89.2 | Kathy Prentice | 89.2 Retain the Single House zone height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 89 | 89.3 | Kathy Prentice | 89.3 Retain the Single House zone rear yard control of 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 96 | 96.2 | Colin and Jocelyn Weatherall Attn: David Wren | 96.2 Replace the words "takes precedence over" with "replaces" in D18.4 Activity Table | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 96 | 96.4 | Colin and Jocelyn Weatherall Attn: David Wren | 96.4 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 | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |

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| 96 | 96.7 | Colin and Jocelyn Weatherall Attn: David Wren | 96.7 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 | Support | Provides for clarity and simplicity. | That this submission be allowed. |
| 96 | 96.8 | Colin and Jocelyn Weatherall Attn: David Wren | 96.8 Amend E38.8.2.6 Subdivision by replacing the words "takes precedence" with "replace" | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 97 | 97.2 | Peter Ng Attn: David Wren | 97.2 Replace the words "takes precedence over" with "replaces" in D18.4 Activity Table | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 97 | 97.4 | Peter Ng Attn: David Wren | 97.4 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 | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |
| 97 | 97.7 | Peter Ng Attn: David Wren | 97.7 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 | Support | Provides for clarity and simplicity. | That this submission be allowed. |
| 97 | 97.8 | Peter Ng Attn: David Wren | 97.8 Amend E38.8.2.6 Subdivision by replacing the words "takes precedence" with "replace" | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 102 | 102.2 | M.Carol Scott | 102.2 Retain rear yard setbacks at 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 102 | 102.3 | M.Carol Scott | 102.3 Apply suitable greater restriction on two-storey houses, e.g. larger yards | Oppose | The height and HIRTB standards manage building height without the need for additional controls that would unnecessarily restrict development. | That this submission be disallowed. |
| 121 | 121.2 | Darcy McNicoll | 121.2 Retain the SHZ height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 121 | 121.3 | Darcy McNicoll | 121.3 Retain the 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 122 | 122.2 | Robyn McNicoll | 122.2 Retain the SHZ height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 122 | 122.3 | Robyn McNicoll | 122.3 Retain the 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 129 | 129.1 | Gretta McLeay | 129.1 Oppose relaxing the HIRTB for the front boundary | Oppose | SCAR sites are characterised by closely-built dwellings, particularly to streets. HIRTB from the front boundary does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 150 | 150.5 | B Dayal c/- Vijay Lala - Tattico Limited | 150.5 Amend additions and alterations in D18.4.1 - Activity table - change wording to A4 as per submission | Support | Provides for clarity. | That this submission be allowed. |
| 150 | 150.7 | B Dayal c/- Vijay Lala - Tattico Limited | 150.7 Amend HIRTB in D18.6.1.2 - height in relation to boundary - change wording to delete 15m trigger | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |

| Sub # | Sub Point | Submitter Name | Summary | Support or Oppose | Reason for Support/Opposition | Relief Sought |
|-------|-----------|--|---|-------------------|--|-------------------------------------|
| 150 | 150.8 | B Dayal c/- Vijay Lala - Tattico Limited | 150.8 Amend side yard setback to 1m in D18.6.1.3.1 - Yards | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 151 | 151.3 | Bronwyn Hayes | 151.3 Retain 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 153 | 153.2 | Michael Neil Hayes | 153.2 Retain 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 153 | 153.3 | Michael Neil Hayes | 153.3 Retain 2.5m 45 Hirtb | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 154 | 154.1 | Mrs Anna Lomas Breckon | 154.1 Agree to HIRTB as proposed | Oppose | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 154 | 154.2 | Mrs Anna Lomas Breckon | 154.2 Amend side yard depth to 1m not 1.2m | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 160 | 160.5 | Helen Louise Phillips-Hill | 160.5 Oppose the different rules for longer frontages (for height in relation to boundary controls) | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |
| 161 | 161.2 | Anthony Chapman | 161.2 Change side yard to 1m | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 161 | 161.3 | Anthony Chapman | 161.3 Support allowing 2m high fences | Support | Fences of 2m in height to side and rear yards are appropriate to provide for privacy and security, and consistent with all other residential zones. | That this submission be allowed. |
| 162 | 162.3 | Kirsty Gillon, Buchanan House Trust c/- Grant Gillon | 162.3 Retain 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 182 | 182.2 | Michael Snowden c/- Philip Brown -Campbell Brown Planning | 182.2 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 | Support | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. The 3m + 45° HIRTB is appropriate. | That this submission be allowed. |
| 249 | 249.3 | Keith Vernon | 249.3 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" | Oppose | The SCAR provisions should replace the underlying zone provisions to provide for clarity and flexibility in development of the sites. | That this submission be disallowed. |
| 249 | 249.4 | Keith Vernon | 249.4 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" | Oppose | The purpose already contains provisions relating to effects on neighbouring sites. | That this submission be disallowed. |
| 249 | 249.5 | Keith Vernon | 249.5 D18.6.1.2 - Height in relation to boundary - Add a new bullet point "Maintain a reasonable standard of residential amenity for adjoining sites" | Oppose | The purpose already contains provisions relating to effects on neighbouring sites. | That this submission be disallowed. |
| 249 | 249.6 | Keith Vernon | 249.6 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 | Oppose | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics | That this submission be disallowed. |
| 249 | 249.7 | Keith Vernon | 249.7 Any breach of this HIRB standard should require a notified consent with neighbours given the opportunity to be heard | Oppose | An infringement does not automatically mean effects are such that notification is required under the RMA. | That this submission be disallowed. |

| Sub # | Sub Point | Submitter Name | Summary | Support or Oppose | Reason for Support/Opposition | Relief Sought |
|-------|-----------|----------------|---|-------------------|--|---|
| 249 | 249.8 | Keith Vernon | 249.8 Retain a HIRB standard for the front boundary in the SCA Overlay. The 3m and 45 degree control that currently applies is acceptable | Oppose | SCAR sites are characterised by closely-built dwellings, particularly to streets. Historically the Residential 1 zone did not contain front boundary HIRTB requirements. | That this submission be disallowed. |
| 249 | 249.9 | Keith Vernon | 249.9 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" | Support | Provides for clarity (in the event that the 15m frontage provision is retained). | That this submission be allowed in the event that the 15m frontage provision is retained. |
| 249 | 249.11 | Keith Vernon | 249.11 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 | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.12 | Keith Vernon | 249.12 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. | Oppose | Two projections per 6m of site boundary is consistent with underlying zones and considered to be appropriate given the small extent of infringements enabled by these exemption provisions. | That this submission be disallowed. |
| 249 | 249.16 | Keith Vernon | 249.16 Add ".. and to maintain a reasonable standard of residential amenity for adjoining sites" to the purpose statement for D18.6.1.3 - Yards | Oppose | The purpose already contains provisions relating to effects on neighbouring sites. | That this submission be disallowed. |
| 249 | 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 | Oppose | Unnecessary complex and pertains to few sites. | That this submission be disallowed. |
| 249 | 249.18 | Keith Vernon | 249.18 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 | Support | Recognises alternative street layout scenarios. | That this submission be allowed. |
| 249 | 249.19 | Keith Vernon | 249.19 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" | Oppose | SCAR sites are typically characterised by dwellings closely-built to streets. This provision would not provide for a coherent and reasonably consistent streetscape interface which is the purpose of the averaging rule. | That this submission be disallowed. |
| 249 | 249.20 | Keith Vernon | 249.20 Include a figure in D18.6.1.3 - Yards for a maximum Front yard of ".. and not more than 8m". | Oppose | This provision would not provide for a coherent and reasonably consistent streetscape interface which is the purpose of the averaging rule. | That this submission be disallowed. |
| 249 | 249.21 | Keith Vernon | 249.21 Increase the Side yard figure to 1.5m | Oppose | SCAR sites are characterised by closely-built dwellings. A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be disallowed. |
| 249 | 249.22 | Keith Vernon | 249.22 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 | Oppose | This amendment is unnecessary as the rear yard provisions would revert to the underlying zone, which in the majority of cases, is 1m. | That this submission be disallowed. |
| 249 | 249.25 | Keith Vernon | 249.25 Amend D18.6.1.5 - Landscaped area by deleting " and trees" from the purpose statement | Support | Provides for simplicity and consistency. | That this submission be allowed. |
| 249 | 249.28 | Keith Vernon | 249.28 - 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 | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.29 | Keith Vernon | 249.29 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" | Support | Provides for the main purpose of fencing and walls (which is to provide for people's privacy and security) to be recognised in the standards. | That this submission be allowed. |
| 249 | 249.31 | Keith Vernon | 249.31 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 | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.32 | Keith Vernon | 249.32 Use the defined term "dwelling" instead of the undefined term "house" in D18.6.1.7 - Fences and walls | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.38 | Keith Vernon | 249.38 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 | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSION
ON THE AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGE 26**

Clause 8 of Schedule 1, Resource Management Act 1991

To: Auckland Council

Further Submitter: The University of Auckland ('University')

- 1.1 This is a further submission in support of, or opposition to, submissions on Proposed Plan Change 26 ('PC26') named "Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions" as listed in the below schedule. The reasons for support or opposition and the decisions sought from Council are set out in the below schedule.
- 1.2 The University is a person who has an interest in the proposal that is greater than the interest the general public has:
- (a) As a person who made a submission on PC26; and
 - (b) As a person who has an interest in land affected by PC26.
- 1.3 The University could not gain an advantage in trade competition through this submission.
- 1.4 The University wishes to be heard in support of its submission.
- 1.5 If others make a similar submission, the University will consider presenting a joint case with them at the hearing.



Sarah Burgess, Barker & Associates Limited,
(as person authorised to sign on behalf of the University)

DATE: 19 September 2019

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Shortland Street
Auckland Central 1140
Attn: Sarah Burgess
Ph: 09 375 0900
Email: sarahb@barker.co.nz

| Sub # | Sub Point | Submitter Name | Summary | Support or Oppose | Reason for Support/Opposition | Relief Sought |
|-------|-----------|---|---|-------------------|---|-------------------------------------|
| 7 | 7.2 | Graham William Arthur Bush and Norma Ann Bush | 7.2 Reinstate a rear yard of 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed |
| 7 | 7.3 | Graham William Arthur Bush and Norma Ann Bush | 7.3 Oppose changes to impervious area | Oppose | Does not enable sufficient flexibility in being able to develop SCAR sites. | That this submission be disallowed |
| 8 | 8.1 | Adonis Souloglou | 8.1 Accept the plan modification with amendments to the height in relation to boundary control - retain the existing control | Support | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |
| 21 | 21.10 | Martin Evans | 21.10 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 | Oppose | Fences of 2m in height to side and rear yards are appropriate to provide for privacy and security, and consistent with all other residential zones. | That this submission be disallowed |
| 26 | 26.2 | Elisabeth Sullivan | 26.2 Remove the requirement for 1.2m minimum side yard for Isthmus A properties, should be 1m | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 35 | 35.2 | Heritage Landscapes Attn: Amanda McMullin | 35.2 Back yard to be kept at 3m minimum | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 51 | 51.2 | Janet Digby | 51.2 Retain the current stricter height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 51 | 51.3 | Janet Digby | 51.3 Oppose the change to the rear yard from 3m to 1m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 56 | 56.2 | Charles Laurence Digby | 56.2 Retain current rules relating to height in relation to boundary | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 56 | 56.3 | Charles Laurence Digby | 56.3 Opposed to changing the 3m boundary to just 1m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 73 | 73.3 | Catherine Spencer | 73.3 Maintain the current 3m boundary for rear yard setback | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 84 | 84.3 | Lambert Hoogveen | 84.3 Re-instate the rear yard set-back of 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 88 | 88.1 | Passion Fruit Trust | 88.1 The more restrictive height to boundary measure be used | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 88 | 88.2 | Passion Fruit Trust | 88.2 The more restrictive rear yard setback be used | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 89 | 89.2 | Kathy Prentice | 89.2 Retain the Single House zone height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 89 | 89.3 | Kathy Prentice | 89.3 Retain the Single House zone rear yard control of 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 96 | 96.2 | Colin and Jocelyn Weatherall Attn: David Wren | 96.2 Replace the words "takes precedence over" with "replaces" in D18.4 Activity Table | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 96 | 96.4 | Colin and Jocelyn Weatherall Attn: David Wren | 96.4 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 | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |

| Sub # | Sub Point | Submitter Name | Summary | Support or Oppose | Reason for Support/Opposition | Relief Sought |
|-------|-----------|---|--|-------------------|---|-------------------------------------|
| 96 | 96.7 | Colin and Jocelyn Weatherall Attn: David Wren | 96.7 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 | Support | Provides for clarity and simplicity. | That this submission be allowed. |
| 96 | 96.8 | Colin and Jocelyn Weatherall Attn: David Wren | 96.8 Amend E38.8.2.6 Subdivision by replacing the words "takes precedence" with "replace" | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 97 | 97.2 | Peter Ng Attn: David Wren | 97.2 Replace the words "takes precedence over" with "replaces" in D18.4 Activity Table | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 97 | 97.4 | Peter Ng Attn: David Wren | 97.4 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 | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |
| 97 | 97.7 | Peter Ng Attn: David Wren | 97.7 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 | Support | Provides for clarity and simplicity. | That this submission be allowed. |
| 97 | 97.8 | Peter Ng Attn: David Wren | 97.8 Amend E38.8.2.6 Subdivision by replacing the words "takes precedence" with "replace" | Support | 'Takes precedence over' implies that the underlying zone rules may still have relevance when, where they are replaced by the SCAR ones, they should not. 'Replaces' provides for clarity. | That this submission be allowed. |
| 102 | 102.2 | M.Carol Scott | 102.2 Retain rear yard setbacks at 3m | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 102 | 102.3 | M.Carol Scott | 102.3 Apply suitable greater restriction on two-storey houses, e.g. larger yards | Oppose | The height and HIRTB standards manage building height without the need for additional controls that would unnecessarily restrict development. | That this submission be disallowed. |
| 121 | 121.2 | Darcy McNicoll | 121.2 Retain the SHZ height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 121 | 121.3 | Darcy McNicoll | 121.3 Retain the 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 122 | 122.2 | Robyn McNicoll | 122.2 Retain the SHZ height in relation to boundary control | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 122 | 122.3 | Robyn McNicoll | 122.3 Retain the 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 129 | 129.1 | Gretta McLeay | 129.1 Oppose relaxing the HIRTB for the front boundary | Oppose | SCAR sites are characterised by closely-built dwellings, particularly to streets. HIRTB from the front boundary does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 150 | 150.5 | B Dayal c/- Vijay Lala - Tattico Limited | 150.5 Amend additions and alterations in D18.4.1 - Activity table - change wording to A4 as per submission | Support | Provides for clarity. | That this submission be allowed. |
| 150 | 150.7 | B Dayal c/- Vijay Lala - Tattico Limited | 150.7 Amend HIRTB in D18.6.1.2 - height in relation to boundary - change wording to delete 15m trigger | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |

| Sub # | Sub Point | Submitter Name | Summary | Support or Oppose | Reason for Support/Opposition | Relief Sought |
|-------|-----------|--|---|-------------------|--|-------------------------------------|
| 150 | 150.8 | B Dayal c/- Vijay Lala - Tattico Limited | 150.8 Amend side yard setback to 1m in D18.6.1.3.1 - Yards | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 151 | 151.3 | Bronwyn Hayes | 151.3 Retain 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 153 | 153.2 | Michael Neil Hayes | 153.2 Retain 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 153 | 153.3 | Michael Neil Hayes | 153.3 Retain 2.5m 45 Hirtb | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 154 | 154.1 | Mrs Anna Lomas Breckon | 154.1 Agree to HIRTB as proposed | Oppose | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |
| 154 | 154.2 | Mrs Anna Lomas Breckon | 154.2 Amend side yard depth to 1m not 1.2m | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 160 | 160.5 | Helen Louise Phillips-Hill | 160.5 Oppose the different rules for longer frontages (for height in relation to boundary controls) | Support | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be allowed. |
| 161 | 161.2 | Anthony Chapman | 161.2 Change side yard to 1m | Support | A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be allowed. |
| 161 | 161.3 | Anthony Chapman | 161.3 Support allowing 2m high fences | Support | Fences of 2m in height to side and rear yards are appropriate to provide for privacy and security, and consistent with all other residential zones. | That this submission be allowed. |
| 162 | 162.3 | Kirsty Gillon, Buchanan House Trust c/- Grant Gillon | 162.3 Retain 3m rear yard | Oppose | SCAR sites are characterised by closely-built dwellings and the rear yard provisions of the underlying zones are considered sufficient to provide for amenity for neighbouring sites. | That this submission be disallowed. |
| 182 | 182.2 | Michael Snowden c/- Philip Brown -Campbell Brown Planning | 182.2 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 | Support | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. The 3m + 45° HIRTB is appropriate. | That this submission be allowed. |
| 249 | 249.3 | Keith Vernon | 249.3 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" | Oppose | The SCAR provisions should replace the underlying zone provisions to provide for clarity and flexibility in development of the sites. | That this submission be disallowed. |
| 249 | 249.4 | Keith Vernon | 249.4 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" | Oppose | The purpose already contains provisions relating to effects on neighbouring sites. | That this submission be disallowed. |
| 249 | 249.5 | Keith Vernon | 249.5 D18.6.1.2 - Height in relation to boundary - Add a new bullet point "Maintain a reasonable standard of residential amenity for adjoining sites" | Oppose | The purpose already contains provisions relating to effects on neighbouring sites. | That this submission be disallowed. |
| 249 | 249.6 | Keith Vernon | 249.6 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 | Oppose | The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics | That this submission be disallowed. |
| 249 | 249.7 | Keith Vernon | 249.7 Any breach of this HIRB standard should require a notified consent with neighbours given the opportunity to be heard | Oppose | An infringement does not automatically mean effects are such that notification is required under the RMA. | That this submission be disallowed. |

| Sub # | Sub Point | Submitter Name | Summary | Support or Oppose | Reason for Support/Opposition | Relief Sought |
|-------|-----------|----------------|---|-------------------|--|---|
| 249 | 249.8 | Keith Vernon | 249.8 Retain a HIRB standard for the front boundary in the SCA Overlay. The 3m and 45 degree control that currently applies is acceptable | Oppose | SCAR sites are characterised by closely-built dwellings, particularly to streets. Historically the Residential 1 zone did not contain front boundary HIRTB requirements. | That this submission be disallowed. |
| 249 | 249.9 | Keith Vernon | 249.9 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" | Support | Provides for clarity (in the event that the 15m frontage provision is retained). | That this submission be allowed in the event that the 15m frontage provision is retained. |
| 249 | 249.11 | Keith Vernon | 249.11 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 | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.12 | Keith Vernon | 249.12 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. | Oppose | Two projections per 6m of site boundary is consistent with underlying zones and considered to be appropriate given the small extent of infringements enabled by these exemption provisions. | That this submission be disallowed. |
| 249 | 249.16 | Keith Vernon | 249.16 Add ".. and to maintain a reasonable standard of residential amenity for adjoining sites" to the purpose statement for D18.6.1.3 - Yards | Oppose | The purpose already contains provisions relating to effects on neighbouring sites. | That this submission be disallowed. |
| 249 | 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 | Oppose | Unnecessary complex and pertains to few sites. | That this submission be disallowed. |
| 249 | 249.18 | Keith Vernon | 249.18 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 | Support | Recognises alternative street layout scenarios. | That this submission be allowed. |
| 249 | 249.19 | Keith Vernon | 249.19 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" | Oppose | SCAR sites are typically characterised by dwellings closely-built to streets. This provision would not provide for a coherent and reasonably consistent streetscape interface which is the purpose of the averaging rule. | That this submission be disallowed. |
| 249 | 249.20 | Keith Vernon | 249.20 Include a figure in D18.6.1.3 - Yards for a maximum Front yard of ".. and not more than 8m". | Oppose | This provision would not provide for a coherent and reasonably consistent streetscape interface which is the purpose of the averaging rule. | That this submission be disallowed. |
| 249 | 249.21 | Keith Vernon | 249.21 Increase the Side yard figure to 1.5m | Oppose | SCAR sites are characterised by closely-built dwellings. A 1m yard is consistent with the underlying zones and more appropriate for SCAR sites. | That this submission be disallowed. |
| 249 | 249.22 | Keith Vernon | 249.22 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 | Oppose | This amendment is unnecessary as the rear yard provisions would revert to the underlying zone, which in the majority of cases, is 1m. | That this submission be disallowed. |
| 249 | 249.25 | Keith Vernon | 249.25 Amend D18.6.1.5 - Landscaped area by deleting " and trees" from the purpose statement | Support | Provides for simplicity and consistency. | That this submission be allowed. |
| 249 | 249.28 | Keith Vernon | 249.28 - 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 | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.29 | Keith Vernon | 249.29 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" | Support | Provides for the main purpose of fencing and walls (which is to provide for people's privacy and security) to be recognised in the standards. | That this submission be allowed. |
| 249 | 249.31 | Keith Vernon | 249.31 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 | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.32 | Keith Vernon | 249.32 Use the defined term "dwelling" instead of the undefined term "house" in D18.6.1.7 - Fences and walls | Support | Provides for clarity. | That this submission be allowed. |
| 249 | 249.38 | Keith Vernon | 249.38 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 | Oppose | The 2m + 45° HIRTB does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. The 15m frontage provision creates an arbitrary distinction that will disadvantage owners of sites such as Masons Avenue which are only slightly over 15m in width, and does not provide for sufficient flexibility for development of SCAR sites that is consistent with their existing closely-built characteristics. | That this submission be disallowed. |

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSION ON
THE AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGE 26**

Clause 8 of Schedule 1, Resource Management Act 1991

To: Auckland Council

Further Submitter: Peter Ng ('Submitter')

1. This is a further submission in support of, or opposition to, submissions on Proposed Plan Change 26 ('**PC26**') named "Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions" as listed in the table below. The reasons for support or opposition and the decisions sought from Council are set out in the table.

2 The Submitter is a person who has an interest in the proposal that is greater than the interest the general public has:

- (a) As a person who made a submission on PC26; and
- (b) As a person who has an interest in land affected by PC26.

3 The Submitter could not gain an advantage in trade competition through this submission.

4 The Submitter wishes to be heard in support of its submission.

5 If others make a similar submission, the Submitter will consider presenting a joint case with them at the hearing.

A handwritten signature in blue ink, appearing to be 'David Wren', written in a cursive style.

David Wren - as a person authorised to sign on behalf of submitter

Date 19 September 2019

Address for Service:

Peter Ng

c/- Planning Policy Research

PO Box 46018

Herne Bay 1147

Attn: David Wren

Ph: 09 8150543

Email: david@davidwren.co.nz

| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-------|---------------------|---|-----------------|---|---------------------|
| 88.1 | Passion Fruit Trust | 88.1 The more restrictive height to boundary measure be used | Oppose | The higher stud of older buildings in the SCAR area requires a less restrictive height in relation to boundary rule | Disallow submission |
| 88.5 | Passion Fruit Trust | 88.5 All neighbours in special character areas to be notified when there is development proposed on their boundary | Oppose | The standard requirements of the RMA are sufficient to determine notification in te SCAR areas. | Disallow submission |
| 249.3 | Keith Vernon | 249.3 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” | Oppose | It is necessary for clarity that the SCAR overlay rules replace the SHZ rules | Disallow submission |
| 249.6 | Keith Vernon | 249.6 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 | Oppose | The higher stud of older buildings in the SCAR area requires a less restrictive height in relation to boundary rule. The 3m and 45 degree should apply. | Disallow submission |

| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-----------|-------------------|--|-----------------|--|---------------------|
| 249.7 | Keith Vernon | 249.7 Any breach of this HIRB standard should require a notified consent with neighbours given the opportunity to be heard | Oppose | The standard requirements of the RMA are sufficient to determine notification in te SCAR areas. | Disallow submission |
| 249.8 | Keith Vernon | 249.8 Retain a HIRB standard for the front boundary in the SCA Overlay. The 3m and 45 degree control that currently applies is acceptable | Oppose | A height to boundary rule is not required on the front boundary and is counter to the maintenance of special character. | Disallow submission |
| 249.13 | Keith Vernon | 249.13 Amend the definition of building in accordance with the submission | Oppose | Submission is not 'on plan change' and has implications beyond the special character overlay. | Disallow submission |
| 249.14 | Keith Vernon | 249.14 Amend the definition of height in accordance with the submission | Oppose | Submission is not 'on plan change' and has implications beyond the special character overlay. | Disallow submission |
| 249.19 | Keith Vernon | 249.19 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” | Oppose | There should be no minimum specified front yard as each street has a different character. | Disallow submission |
| 258 (All) | Parnell Heritage | Amendments to make the most restrictive rules in either the SHZ or SCAR Overlay apply | Oppose | The use of the most restrictive rules dos not support the retention of special character | Disallow submission |
| 84.2 | Lambert Hoogeveen | 84.2 Building height to be 8m without exceptions | Oppose | The current rules that allow various exceptions and an additional 1m for sloping roofs is supported and allows for the retention of special character. | Disallow submission |

| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-------|---------------------|---|--------------------|--|---------------------|
| 243.4 | Michael Fitzpatrick | 243.4 Retain SHZ standard of 600m2 minimum lot size | Oppose | The current AUP provides for a range of subdivision lots sizes in the SCAR overlay area. These reflect the different characteristics of those areas and should be retained. The 600m2 lot size is inappropriate in many areas. | Disallow submission |

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSION ON
THE AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGE 26**

Clause 8 of Schedule 1, Resource Management Act 1991

To: Auckland Council

Further Submitter: Peter and Sarah Wren ('Submitter')

1. This is a further submission in support of, or opposition to, submissions on Proposed Plan Change 26 ('**PC26**') named "Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions" as listed in the table below. The reasons for support or opposition and the decisions sought from Council are set out in the table.

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- (a) As a person who made a submission on PC26; and
- (b) As a person who has an interest in land affected by PC26.

3 The Submitter could not gain an advantage in trade competition through this submission.

4 The Submitter wishes to be heard in support of its submission.

5 If others make a similar submission, the Submitter will consider presenting a joint case with them at the hearing.



David Wren - as a person authorised to sign on behalf of submitter

Date 19 September 2019

Address for Service:

Peter and Sarah Wren

c/- Planning Policy Research

PO Box 46018

Herne Bay 1147

Attn: David Wren

Ph: 09 8150543

Email: david@davidwren.co.nz

| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-------|---------------------|---|-----------------|---|---------------------|
| 88.1 | Passion Fruit Trust | 88.1 The more restrictive height to boundary measure be used | Oppose | The higher stud of older buildings in the SCAR area requires a less restrictive height in relation to boundary rule | Disallow submission |
| 88.5 | Passion Fruit Trust | 88.5 All neighbours in special character areas to be notified when there is development proposed on their boundary | Oppose | The standard requirements of the RMA are sufficient to determine notification in te SCAR areas. | Disallow submission |
| 249.3 | Keith Vernon | 249.3 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” | Oppose | It is necessary for clarity that the SCAR overlay rules replace the SHZ rules | Disallow submission |
| 249.6 | Keith Vernon | 249.6 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 | Oppose | The higher stud of older buildings in the SCAR area requires a less restrictive height in relation to boundary rule. The 3m and 45 degree should apply. | Disallow submission |

| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-----------|-------------------|--|-----------------|--|---------------------|
| 249.7 | Keith Vernon | 249.7 Any breach of this HIRB standard should require a notified consent with neighbours given the opportunity to be heard | Oppose | The standard requirements of the RMA are sufficient to determine notification in te SCAR areas. | Disallow submission |
| 249.8 | Keith Vernon | 249.8 Retain a HIRB standard for the front boundary in the SCA Overlay. The 3m and 45 degree control that currently applies is acceptable | Oppose | A height to boundary rule is not required on the front boundary and is counter to the maintenance of special character. | Disallow submission |
| 249.13 | Keith Vernon | 249.13 Amend the definition of building in accordance with the submission | Oppose | Submission is not 'on plan change' and has implications beyond the special character overlay. | Disallow submission |
| 249.14 | Keith Vernon | 249.14 Amend the definition of height in accordance with the submission | Oppose | Submission is not 'on plan change' and has implications beyond the special character overlay. | Disallow submission |
| 249.19 | Keith Vernon | 249.19 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” | Oppose | There should be no minimum specified front yard as each street has a different character. | Disallow submission |
| 258 (All) | Parnell Heritage | Amendments to make the most restrictive rules in either the SHZ or SCAR Overlay apply | Oppose | The use of the most restrictive rules dos not support the retention of special character | Disallow submission |
| 84.2 | Lambert Hoogeveen | 84.2 Building height to be 8m without exceptions | Oppose | The current rules that allow various exceptions and an additional 1m for sloping roofs is supported and allows for the retention of special character. | Disallow submission |

| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-------|---------------------|---|--------------------|--|---------------------|
| 243.4 | Michael Fitzpatrick | 243.4 Retain SHZ standard of 600m2 minimum lot size | Oppose | The current AUP provides for a range of subdivision lots sizes in the SCAR overlay area. These reflect the different characteristics of those areas and should be retained. The 600m2 lot size is inappropriate in many areas. | Disallow submission |

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSION ON
THE AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGE 26**

Clause 8 of Schedule 1, Resource Management Act 1991

To: Auckland Council

Further Submitter: John Dillon ('Submitter')

1. This is a further submission in support of, or opposition to, submissions on Proposed Plan Change 26 ('**PC26**') named "Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions" as listed in the table below. The reasons for support or opposition and the decisions sought from Council are set out in the table.

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3 The Submitter could not gain an advantage in trade competition through this submission.

4 The Submitter wishes to be heard in support of its submission.

5 If others make a similar submission, the Submitter will consider presenting a joint case with them at the hearing.



David Wren - as a person authorised to sign on behalf of submitter

Date 19 September 2019

Address for Service:

John Dillon

c/- Planning Policy Research

PO Box 46018

Herne Bay 1147

Attn: David Wren

Ph: 09 8150543

Email: david@davidwren.co.nz

| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-------|---------------------|---|-----------------|---|---------------------|
| 88.1 | Passion Fruit Trust | 88.1 The more restrictive height to boundary measure be used | Oppose | The higher stud of older buildings in the SCAR area requires a less restrictive height in relation to boundary rule | Disallow submission |
| 88.5 | Passion Fruit Trust | 88.5 All neighbours in special character areas to be notified when there is development proposed on their boundary | Oppose | The standard requirements of the RMA are sufficient to determine notification in te SCAR areas. | Disallow submission |
| 249.3 | Keith Vernon | 249.3 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” | Oppose | It is necessary for clarity that the SCAR overlay rules replace the SHZ rules | Disallow submission |
| 249.6 | Keith Vernon | 249.6 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 | Oppose | The higher stud of older buildings in the SCAR area requires a less restrictive height in relation to boundary rule. The 3m and 45 degree should apply. | Disallow submission |

| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-----------|-------------------|--|-----------------|--|---------------------|
| 249.7 | Keith Vernon | 249.7 Any breach of this HIRB standard should require a notified consent with neighbours given the opportunity to be heard | Oppose | The standard requirements of the RMA are sufficient to determine notification in te SCAR areas. | Disallow submission |
| 249.8 | Keith Vernon | 249.8 Retain a HIRB standard for the front boundary in the SCA Overlay. The 3m and 45 degree control that currently applies is acceptable | Oppose | A height to boundary rule is not required on the front boundary and is counter to the maintenance of special character. | Disallow submission |
| 249.13 | Keith Vernon | 249.13 Amend the definition of building in accordance with the submission | Oppose | Submission is not 'on plan change' and has implications beyond the special character overlay. | Disallow submission |
| 249.14 | Keith Vernon | 249.14 Amend the definition of height in accordance with the submission | Oppose | Submission is not 'on plan change' and has implications beyond the special character overlay. | Disallow submission |
| 249.19 | Keith Vernon | 249.19 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” | Oppose | There should be no minimum specified front yard as each street has a different character. | Disallow submission |
| 258 (All) | Parnell Heritage | Amendments to make the most restrictive rules in either the SHZ or SCAR Overlay apply | Oppose | The use of the most restrictive rules dos not support the retention of special character | Disallow submission |
| 84.2 | Lambert Hoogeveen | 84.2 Building height to be 8m without exceptions | Oppose | The current rules that allow various exceptions and an additional 1m for sloping roofs is supported and allows for the retention of special character. | Disallow submission |

| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-------|---------------------|---|--------------------|--|---------------------|
| 243.4 | Michael Fitzpatrick | 243.4 Retain SHZ standard of 600m2 minimum lot size | Oppose | The current AUP provides for a range of subdivision lots sizes in the SCAR overlay area. These reflect the different characteristics of those areas and should be retained. The 600m2 lot size is inappropriate in many areas. | Disallow submission |

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSION ON
THE AUCKLAND UNITARY PLAN PROPOSED PLAN CHANGE 26**

Clause 8 of Schedule 1, Resource Management Act 1991

To: Auckland Council

Further Submitter: Colin and Jocelyn Weatherall ('Submitter')

1. This is a further submission in support of, or opposition to, submissions on Proposed Plan Change 26 ('**PC26**') named "Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions" as listed in the table below. The reasons for support or opposition and the decisions sought from Council are set out in the table.

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David Wren - as a person authorised to sign on behalf of submitter

Date 19 September 2019

Address for Service:

Colin and Jocelyn Weatherall

c/- Planning Policy Research

PO Box 46018

Herne Bay 1147

Attn: David Wren

Ph: 09 8150543

Email: david@davidwren.co.nz

| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-------|---------------------|---|-----------------|---|---------------------|
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| Sub # | Submitter name | Summary | Support/ Oppose | Reason | Decision sought |
|-------|---------------------|---|-----------------|--|---------------------|
| 243.4 | Michael Fitzpatrick | 243.4 Retain SHZ standard of 600m2 minimum lot size | Oppose | The current AUP provides for a range of subdivision lots sizes in the SCAR overlay area. These reflect the different characteristics of those areas and should be retained. The 600m2 lot size is inappropriate in many areas. | Disallow submission |

Further Submission on submissions to the Proposed Plan Change 26 (Form6)

Clause 8 of Schedule 1, Resource Management Act 1991

To:

Auckland Council
Private Bag 92300
Auckland 1142
unitaryplan@aucklandcouncil.govt.nz

Attention: Planning Technician

Proposed Plan Change 26 Further Submission

Submitter: K Vernon

1. **This is a further submission in support / opposition of submissions on the proposed Plan Change 26.**
2. **I am a person who has an interest in the proposal that is greater than the interest the general public has** because I made submissions on the Proposed Plan Change 26.
3. **I support / oppose the submission(s) of:** see the attached Further Submission summary.
4. **The particular parts of the submission(s) I support / oppose are:** see the attached Further Submission summary.
5. **The reasons for my support / opposition are:** see the attached Further Submission summary.
6. **I seek that the whole or part of the submission(s) be allowed / disallowed:** see the attached Further Submission summary.
7. **I wish to be heard in support of my further submissions.**

KV

K Vernon

Signed by typing name above

Date: 19 September 2019

Attachment 1: Summary of Further Submissions to Proposed Plan Change 26

Address for service of the submitter:

kvernon@xtra.co.nz

PO Box 99124
Newmarket
Auckland 1149

| Submission | Support / Oppose | Reasons | Decision |
|--------------------------------|----------------------------------|--|------------------|
| 96 Weatherall | Oppose in part | Oppose any aspects that are not consistent with my submission including but not limited to the use of the word "replace" as an alternative to "takes precedence over". | Disallow in part |
| 97 Ng | Oppose in part | Oppose any aspects that are not consistent with my submission including but not limited to the use of the word "replace" as an alternative to "takes precedence over". | Disallow in part |
| 127 Dillon | Oppose in part | Oppose any aspects that are not consistent with my submission including but not limited to the use of the word "replace" as an alternative to "takes precedence over". | Disallow in part |
| 128 Wren | Oppose in part | Oppose any aspects that are not consistent with my submission including but not limited to the use of the word "replace" as an alternative to "takes precedence over". | Disallow in part |
| 150 Dayal | Oppose in Part | Oppose any aspects that are not consistent with my submission including but not limited to replacing the wording "takes precedence over" with "applies in place of". | Disallow in part |
| 178 KCH Trust | Oppose in part | Removal of the Purpose Statements is opposed. The Statements do however require some amendment. | Disallow in part |
| 207 South Epsom Planning Group | Support in part & Oppose in part | Support aspects that are consistent with my submission. Oppose any that are to the contrary. Understand the points raised with regard to streetscape and other aspects of Special Character that are necessary to reflect the full intent of Objectives and Policies. The Special Character Statements of Schedule 15 will likely require amendment to support the wider context of Special Character. | Allow in part |
| 210 Heritage NZ | Oppose in part | Some aspects of the Plan Change are not satisfactory as notified. | Disallow in part |
| 219 Crosbie | Oppose in part | Oppose any aspects that are not consistent with my submission. Without limiting my opposition I oppose the proposed changes to HIRB D18.6.1.2 | Disallow in part |
| 220 RC Diocese Ak | Oppose in part | Oppose any aspects that are not consistent with my submission including but not limited to the proposed 3m & 45 degree HIRB on side and rear boundaries. | Disallow in part |
| 221 AGS | Oppose in part | Oppose any aspects that are not consistent with my submission. Without limiting my opposition I oppose the proposed changes to HIRB D18.6.1.2 | Disallow in part |

| Submission | Support / Oppose | Reasons | Decision |
|-------------------------|----------------------------------|--|------------------|
| 182 Snowden | Oppose in part | Oppose any aspects that are not consistent with my submission including but not limited to the proposed 3m & 45 degree HIRB on side and rear boundaries. | Disallow in part |
| 222 Sinclair | Oppose in part & Support in part | Oppose any aspects that are not consistent with my submission including but not limited to the proposed 3m & 45 degree HIRB on side and rear boundaries. | Disallow in part |
| 224 Hume Architects | Oppose in part | Oppose any aspects that are not consistent with my submission. | Disallow in part |
| 228 University of Ak | Oppose in part | Oppose any aspects that are not consistent with my submission. Without limiting my opposition I oppose the proposed changes to HIRB D18.6.1.2 | Disallow in part |
| 240 St Mary's Bay Assoc | Support in part & Oppose in part | Support in principle but the detail of amendments proposed require more work. | Allow in part |
| 257 Housing NZ | Oppose in part | Proposed changes would generally reduce protection for Special Character and facilitate inappropriate development. All such changes are opposed. Without limiting my opposition I oppose the rezoning proposals and any reduction of the SCA overlay. Oppose any other aspect that is not consistent with my submission. | Disallow in part |

**FURTHER SUBMISSION ON PLAN CHANGE 26 TO THE AUCKLAND UNITARY
PLAN UNDER CLAUSE 8 OF THE FIRST SCHEDULE TO THE RESOURCE
MANAGEMENT ACT 1991**

To: Auckland Council
Attn: Planning Technician
Level 24, 135 Albert Street
Private Bay 92300
AUCKLAND 1142

unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: Southern Cross Hospitals Limited

Address: c/- MinterEllisonRuddWatts
PO Box 3798
AUCKLAND 1140
Attention: Bianca Tree

Introduction

1. This is a further submission on behalf of Southern Cross Hospitals Limited (**Southern Cross**) on proposed Plan Change 26 (**Plan Change**) to the Auckland Unitary Plan (**Unitary Plan**). The Plan Change was notified by Auckland Council (**Council**) on 30 May 2019 and the summary of decisions requested on Plan Change 26 was notified on 5 September 2019.
2. The Plan Change proposes changes to the overlay provisions in the Unitary Plan to confirm that the provisions of the Special Character Area Overlay – Residential and Business (**SCA Overlay**) take precedence over the underlying zone rules. The Plan Change also seeks to add new purpose statements for the standards in the SCA Overlay, and amend some of the development standards.

Interest in the submissions

3. Southern Cross has an interest in Plan Change 26 that is greater than the interest the general public has on the following grounds:
 - (a) Southern Cross owns and operates Brightside Hospital, located at 3 Brightside Road and 149, 151 and 153 Gillies Avenue, Epsom, Auckland (**Brightside Hospital**). The sites at 149, 151 and 153 Gillies

Avenue are zoned Single House and are subject to the SCA Overlay. Southern Cross has lodged Private Plan Change 21, which seeks to rezone Brightside Hospital to Special Purpose Healthcare Facility and Hospital zone and remove the SCA Overlay.

- (b) Southern Cross made a submission on Plan Change 26 opposing the inclusion of purpose statements at the beginning of each standard in D18.6.1 of the SCA Overlay, while conditionally supporting the amendments to the following development standards in D18.6.1 of the SCA Overlay (subject to the removal of the purpose statements):
 - (i) D18.6.1.2 Height in relation to boundary;
 - (ii) D18.6.1.5 Landscaped Area;
 - (iii) D18.6.1.6 Maximum Impervious Area; and
 - (iv) D18.6.1.7 Fences, Walls and other structures.

Further submission

- 4. Southern Cross supports Housing New Zealand Corporation's (**Housing New Zealand**) submission on Plan Change 26.
- 5. The reasons for Southern Cross' support are:
 - (a) Southern Cross agrees with the concerns raised by Housing New Zealand that the SCA Overlay provisions should not take precedence over the zone provisions;
 - (b) Southern Cross agrees with Housing New Zealand's support of the amendments that better align the SCA Overlay provisions with the specific resource values that the SCA Overlay is seeking to manage;
 - (c) Housing New Zealand appropriately seeks to address the following issues with Plan Change 26:
 - (i) inconsistencies with the Environment Court Decision in *Auckland Council v Budden & Ors*¹;

¹ [2017] NZEnvC 209; [2018] NZEnvC 003; and [2018] NZEnvC 2030.

- (ii) incorporation of 'heritage' concepts within the SCA Overlay;
 - (iii) the introduction of 'Purpose Statements' that are inconsistent between underlying zones and the SCA Overlay; and
 - (iv) the failure of the SCA Overlay to specifically focus on addressing the resource values that the SCA Overlay is seeking to manage, which means it effectively replaces the function of the residential and business zone spatial layers.
6. Southern Cross seeks that the whole of Housing New Zealand's submission be allowed.

Request to be heard

7. Southern Cross wishes to be heard in support of its further submission.
8. If others make a similar submission, Southern Cross will consider presenting a joint case with them at a hearing.

DATED this 19th day of September 2019

Southern Cross Hospitals Limited by its
solicitors and duly authorised agents
MinterEllisonRuddWatts



B J Tree

Address for service of submitter

Southern Cross Hospitals Limited

c/- MinterEllisonRuddWatts

P O Box 3798

AUCKLAND 1140

Attention: Bianca Tree

Telephone No: (09) 353 9700

Fax No. (09) 353 9701

Email: bianca.tree@minterellison.co.nz

Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---|
| For office use only Further Submission No: |
| Receipt Date: |

FURTHER SUBMITTER DETAILS

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/
Ms(Full Name) Tracy Hayson

Organisation Name (if further submission is made on behalf of Organisation)

Hayson Knell Ltd

Address for service of Further Submitter

PO Box 381, Tauranga 3140

Telephone: 027 747 4034 Fax/Email: tracy@haysonknell.co.nz

Contact Person: (Name and designation, if applicable)

SCOPE OF FURTHER SUBMISSION

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

| | |
|------------------------------|--|
| Plan Change/Variation Number | PC 26 |
| Plan Change/Variation Name | Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions |

I support : Oppose (tick one) the submission of:

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number **Point-Number**

Joe Martin

| | |
|-----|---------------|
| 170 | 170.2 - 170.7 |
|-----|---------------|

The reasons for my support / opposition are:

The SCAO should clarify the manner in which it is applied to Business Zoned sites as the Residential SCAO provisions are not appropriate in many locations.

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) _____

of the original submission be **allowed**

disallowed

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Further Submitter
(or person authorised to sign on behalf of further submitter)

19 September 2019

Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Agent for Gull as landowner within SCAO

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 26: CLARIFYING THE
RELATIONSHIP BETWEEN THE SPECIAL CHARACTER AREAS OVERLAY AND THE
UNDERLYING ZONE PROVISIONS**

To: Attention: Planning Technician
 Auckland Council
 Private Bag 92300
 Auckland 1142
 unitaryplan@aucklandcouncil.govt.nz

From: Housing New Zealand Corporation

1. **HOUSING NEW ZEALAND CORPORATION** (“**Housing New Zealand**”) at the address for service set out below makes this further submission on Auckland Council’s proposed Plan Change 26: Clarifying the relationship between the Special Character Areas Overlay (“**the SCA Overlay**”) and the underlying zone provisions (“**the Plan Change**”).

2. Housing New Zealand is a person who has an interest in the Plan Change that is greater than the interest the general public has, being an original submitter on the Plan Change with respect to its interests as a Crown agency responsible for the provision of state housing, and its housing portfolio in the Auckland Region. Housing New Zealand also represents a relevant aspect of the public interest and has an interest in the Plan Change greater than the general public for a number of reasons, including (without limitation):
 - (a) In the Auckland Region, the housing portfolio managed by Housing New Zealand comprises approximately 30,100 dwellings.¹ Housing New Zealand’s role includes the efficient and effective management of state housing and the tenancies of those living in them.

 - (b) it is essential that Housing New Zealand is able to meet its responsibility of providing efficient and effective state housing for the most vulnerable members of our society, so as to deliver to the social and economic wellbeing of these people and the wider community.

¹ As at 31 May 2019.

3. Housing New Zealand variously supports or opposes the original submissions to the Plan Change listed in the **attached** Schedule (“**the Primary Submissions**”) as specified in the Schedule.
4. The reasons for this further submission are:
 - (a) In the case of the Primary Submissions that are opposed:
 - (i) The Primary Submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with the purpose and principles of the Resource Management Act 1991 (“**RMA**”);
 - (ii) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA;
 - (iii) Rejecting the relief sought in the Primary Submissions opposed would more fully serve the statutory purpose than would implementing that relief; and
 - (iv) The Primary Submissions are inconsistent with the policy intent of Housing New Zealand’s submission.
 - (b) In the case of Primary Submissions that are supported:
 - (i) The Primary Submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
 - (ii) The reasons set out in the Primary Submissions to the extent that they are consistent with Housing New Zealand’s submission; and
 - (iii) Allowing the relief sought in the Primary Submissions supported would more fully serve the statutory purpose than would disallowing that relief.
 - (c) The reasons set out in Housing New Zealand’s primary submission on the Plan Change.
 - (d) Such additional reasons (if any) in respect of each of the Primary Submissions supported or opposed as are set out in the **attached** Schedule.

5. The specific relief in respect of each Primary Submission that is supported or opposed is set out in the **attached** Schedule.
6. Housing New Zealand wishes to be heard in support of its further submission.
7. If others make a similar submission, Housing New Zealand will consider presenting a joint case with them at a hearing.

DATED 19 September 2019

**HOUSING NEW ZEALAND
CORPORATION** by its solicitors and
duly authorised agents Ellis Gould



Dr Claire Kirman / Alex Devine

ADDRESS FOR SERVICE: The offices of Ellis Gould Lawyers, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Attention: Dr Claire Kirman / Alex Devine. ckirman@ellisgould.co.nz / adevine@ellisgould.co.nz.

Copies to:

Housing New Zealand Corporation
PO Box 74598
Greenlane, Auckland
Attention: Gurv Singh
Email: gurv.singh@hnzc.co.nz

Beca Limited
PO Box 6345
Auckland
Attention: Matt Lindenberg
Email: matt.lindenberg@beca.com

| Sub # | Sub Point | Submitter Name | Address for Service | Theme | Summary | HNZ Response (Support / Oppose) | HNZ Reasons |
|-------|-----------|---|--|---|--|---------------------------------|--|
| 1 | 1.1 | Mei Zheng and Xiaoyu Wang | fishyu12345@hotmail.com | Oppose the plan modification | 1.1 Decline the plan modification | Support | Housing New Zealand supports the submission to the extent it is consistent with HNZ's primary submission. |
| 21 | 21.7 | Martin Evans | maevans@actrix.co.nz | Amend the plan modification if it is not declined | 21.7 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 | Oppose | Housing New Zealand opposes the proposed amendment and consider this is a matter better dealt with through the stormwater management provisions of the AUP and not through the Special Character Overlay provisions. |
| 21 | 21.9 | Martin Evans | maevans@actrix.co.nz | Amend the plan modification if it is not declined | 21.9 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 | Support in part | Housing New Zealand supports the intent of the proposed amendment. |
| 21 | 21.10 | Martin Evans | maevans@actrix.co.nz | Amend the plan modification if it is not declined | 21.10 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 | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 25 | 25.2 | Johan Willem Barend van der Maas | bvdmaas@me.com | Oppose the plan modification | 25.2 Oppose the change that the 'special character area' overlay prevails over corresponding other provisions in the underlying zone | Support in part | Housing New Zealand supports the submission to the extent it is consistent with HNZ's primary submission. |
| 35 | 35.2 | Heritage Landscapes Attn : Amanda McMullin | mandymc@xtra.co.nz | Accept the plan modification with amendments | 35.2 Back yard to be kept at 3m minimum | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 37 | 37.1 | Sheryll Diane Mitchell | sheryllm@xtra.co.nz | Accept the plan modification with amendments | 37.1 Modify the proposed change so that it only applies to dwellings that are of special character within the affected zone | Support in part | Housing New Zealand supports the proposed amendment to the extent it is consistent with HNZ's primary submission. |
| 45 | 45.2 | Peter Stone | p.stone@auckland.ac.nz | Accept the plan modification with amendments | 45.2 Landscaped area needs to be strengthened in terms of retaining significant trees which would need to be identified in the relevant areas | Oppose | Housing New Zealand opposes the proposed amendment and considers that vegetation management should not be addressed through the Special Character Overlay provisions, as there are wider provisions in the AUP to address this matter. |

| Sub # | Sub Point | Submitter Name | Address for Service | Theme | Summary | HNZ Response (Support / Oppose) | HNZ Reasons |
|-------|-----------|---------------------|--|--|---|---------------------------------|--|
| 46 | 46.3 | Vinod Vyas | vinodvyas@gmail.com | Accept the plan modification with amendments | 46.3 Most of the chimneys in such old houses are posing danger. These should be allowed to demolished by licensed builder without consent | Support in part | Housing New Zealand supports the proposed amendment to the extent it is consistent with HNZ's primary submission. |
| 47 | 47.2 | Jamie Ward | stormy4720@hotmail.com | Accept the plan modification with amendments | 47.2 Support amendments that provide simplification, clarification and greater certainty to the current process | Support in part | Housing New Zealand supports the proposed amendment to the extent it is consistent with HNZ's primary submission. |
| 57 | 57.2 | Jae Ellis | jaeartist98@gmail.com | Accept the plan modification with amendments | 57.2 Backdate and clarify that the overlay priorities also apply to all recent and future infrastructure development in the same way as for residential | Support in part | Housing New Zealand supports the proposed amendment to the extent it is consistent with HNZ's primary submission. |
| 79 | 79.4 | Janet Dickson | janet@dickson.co.nz | Accept the plan modification with amendments | 79.4 Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 79 | 79.5 | Janet Dickson | janet@dickson.co.nz | Accept the plan modification with amendments | 79.5 Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 79 | 79.6 | Janet Dickson | janet@dickson.co.nz | Accept the plan modification with amendments | 79.6 Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 88 | 88.3 | Passion Fruit Trust | t.churton@xtra.co.nz | | 88.3 The plan (change) needs to take into account the effects of development on neighbours as well as on streetscape | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 88 | 88.5 | Passion Fruit Trust | t.churton@xtra.co.nz | | 88.5 All neighbours in special character areas to be notified when there is development proposed on their boundary | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 97 | 95.3 | Adam and Sue Berry | berry.adam@yahoo.co.nz | Oppose the plan modification | 95.3 Can Auckland Council reserve some areas with homes built in proportion to section sizes as a unique liveable part of Auckland City landscape | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 98 | 95.4 | Adam and Sue Berry | berry.adam@yahoo.co.nz | Oppose the plan | 95.4 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 | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |

| Sub # | Sub Point | Submitter Name | Address for Service | Theme | Summary | HNZ Response (Support / Oppose) | HNZ Reasons |
|-------|-----------|--|--|--|--|---------------------------------|--|
| 96 | 96.11 | Colin and Jocelyn Weatherall Attn: David Wren | david@davidwren.co.nz | Accept the plan modification with amendments | 96.11 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 | Support in part | Housing New Zealand supports the proposed amendment to the extent it is consistent with HNZ's primary submission. |
| 97 | 97.6 | Peter Ng Attn: David Wren | david@davidwren.co.nz | Accept the plan modification with amendments | 97.6 Amend the controls for fences and walls by only limiting the height on corner sites to the shorter frontage, and defining the front facade as the one facing the shorter frontage of the site | Support in part | Housing New Zealand supports the proposed amendment to the extent it is consistent with HNZ's primary submission. |
| 97 | 97.11 | Peter Ng Attn: David Wren | david@davidwren.co.nz | Accept the plan modification with amendments | 97.11 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 | Support in part | Housing New Zealand supports the proposed amendment to the extent it is consistent with HNZ's primary submission. |
| 103 | 103.2 | Rosemary McElroy | mike.posie@xtra.co.nz | Oppose the plan modification | 103.2 Protect mature trees | Oppose | Housing New Zealand opposes the proposed amendment and considers that vegetation management should not be addressed through the Special Character Overlay provisions, as there are wider provisions in the AUP to address this matter. |
| 109 | 109.2 | Abbie Blacktopp | Abbie.Blacktopp@anz.com | | 109.1 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 | Support in part | Housing New Zealand supports the proposed amendment to the extent it is consistent with HNZ's primary submission. |
| 115 | 115.2 | David Barber | david.barber@xtra.co.nz | Accept the plan modification with amendments | 115.2 Require a resource consent for the trimming or felling of trees over 8m | Oppose | Housing New Zealand opposes the proposed amendment and considers that vegetation management should not be addressed through the Special Character Overlay provisions, as there are wider provisions in the AUP to address this matter. |
| 142 | 142.3 | Somersby Trust C/- Craig Moriarty - Haines Planning Consultants Limited | craig.moriarty@hainesplanning.co.nz | Accept the plan modification with amendments | 142.3 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) | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 143 | 143.2 | Nicola Campbell | nicola@spiritedleadership.co.nz | Support the plan modification | 143.2 Would like the Special Character overlay and underlying zone provisions to also influence planning provisions, rules and regulations for future | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |

| Sub # | Sub Point | Submitter Name | Address for Service | Theme | Summary | HNZ Response (Support / Oppose) | HNZ Reasons |
|-------|-----------|---|--|--|--|---------------------------------|--|
| | | | | | development of the HNZ Bayard St Property | | |
| 150 | 150.11 | B Dayal c/- Vijay Lala - Tattico Limited | vijay.lala@tattico.co.nz | Accept the plan modification with amendments | 150.11 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 | Support in part | Housing New Zealand supports the proposed amendment to the extent it is consistent with HNZ's primary submission. |
| 152 | 152.2 | Marilyn Elvin | marilyn@elvin.co.nz | | 152.2 Request future plan change to address increased traffic congestion and # of vehicles per owner | Oppose | Housing New Zealand opposes the proposed amendment and considers matters relating to car parking are more appropriately addressed in the transportation provisions of the AUP and not through the SCA Overlay. |
| 169 | 169.4 | Mary and Jonathan Mason | marymillermason@hotmail.com | Accept the plan modification with amendments | 169.4 Support that the Special Character Area Overlay should prevail over corresponding provisions but do not relax any of the SCAR provisions | Oppose | Housing New Zealand opposes the submission to the extent it is inconsistent with HNZ's primary submission. |
| 195 | 195.2 | Sally Cooper | s.cooper13@sky.com | Support the plan modification | 195.2 That Howick, specifically the area that fully surrounds Stockade Hill, should also be included in Special Character Area overlay | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 202 | 202.1 | Sue Cooper, Remuera Heritage | admin@remueraheritage.org.nz | Support the plan modification | 202.1 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 | Support in part | Housing New Zealand supports the intent of submission point 202.1. |
| 202 | 202.8 | Sue Cooper, Remuera Heritage | admin@remueraheritage.org.nz | Support the plan modification | 202.8 All neighbours in special character areas to be notified when there is development proposed on their boundary | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 203 | 203.1 | Sally Hughes, Character Coalition | sallyhughes1@me.com | Support the plan modification | 203.1 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 | Support in part | Housing New Zealand supports the intent of submission point 203.1. |
| 203 | 203.7 | Sally Hughes, Character Coalition | sallyhughes1@me.com | Support the plan modification | 203.7 All neighbours in special character areas to be notified when there is development proposed on their boundary | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |

| Sub # | Sub Point | Submitter Name | Address for Service | Theme | Summary | HNZ Response (Support / Oppose) | HNZ Reasons |
|-------|-----------|--|--|--|--|---------------------------------|--|
| 216 | 216.4 | Don Huse | don.huse@me.com | Support the plan modification | 216.4 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 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 | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 223 | 223.3 | Grant Dickson | wally.g33@dickson.co.nz | Support the plan modification | 223.2 Expand the Special Character Area at Howick over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 247 | 247.2 | Grey Lynn Residents Association c/- Tania Fleur Mace | hello@greyllynresidents.org.nz | Accept the plan modification with amendments | 247.2 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 | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 247 | 247.3 | Grey Lynn Residents Association c/- Tania Fleur Mace | hello@greyllynresidents.org.nz | Accept the plan modification with amendments | 247.3 Notify resource consents in situations where there are any matters that are contentious | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 247 | 247.4 | Grey Lynn Residents Association c/- Tania Fleur Mace | hello@greyllynresidents.org.nz | Accept the plan modification with amendments | 247.4 Include consideration of amenity values of neighbouring sites when assessing consent applications within the Special Character overlay | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 247 | 247.5 | Grey Lynn Residents Association c/- Tania Fleur Mace | hello@greyllynresidents.org.nz | Accept the plan modification with amendments | 247.5 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 | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |

| Sub # | Sub Point | Submitter Name | Address for Service | Theme | Summary | HNZ Response (Support / Oppose) | HNZ Reasons |
|-------|-----------|--|--|--|---|---------------------------------|--|
| 247 | 247.6 | Grey Lynn Residents Association c/- Tania Fleur Mace | hello@greyllynresidents.org.nz | Accept the plan modification with amendments | 247.6 Commit to conducting a survey of residential streets in Grey Lynn to identify additional areas that are not 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 | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 247 | 247.7 | Grey Lynn Residents Association c/- Tania Fleur Mace | hello@greyllynresidents.org.nz | Accept the plan modification with amendments | 247.7 Ensure that the information from Council relating to future plan changes and other consultations is presented in a way that is clear, coherent and easy for members of the public to understand | Support in part | Housing New Zealand supports the proposed amendment to the extent it is consistent with HNZ's primary submission. |
| 249 | 249.7 | Keith Vernon | kvernon@xtra.co.nz | Accept the plan modification with amendments | 249.7 Any breach of this HIRB standard should require a notified consent with neighbours given the opportunity to be heard | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |
| 267 | 267.1 | Civic Trust Auckland c/- Audrey van Ryn | cta@civitrustauckland.org.nz allan.matson1@gmail.com | Support the plan modification | 267.1 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 | Support | Housing New Zealand supports the intent of submission point 267.1 |
| 267 | 267.2 | Civic Trust Auckland c/- Audrey van Ryn | cta@civitrustauckland.org.nz allan.matson1@gmail.com | Support the plan modification | 267.2 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 | Oppose | Housing New Zealand opposes the proposed amendment to the extent it is inconsistent with HNZ's primary submission. |

Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---|
| For office use only Further Submission No: |
| Receipt Date |

FURTHER SUBMITTER DETAILS

Name of Further Submitter: SAMSON CORPORATION LTD and STERLING NOMINEES LTD (“Samson”)
Address for Service: C/- Brown & Company Planning Group, PO Box 1467, QUEENSTOWN
Email: reception@brownandcompany.co.nz
Contact Person: R L Albers

SCOPE OF FURTHER SUBMISSION

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

| | |
|------------------------------|---|
| Plan Change/Variation Number | Proposed Plan Change 26 (PC26) to the Partially Operative Auckland Unitary Plan (AUP) |
| Plan Change/Variation Number | Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions |

1. The details of the further submission are:

- 1.1 The Further Submitter has an interest in Proposed Plan Change 26 to the Partial Operative Auckland Unitary Plan (POAUP) that is greater than the interest of the general public, because the Further Submitter owns land that is directly affected by the Plan Change and by original submissions lodged in support of or opposition to the Plan Change as notified.
- 1.2 The Further Submitter makes the further submissions as set out in the table attached to this submission.
- 1.3 The reasons for the further submissions are also set out in the attached table.

I seek that:

the whole

or part (describe precisely which part) As set out in attached table

of the original submission be **allowed**

disallowed As set out in attached table

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Further Submitter
(or person authorised to sign on behalf of further submitter)

19 September 2019

Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

The Further Submitter has an interest in Proposed Plan Change 26 that is greater than the interest of the general public, because the Further Submitter owns land that is directly affected by the Plan Change and by original submissions lodged in support of or opposition to the Plan Change as notified.

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|------------------------------|----------------------------|---------------------------------------|---|--|
| Lyndsay and Lianne Brock | 70.2 | Support | <p>The original submission opposes the proposed 15m 'trigger' and seeks that it be deleted.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | That original submission 70.2 is accepted . |
| Colin and Jocelyn Weatherall | 96.2 | Support | <p>The original submission seeks that the word "replaces" is used instead of "takes precedence over" in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies.</p> | That original submission 96.2 is accepted . |
| Colin and Jocelyn Weatherall | 96.4 | Support | <p>The original submission opposes the distinction in the HIRTB control for sites less than or greater than 15m, corner sites and rear sites and seeks its deletion.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | That original submission 96.4 is accepted . |
| Colin and Jocelyn Weatherall | 96.8 | Support | <p>The original submission seeks that the word "replace" is used instead of "take precedence over" in relation to subdivision E38.8.2.6.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies.</p> | That original submission 96.8 is accepted . |
| Peter Ng | 97.2 | Support | <p>The original submission seeks that the word "replaces" is used instead of "takes precedence over" in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies.</p> | That original submission 97.2 is accepted . |
| Peter Ng | 97.4 | Support | <p>The original submission opposes the distinction in the HIRTB control for sites less than or greater than 15m, corner sites and rear sites and seeks its deletion.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient</p> | That original submission 97.4 is accepted . |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|--------------------|----------------------------|---------------------------------------|--|--|
| | | | and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | |
| Peter Ng | 97.8 | Support | <p>The original submission seeks that the word “replace” is used instead of “take precedence over” in relation to subdivision E38.8.2.6.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies.</p> | That original submission 97.8 is accepted . |
| KTW Systems LP | 110.6 | Support | <p>The original submission seeks that alternative wording is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies</p> | That original submission 110.6 is accepted . |
| V H Bull | 123.15 | Support | <p>The original submission seeks to amend the HIRTB standard 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</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | That original submission 123.15 is accepted . |
| John Dillon | 127.2 | Support | <p>The original submission seeks that the word “replaces” is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies.</p> | That original submission 127.2 is accepted . |
| John Dillon | 127.4 | Support | <p>The original submission opposes the 15m frontage width distinction in the HIRTB control and seeks its deletion.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | That original submission 127.4 is accepted . |
| John Dillon | 127.9 | Support | <p>The original submission seeks that the word “replace” is used instead of “take precedence over” in relation to subdivision E38.8.2.6.</p> | That original submission 127.9 is |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|----------------------|----------------------------|---------------------------------------|--|--|
| | | | The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies. | accepted |
| Peter and Sarah Wren | 128.2 | Support | The original submission seeks that the word “replaces” is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table. The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies. | That original submission 128.2 is accepted . |
| Peter and Sarah Wren | 128.4 | Support | The original submission opposes the 15m frontage width distinction in the HIRTB control and seeks its deletion. The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | That original submission 128.4 is accepted . |
| Peter and Sarah Wren | 128.9 | Support | The original submission seeks that the word “replace” is used instead of “take precedence over” in relation to subdivision E38.8.2.6. The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies. | That original submission 128.9 is accepted . |
| B Dayal | 150.2 | Support | The original submission seeks that the explanation to the activity table be amended to clarify that the activity status in Table D18.4.1 applies in place of the activity status in the underlying zone. The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies. | That original submission 150.2 is accepted . |
| B Dayal | 150.7 | Support | The original submission opposes the 15m frontage width distinction in the HIRTB control and seeks its deletion. The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | That original submission 150.7 is accepted . |
| B Dayal | 150.11 | Support | The original submission seeks a new assessment matter that seeks to recognise the development of structures within the front yard where this is consistent with the existing streetscape character. | That original submission 150.11 is accepted . |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|-----------------------------------|----------------------------|---------------------------------------|---|---|
| | | | The Further Submitter supports this original submission because it enables consideration of changes in streetscape character over time. | |
| Alex Findlay, Expanse Ltd | 164.2 | Support | <p>The original submission seeks to allow rear sites and those with a 15m or more frontage to utilise the more flexible 3 m and 45-degree HIRTB control.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | That original submission 164.2 is accepted . |
| Michael Snowden | 182.2 | Support | <p>The original submission seeks that all sites within the SCA Overlay are subject to a 3m + 45-degree HIRTB standard.</p> <p>The Further Submitter supports this original submission because a recession plane with a starting height of 3m on side and rear boundaries only would enable a greater flexibility of design to respond positively to the special character values of the area.</p> | That original submission 182.2 is accepted . |
| Sue Cooper, Remuera Heritage | 202.3 | Oppose | <p>The original submission seeks that the existing 3 metre rear yard be retained.</p> <p>The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this.</p> | That original submission 202.3 is rejected . |
| Sue Cooper, Remuera Heritage | 202.8 | Oppose | <p>The original submission seeks that all neighbours in special character areas be notified when there is development proposed on their boundary.</p> <p>The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO.</p> | That original submission 202.8 is rejected . |
| Sally Hughes, Character Coalition | 203.3 | Oppose | <p>The original submission seeks that the existing 3 metre rear yard be retained.</p> <p>The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this.</p> | That original submission 203.3 is rejected . |
| Sally Hughes, Character Coalition | 203.7 | Oppose | <p>The original submission seeks that all neighbours in special character areas be notified when there is development proposed on their boundary.</p> <p>The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a</p> | That original submission 203.7 is rejected . |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|---|----------------------------|---------------------------------------|--|---|
| | | | case-by-case basis, are appropriate in the SCAO. | |
| South Epsom Planning Group Inc | 207.2 | Oppose | <p>The original submission seeks that the existing 3 metre rear yard be retained.</p> <p>The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this.</p> | That original submission 207.2 is rejected . |
| Mark Crosbie, Heidi Crosbie and Adeux Trustee Ltd | 219.5 | Support | <p>The original submission supports the removal of the HIRTB from front boundaries.</p> <p>The Further Submitter supports this original submission because the removal of the recession plane on the front boundary will better enable development to respond to the streetscape patterns that contribute to the character that the Overlay seeks to maintain.</p> | That original submission 219.5 is accepted . |
| Roman Catholic Bishop of the Diocese of Auckland | 220.2 | Support | <p>The original submission seeks that the HIRTB standard is amended so that all sites within the SCA Overlay are subject to a 3m + 45-degree control.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | That original submission 220.2 is accepted . |
| Auckland Grammar School | 221.5 | Support | <p>The original submission supports the removal of the HIRTB from front boundaries.</p> <p>The Further Submitter supports this original submission because the removal of the recession plane on the front boundary will better enable development to respond to the streetscape patterns that contribute to the character that the Overlay seeks to maintain.</p> | That original submission 221.5 is accepted . |
| Rachael and Jonathan Sinclair | 222.3 | Support | <p>The original submission seeks that the 3m + 45-degree HIRTB should apply to all sites and not just with a 15m or less frontage.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | That original submission 222.3 is accepted . |
| Hume Architects Ltd | 224.7 | Support | <p>The original submission opposes the HIRTB standard as set out in (1)(a) of that rule.</p> <p>The Further Submitter supports the original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient</p> | That original submission 224.7 is accepted . |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|-----------------------------------|----------------------------|---------------------------------------|--|---|
| | | | and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | |
| Hume Architects Ltd | 224.8 | Support | The original submission opposes the HIRTB standard as set out in (2) of that rule. The Further Submitter supports the original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | That original submission 224.8 is accepted . |
| Eden Park Neighbours' Association | 227.3 | Oppose | The original submission opposes the reduction in the rear yard from 3m to 1m. The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this. | That original submission 227.3 is rejected . |
| The University of Auckland | 228.5 | Support | The original submission supports the removal of the HIRTB from front boundaries. The Further Submitter supports this original submission because the removal of the recession plane on the front boundary will better enable development to respond to the streetscape patterns that contribute to the character that the Overlay seeks to maintain. | That original submission 228.5 is accepted . |
| Birkenhead Residents Associations | 233.2 | Oppose | The original submission seeks that the existing 3 metre rear yard be retained. The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this. | That original submission 233.2 is rejected . |
| Grey Lynn Residents Association | 247.3 | Oppose | The original submission seeks that resource consents be notified in situations where there are contentious matters. The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO. | That original submission 247.3 is rejected . |
| Grey Lynn Residents Association | 247.5 | Oppose | The original submission seeks that the existing 3 metre rear yard be retained. The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this. | That original submission 247.5 is rejected . |
| Keith Vernon | 249.7 | Oppose | The original submission seeks that any breach of the height in relation to boundary | That original |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|---------------------|----------------------------|---------------------------------------|--|--|
| | | | <p>standard be notified.</p> <p>The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO.</p> | <p>submission 249.7 is rejected.</p> |
| Keith Vernon | 249.19 | Oppose | <p>The original submission seeks to include a minimum front yard of 3m.</p> <p>The Further Submitter opposes this original submission because it could prevent development from responding to the streetscape patterns that contribute to the character that the Overlay seeks to maintain.</p> | <p>That original submission 249.19 is rejected.</p> |
| Housing New Zealand | 257.12 | Support | <p>The original submission opposes any amendments which seek to introduce heritage concepts within the overlay provisions.</p> <p>The Further Submitter supports this original submission because special character is an amenity issue that should not be conflated with heritage protection.</p> | <p>That original submission 257.12 is accepted.</p> |
| Yolande Wong | 260.2 | Support | <p>The original submission opposes the application of a different standard for sites with a frontage greater than 15m and seeks that a 3m + 45-degree HIRTB control is applied to all sites in the overlay.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | <p>That original submission 260.2 is accepted.</p> |

Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only

Further Submission No:

Receipt Date

FURTHER SUBMITTER DETAILS

Name of Further Submitter: R & M Donaldson
Address for Service: C/- Brown & Company Planning Group, PO Box 1467, QUEENSTOWN
Email: reception@brownandcompany.co.nz
Contact Person: R L Albers

SCOPE OF FURTHER SUBMISSION

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

| | |
|------------------------------|---|
| Plan Change/Variation Number | Proposed Plan Change 26 (PC26) to the Partially Operative Auckland Unitary Plan (AUP) |
| Plan Change/Variation Number | Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions |

1. The details of the further submission are:

- 1.1 The Further Submitter has an interest in Proposed Plan Change 26 to the Partial Operative Auckland Unitary Plan (POAUP) that is greater than the interest of the general public, because the Further Submitter owns land that is directly affected by the Plan Change and by original submissions lodged in support of or opposition to the Plan Change as notified.
- 1.2 The Further Submitter makes the further submissions as set out in the table attached to this submission.
- 1.3 The reasons for the further submissions are also set out in the attached table.

I seek that:

the whole

or part (describe precisely which part) As set out in attached table

of the original submission be **allowed**

disallowed As set out in attached table

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Further Submitter
(or person authorised to sign on behalf of further submitter)

19 September 2019

Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

The Further Submitter has an interest in Proposed Plan Change 26 that is greater than the interest of the general public, because the Further Submitter owns land that is directly affected by the Plan Change and by original submissions lodged in support of or opposition to the Plan Change as notified.

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|------------------------------|----------------------------|---------------------------------------|--|---|
| Colin and Jocelyn Weatherall | 96.2 | Support | <p>The original submission seeks that the word “replaces” is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies.</p> | That original submission 96.2 is accepted . |
| Colin and Jocelyn Weatherall | 96.8 | Support | <p>The original submission seeks that the word “replace” is used instead of “take precedence over” in relation to subdivision E38.8.2.6.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies.</p> | That original submission 96.8 is accepted . |
| Peter Ng | 97.2 | Support | <p>The original submission seeks that the word “replaces” is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies.</p> | That original submission 97.2 is accepted . |
| Peter Ng | 97.8 | Support | <p>The original submission seeks that the word “replace” is used instead of “take precedence over” in relation to subdivision E38.8.2.6.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies.</p> | That original submission 97.8 is accepted . |
| KTW Systems LP | 110.6 | Support | <p>The original submission seeks that alternative wording is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies</p> | That original submission 110.6 is accepted . |
| John Dillon | 127.2 | Support | <p>The original submission seeks that the word “replaces” is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies.</p> | That original submission 127.2 is accepted . |
| John Dillon | 127.9 | Support | <p>The original submission seeks that the word “replace” is used instead of “take precedence over” in relation to subdivision E38.8.2.6.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies.</p> | That original submission 127.9 is accepted |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|------------------------------|----------------------------|---------------------------------------|--|--|
| Peter and Sarah Wren | 128.2 | Support | <p>The original submission seeks that the word “replaces” is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies.</p> | That original submission 128.2 is accepted . |
| Peter and Sarah Wren | 128.9 | Support | <p>The original submission seeks that the word “replace” is used instead of “take precedence over” in relation to subdivision E38.8.2.6.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies.</p> | That original submission 128.9 is accepted . |
| B Dayal | 150.2 | Support | <p>The original submission seeks that the explanation to the activity table be amended to clarify that the activity status in Table D18.4.1 applies in place of the activity status in the underlying zone.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies.</p> | That original submission 150.2 is accepted . |
| B Dayal | 150.11 | Support | <p>The original submission seeks a new assessment matter that seeks to recognise the development of structures within the front yard where this is consistent with the existing streetscape character.</p> <p>The Further Submitter supports this original submission because it enables consideration of changes in streetscape character over time.</p> | That original submission 150.11 is accepted . |
| Michael Snowden | 182.2 | Support | <p>The original submission seeks that all sites within the SCA Overlay are subject to a 3m + 45-degree HIRTB standard.</p> <p>The Further Submitter supports this original submission because a recession plane with a starting height of 3m on side and rear boundaries only would enable a greater flexibility of design to respond positively to the special character values of the area.</p> | That original submission 182.2 is accepted . |
| Sue Cooper, Remuera Heritage | 202.3 | Oppose | <p>The original submission seeks that the existing 3 metre rear yard be retained.</p> <p>The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this.</p> | That original submission 202.3 is rejected . |
| Sue Cooper, Remuera Heritage | 202.8 | Oppose | <p>The original submission seeks that all neighbours in special character areas be notified when there is development proposed on their boundary.</p> <p>The Further Submitter opposes this original submission because the normal notification</p> | That original submission 202.8 is rejected . |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|---|----------------------------|---------------------------------------|---|---|
| | | | tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO. | |
| Sally Hughes, Character Coalition | 203.3 | Oppose | The original submission seeks that the existing 3 metre rear yard be retained. The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this. | That original submission 203.3 is rejected . |
| Sally Hughes, Character Coalition | 203.7 | Oppose | The original submission seeks that all neighbours in special character areas be notified when there is development proposed on their boundary. The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO. | That original submission 203.7 is rejected . |
| South Epsom Planning Group Inc | 207.2 | Oppose | The original submission seeks that the existing 3 metre rear yard be retained. The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this. | That original submission 207.2 is rejected . |
| Mark Crosbie, Heidi Crosbie and Adeux Trustee Ltd | 219.5 | Support | The original submission supports the removal of the HIRTB from front boundaries. The Further Submitter supports this original submission because the removal of the recession plane on the front boundary will better enable development to respond to the streetscape patterns that contribute to the character that the Overlay seeks to maintain. | That original submission 219.5 is accepted . |
| Auckland Grammar School | 221.5 | Support | The original submission supports the removal of the HIRTB from front boundaries. The Further Submitter supports this original submission because the removal of the recession plane on the front boundary will better enable development to respond to the streetscape patterns that contribute to the character that the Overlay seeks to maintain. | That original submission 221.5 is accepted . |
| Eden Park Neighbours' Association | 227.3 | Oppose | The original submission opposes the reduction in the rear yard from 3m to 1m. The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this. | That original submission 227.3 is rejected . |
| The University of Auckland | 228.5 | Support | The original submission supports the removal of the HIRTB from front boundaries. The Further Submitter supports this original submission because the removal of the | That original submission 228.5 is |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|-----------------------------------|----------------------------|---------------------------------------|--|---|
| | | | recession plane on the front boundary will better enable development to respond to the streetscape patterns that contribute to the character that the Overlay seeks to maintain. | accepted. |
| Birkenhead Residents Associations | 233.2 | Oppose | The original submission seeks that the existing 3 metre rear yard be retained. The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this. | That original submission 233.2 is rejected. |
| Grey Lynn Residents Association | 247.3 | Oppose | The original submission seeks that resource consents be notified in situations where there are contentious matters. The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO. | That original submission 247.3 is rejected. |
| Grey Lynn Residents Association | 247.5 | Oppose | The original submission seeks that the existing 3 metre rear yard be retained. The Further Submitter opposes this original submission because it in the SCAO yard rules should seek to retain the relationship of built form to the street and the rear yard does not contribute to this. | That original submission 247.5 is rejected. |
| Keith Vernon | 249.7 | Oppose | The original submission seeks that any breach of the height in relation to boundary standard be notified. The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO. | That original submission 249.7 is rejected. |
| Keith Vernon | 249.19 | Oppose | The original submission seeks to include a minimum front yard of 3m. The Further Submitter opposes this original submission because it could prevent development from responding to the streetscape patterns that contribute to the character that the Overlay seeks to maintain. | That original submission 249.19 is rejected. |
| Housing New Zealand | 257.12 | Support | The original submission opposes any amendments which seek to introduce heritage concepts within the overlay provisions. The Further Submitter supports this original submission because special character is an amenity issue that should not be conflated with heritage protection. | That original submission 257.12 is accepted. |

Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---|
| For office use only Further Submission No: |
| Receipt Date |

FURTHER SUBMITTER DETAILS

Name of Further Submitter: Andrew Body and Karen Paterson as trustees of GALATEA TRUST (“Galatea”)

Address for Service: C/- Brown & Company Planning Group, PO Box 1467, QUEENSTOWN

Email: reception@brownandcompany.co.nz

Contact Person: R L Albers

SCOPE OF FURTHER SUBMISSION

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

| | |
|------------------------------|---|
| Plan Change/Variation Number | Proposed Plan Change 26 (PC26) to the Partially Operative Auckland Unitary Plan (AUP) |
| Plan Change/Variation Number | Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions |

1. The details of the further submission are:

- 1.1 The Further Submitter has an interest in Proposed Plan Change 26 to the Partial Operative Auckland Unitary Plan (POAUP) that is greater than the interest of the general public, because the Further Submitter owns land that is directly affected by the Plan Change and by original submissions lodged in support of or opposition to the Plan Change as notified.
- 1.2 The Further Submitter makes the further submissions as set out in the table attached to this submission.
- 1.3 The reasons for the further submissions are also set out in the attached table.

I seek that:

the whole

or part (describe precisely which part) As set out in attached table

of the original submission be **allowed**

disallowed As set out in attached table

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Further Submitter
(or person authorised to sign on behalf of further submitter)

19 September 2019

Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

The Further Submitter has an interest in Proposed Plan Change 26 that is greater than the interest of the general public, because the Further Submitter owns land that is directly affected by the Plan Change and by original submissions lodged in support of or opposition to the Plan Change as notified.

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|------------------------------|----------------------------|---------------------------------------|---|--|
| Lyndsay and Lianne Brock | 70.2 | Support | <p>The original submission opposes the proposed 15m 'trigger' and seeks that it be deleted.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | That original submission 70.2 is accepted . |
| Colin and Jocelyn Weatherall | 96.2 | Support | <p>The original submission seeks that the word "replaces" is used instead of "takes precedence over" in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies.</p> | That original submission 96.2 is accepted . |
| Colin and Jocelyn Weatherall | 96.4 | Support | <p>The original submission opposes the distinction in the HIRTB control for sites less than or greater than 15m, corner sites and rear sites and seeks its deletion.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | That original submission 96.4 is accepted . |
| Colin and Jocelyn Weatherall | 96.8 | Support | <p>The original submission seeks that the word "replace" is used instead of "take precedence over" in relation to subdivision E38.8.2.6.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies.</p> | That original submission 96.8 is accepted . |
| Peter Ng | 97.2 | Support | <p>The original submission seeks that the word "replaces" is used instead of "takes precedence over" in relation to activity statuses in D18.4 Activity Table.</p> <p>The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies.</p> | That original submission 97.2 is accepted . |
| Peter Ng | 97.4 | Support | <p>The original submission opposes the distinction in the HIRTB control for sites less than or greater than 15m, corner sites and rear sites and seeks its deletion.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient</p> | That original submission 97.4 is accepted . |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|--------------------|----------------------------|---------------------------------------|---|--|
| | | | and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | |
| Peter Ng | 97.8 | Support | The original submission seeks that the word “replace” is used instead of “take precedence over” in relation to subdivision E38.8.2.6. The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies. | That original submission 97.8 is accepted . |
| KTW Systems LP | 110.6 | Support | The original submission seeks that alternative wording is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table. The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies | That original submission 110.6 is accepted . |
| V H Bull | 123.15 | Support | The original submission seeks to amend the HIRTB standard 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 The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | That original submission 123.15 is accepted . |
| John Dillon | 127.2 | Support | The original submission seeks that the word “replaces” is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table. The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies. | That original submission 127.2 is accepted . |
| John Dillon | 127.4 | Support | The original submission opposes the 15m frontage width distinction in the HIRTB control and seeks its deletion. The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | That original submission 127.4 is accepted . |
| John Dillon | 127.9 | Support | The original submission seeks that the word “replace” is used instead of “take precedence over” in relation to subdivision E38.8.2.6. | That original submission 127.9 is |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|----------------------|----------------------------|---------------------------------------|--|---|
| | | | The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies. | accepted |
| Peter and Sarah Wren | 128.2 | Support | The original submission seeks that the word “replaces” is used instead of “takes precedence over” in relation to activity statuses in D18.4 Activity Table. The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies. | That original submission 128.2 is accepted . |
| Peter and Sarah Wren | 128.4 | Support | The original submission opposes the 15m frontage width distinction in the HIRTB control and seeks its deletion. The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | That original submission 128.4 is accepted . |
| Peter and Sarah Wren | 128.9 | Support | The original submission seeks that the word “replace” is used instead of “take precedence over” in relation to subdivision E38.8.2.6. The Further Submitter supports this original submission because the wording should clarify that only one rule, that specified for the SCAO, applies. | That original submission 128.9 is accepted . |
| B Dayal | 150.2 | Support | The original submission seeks that the explanation to the activity table be amended to clarify that the activity status in Table D18.4.1 applies in place of the activity status in the underlying zone. The Further Submitter supports this original submission because the wording should clarify that only one activity status, that specified for the SCAO, applies. | That original submission 150.2 is accepted . |
| B Dayal | 150.7 | Support | The original submission opposes the 15m frontage width distinction in the HIRTB control and seeks its deletion. The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | That original submission 150.7 is accepted . |
| Michael Snowden | 182.2 | Support | The original submission seeks that all sites within the SCA Overlay are subject to a 3m + 45-degree HIRTB standard. The Further Submitter supports this original submission because a recession plane | That original submission 182.2 is accepted . |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|---|----------------------------|---------------------------------------|--|---|
| | | | with a starting height of 3m on side and rear boundaries only would enable a greater flexibility of design to respond positively to the special character values of the area. | |
| Sue Cooper, Remuera Heritage | 202.8 | Oppose | <p>The original submission seeks that all neighbours in special character areas be notified when there is development proposed on their boundary.</p> <p>The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO.</p> | That original submission 202.8 is rejected . |
| Sally Hughes, Character Coalition | 203.7 | Oppose | <p>The original submission seeks that all neighbours in special character areas be notified when there is development proposed on their boundary.</p> <p>The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO.</p> | That original submission 203.7 is rejected . |
| Mark Crosbie, Heidi Crosbie and Adeux Trustee Ltd | 219.5 | Support | <p>The original submission supports the removal of the HIRTB from front boundaries.</p> <p>The Further Submitter supports this original submission because the removal of the recession plane on the front boundary will better enable development to respond to the streetscape patterns that contribute to the character that the Overlay seeks to maintain.</p> | That original submission 219.5 is accepted . |
| Roman Catholic Bishop of the Diocese of Auckland | 220.2 | Support | <p>The original submission seeks that the HIRTB standard is amended so that all sites within the SCA Overlay are subject to a 3m + 45-degree control.</p> <p>The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain.</p> | That original submission 220.2 is accepted . |
| Auckland Grammar School | 221.5 | Support | <p>The original submission supports the removal of the HIRTB from front boundaries.</p> <p>The Further Submitter supports this original submission because the removal of the recession plane on the front boundary will better enable development to respond to the streetscape patterns that contribute to the character that the Overlay seeks to maintain.</p> | That original submission 221.5 is accepted . |
| Rachael and Jonathan Sinclair | 222.3 | Support | <p>The original submission seeks that the 3m + 45-degree HIRTB should apply to all sites and not just with a 15m or less frontage.</p> <p>The Further Submitter supports this original submission because the introduction of</p> | That original submission 222.3 is accepted . |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|--|----------------------------|---------------------------------------|--|---|
| | | | differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | |
| Hume Architects Ltd | 224.7 | Support | The original submission opposes the HIRTB standard as set out in (1)(a) of that rule. The Further Submitter supports the original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | That original submission 224.7 is accepted . |
| Hume Architects Ltd | 224.8 | Support | The original submission opposes the HIRTB standard as set out in (2) of that rule. The Further Submitter supports the original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | That original submission 224.8 is accepted . |
| Samson Corporation Ltd and Sterling Nominees Ltd | 236.2 | Support | The original submission seeks to amend the height in relation to boundary rule by removing the restriction that applies a 3m + 45-degree recession plane to sites with a frontage length of less than 15 metres only, and deleting the application of the underlying zone to those sites with a frontage length 15 metres or greater. The Further Submitter supports this original submission because the introduction of differing HIRTB standards for properties based on their frontage width is not efficient and could adversely affect the original development patterns and therefore the special character that the Overlay seeks to maintain. | That original submission 236.2 is accepted . |
| Grey Lynn Residents Association | 247.3 | Oppose | The original submission seeks that resource consents be notified in situations where there are contentious matters. The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO. | That original submission 247.3 is rejected . |
| Keith Vernon | 249.7 | Oppose | The original submission seeks that any breach of the height in relation to boundary standard be notified. The Further Submitter opposes this original submission because the normal notification tests, which require an assessment of the effects of the proposal on a case-by-case basis, are appropriate in the SCAO. | That original submission 249.7 is rejected . |

| Original Submitter | Original Submission Number | Further Submission Support or Oppose? | Reasons for the Further Submission | The Further Submitter seeks the following: |
|---------------------|----------------------------|---------------------------------------|---|--|
| Housing New Zealand | 257.12 | Support | <p>The original submission opposes any amendments which seek to introduce heritage concepts within the overlay provisions.</p> <p>The Further Submitter supports this original submission because special character is an amenity issue that should not be conflated with heritage protection.</p> | That original submission 257.12 is accepted . |

Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

| |
|---|
| For office use only Further Submission No: |
| Receipt Date: |

FURTHER SUBMITTER DETAILS

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

WING CHEUK CHAN

Organisation Name (if further submission is made on behalf of Organisation)

Address for service of Further Submitter

26 St Andrews Rd, Epsom, Auckland, 1022

Telephone:

027 40 82268

Fax/Email:

tohappyfaces@gmail.com

Contact Person: (Name and designation, if applicable)

SCOPE OF FURTHER SUBMISSION

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

| | |
|------------------------------|--|
| Plan Change/Variation Number | PC 26 |
| Plan Change/Variation Name | Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions |

I support Oppose (tick one) the submission of:

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

Submission Number Point-Number

Lim Che Cheung Chan

| | |
|----|------|
| 78 | 78.2 |
| | 78.3 |
| | 78.7 |

The reasons for my support / ~~opposition~~ are:

The areas near 26 St Andrews Rd are already not consistent with the special character Areas zone. The special character zone should not apply to 26 St Andrews Rd. I am in support of submission number 78

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) Special character zone not applied to 26 St Andrew Rd.

of the original submission be **allowed**

disallowed

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

Wing Hung Ho
Signature of Further Submitter
(or person authorised to sign on behalf of further submitter)

19/9/2019
Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

owner of 26 St Andrew Rd, Episc, Auckland 1023.

Notes to person making submission:
A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

The following customer has submitted a Unitary Plan online further submission.

Contact details

Full name of person making a further submission: Susan Andrews

Organisation name: Heritage New Zealand Pouhere Taongā

Full name of your agent:

Email address: sandrews@heritage.org.nz

Contact phone number: 0272023935

Postal address:

Submission details

This is a further submission to:

Plan modification number: Plan Change 26

Plan modification name: PC 26: Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

Original submission details

Original submitters name and address:
Please see attached further submission.

Submission number: Please see attached further submission.

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:
Point number Please see attached further submission.

The reasons for my or our support or opposition are:
Please see attached further submission.

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:
Please see attached further submission.

Submission date: 19 September 2019

Supporting documents

HNZPT Further Submission PC26 - Clarifying the Relationship Btwn the SCA Overlay and Underlying Zone Provisions 19 09 19.pdf

HNZPT Further Submission PC26 Appendix A.pdf

Attend a hearing

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Heritage New Zealand Pouhere Taonga (formerly New Zealand Historic Places Trust) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



19th September 2019

Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1143

Dear Sir or Madam

FURTHER SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA

PROPOSED PLAN CHANGE 26: CLARIFYING THE RELATIONSHIP BETWEEN THE SPECIAL CHARACTER AREA OVERLAY AND UNDERLYING ZONE PROVISIONS

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

1. This is a further submission in respect of submissions on the following proposed change to the Auckland Unitary Plan (Operative in Part):

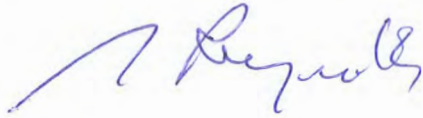
Proposed Plan Change 26: Clarifying the Relationship Between the Special Character Area Overlay and Underlying Zone Provisions.

2. Heritage New Zealand is *a person who has an interest in the proposal that is greater than the interest the general public has:*

Heritage New Zealand Pouhere Taonga (formerly New Zealand Historic Places Trust) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.

3. Heritage New Zealand supports the submission of:
 - Refer to Appendix A for a list of those submissions which Heritage New Zealand supports.
4. Heritage New Zealand opposes the submission of:
 - Refer to Appendix A for a list of those submissions which Heritage New Zealand opposes.
5. The particular parts of the submission Heritage New Zealand supports are:
 - Refer to Appendix A.
6. The particular parts of the submission Heritage New Zealand opposes are:
 - Refer to Appendix A.
7. The reasons for Heritage New Zealand's support or opposition are listed in the tables attached as Appendix A.
8. Heritage New Zealand seeks that the whole/part of the submission be allowed, or that the whole/part of the submission be declined as listed in the tables in Appendix A.
9. Heritage New Zealand wishes to be heard in support of our further submission.

Yours sincerely



Sherry Reynolds
Director Northern Region

Address for Service:
Heritage New Zealand Northern Regional Office
PO Box 105 291, Auckland
Telephone: 09 307 9920
Email: PlannerMN@heritage.org.nz
sandrews@heritage.org.nz

Attachment: Appendix A

Appendix A: Heritage New Zealand Pouhere Taonga Further Submission on Plan Change 26 – Clarifying Relationship SCA & Underlying Zone Provisions

| Sub Ref. | Submitter Name | Decision Requested | Summary of Decision Requested | Support or Oppose | Reasons for Further Submission | Decision Sought |
|----------|--|--|--|-------------------|--|--------------------|
| 46.3 | Vinod Vyas | Accept the plan modification with amendments | Most of the chimneys in such old houses are posing danger. These should be allowed to demolished by licensed builder without consent. | Oppose | While we are not sure as to whether this submission is within scope, we would like to note the decision sought is not one with which we agree. Provision presently exists under RMA 1991 s330 to undertake emergency works to 'remove the cause of, or mitigate any actual or likely adverse effect of' – 'any sudden event causing or likely to cause loss of life, injury, or serious damage to property'. In all cases whether the perceived danger is considered an imminent emergency or otherwise, chimneys are often considered a key contributing feature to the special character values that the overlay is seeking to protect and maintain. | Decline Submission |
| 96.11 | Colin and Jocelyn Weatherall Attn: David Wren | Accept the plan modification with amendments | 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. | Support | Heritage NZ agrees with the submission in that consideration is given to making the Special Character Area overlay into a zone. There are numerous ways in which the overlay acts as a zone in terms of the matters it considers such as building height, height in relation to boundary, yards, building coverage, maximum impervious area, landscaping and fences. | Allow Submission |

N

| | | | | | | |
|--------|--|--|--|---------|--|------------------|
| 97.11 | Peter Ng Attn: David Wren | Accept the plan modification with amendments | 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. | Support | Heritage NZ agrees with the submission in that consideration is given to making the Special Character Area overlay into a zone. There are numerous ways in which the overlay acts as a zone in terms of the matters it considers such as building height, height in relation to boundary, yards, building coverage, maximum impervious area, landscaping and fences. | Allow Submission |
| 127.11 | John Dillon c/- David Wren | Accept the plan modification with amendments | Give consideration to inserting the overlay as a new zone rather than continuing with the zone and overlay combination. | Support | Heritage NZ agrees with the submission in that consideration is given to making the Special Character Area overlay into a zone. There are numerous ways in which the overlay acts as a zone in terms of the matters it considers such as building height, height in relation to boundary, yards, building coverage, maximum impervious area, landscaping and fences. | Allow Submission |
| 128.11 | Peter and Sarah Wren c/- David Wren | Accept the plan modification with amendments | Give consideration to inserting the overlay as a new zone rather than continuing with the zone and overlay combination. | Support | Heritage NZ agrees with the submission in that consideration is given to making the Special Character Area overlay into a zone. There are numerous ways in which the overlay acts as a zone in terms of the matters it considers such as building height, height in relation to boundary, yards, building coverage, maximum impervious area, landscaping and fences. | Allow Submission |

| | | | | | | |
|-------|---|---|--|---------|--|--------------------|
| 209.4 | John and Sarah Walker | Oppose the plan modification | Amend SCAR and make it a different zone. | Support | Heritage NZ agrees with the submission in that consideration is given to making the Special Character Area overlay into a zone. There are numerous ways in which the overlay acts as a zone in terms of the matters it considers such as building height, height in relation to boundary, yards, building coverage, maximum impervious area, landscaping and fences. | Allow Submission |
| 234.2 | The Ascot Hospital and Clinics Limited c/- Anthony Blomfield | Amend the plan modification if it is not declined | 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. | Oppose | Heritage NZ does not consider it appropriate to exempt the Special Purpose – Healthcare Facility and Hospital zone from the SCA overlay standards in D18.6.1. To do so would not enable effects of the intensification of use, on the character amenity of the surrounding typically intensively residential areas, to be appropriately addressed or avoided. | Decline Submission |
| 234.3 | The Ascot Hospital and Clinics Limited c/- Anthony Blomfield | Amend the plan modification if it is not declined | 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. | Oppose | Heritage NZ does not consider it appropriate to exempt the landholdings owned by Ascot and the land at 92 Mountain Road from the SCA overlay standards in D18.6.1. To do so would not enable effects of the intensification of use, on the character amenity of the surrounding intensively residential area, to be appropriately addressed or avoided. | Decline Submission |

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|-------|---|---|--|---------|--|--------------------|
| 234.4 | The Ascot Hospital and Clinics Limited c/- Anthony Blomfield | Amend the plan modification if it is not declined | 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. | Oppose | Heritage NZ does not consider the proposed amendment appropriate. This would not enable appropriate consideration and weighting of the effects of the intensification of use, on the character amenity of the surrounding typically intensively residential areas, to be appropriately addressed or avoided. | Decline Submission |
| 247.6 | Grey Lynn Residents Association c/- Tania Fleur Mace | Accept the plan modification with amendments | Commit to conducting a survey of residential streets in Grey Lynn to identify additional areas that are not 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. | Support | Heritage NZ encourages a continuing programme of work to identify areas of special character, Auckland-wide, so that these important areas and the special character values they hold are protected and maintained. | Allow Submission |

Ar

The following customer has submitted a Unitary Plan online further submission.

Contact details

Full name of person making a further submission: Lim Che Cheung Chan

Organisation name:

Full name of your agent:

Email address: wclctychan@gmail.com

Contact phone number:

Postal address:
26 St Andrews Road
Epsom
Auckland 1023

Submission details

This is a further submission to:

Plan modification number: Plan Change 26

Plan modification name: PC 26: Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions

Original submission details

Original submitters name and address:
Wing Cheuk Chan

Submission number: 49

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:

Point number 49.2
Point number 49.3
Point number 49.6
Point number 49.7
Point number 49.8

The reasons for my or our support or opposition are:

Houses in the immediate neighbourhood have been renovated for modern living in the way that they do not have any historic or special character defining the suburb and would not comply with the requirements of the proposal.

I or we want Auckland council to make a decision to: Disallow part of the original submission

Specify the parts of the original submission you want to allow or disallow:
Application of Special Character Zoning to St Andrews Road

Submission date: 19 September 2019

Attend a hearing

I or we wish to be heard in support of this submission: No

Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:
Owner of 26 St Andrews Road, Epsom.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

19 September 2019

To: Auckland Council

Proposed Plan Change 26 (PPC26)

Further Submission by the South Epsom Planning Group (submitter #207) in opposition to Submission #257 (Housing New Zealand).

1. The South Epsom Planning Group Inc (SEPG) is a neighbourhood group based in South Epsom. The approximate area of interest for the Society is bounded to the north by St Leonards and Empire Roads, to the west by Mt Eden and Rewa Roads, to the east by Coronation and Buckley Roads, and to the south by the steep escarpment formed by the explosion crater of the Three Kings volcanic system. In general terms this area encompasses the elevated landform known as the St Andrews Rd/Landscape Rd hill area. The Society has approximately 50 members. The Society was instrumental in achieving character and amenity protection for the area in previous plans, and submitted to have that protection retained in the Unitary Plan
2. This is a further submission on Proposed Plan Change 26 in opposition to Housing New Zealand (submission #257).
3. We submit that many submission points made in #257 are, in our view, outside the scope of the proposed Plan Change. The PPC26 public notice includes the following purpose statement:

Proposed Plan Change 26 : Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

Auckland Council has prepared the following proposed plan change to the Auckland Unitary Plan (Operative in Part) under Schedule 1 to the Resource Management Act 1991 (RMA) (**proposal**).

Proposed Plan Change 26 Special Character Areas Overlay and underlying zone provisions is a proposal that relates to the provisions of Chapter D18, Special Character Areas Overlay – Residential and Chapter E38, Subdivision - Urban. The purpose of the proposal is to clarify that where there are corresponding provisions (including activities and standards) in the Special Character Areas Overlay and in the underlying zone, the provision in the Special Character Areas Overlay will prevail over the corresponding provision in the underlying zone. The Council is also seeking to refine some of the standards within the Special Character Areas Overlay, including height in relation to boundary, yards, paved areas and fences.

4. Accordingly we submit that the scope is to **“clarify that where there are corresponding provisions (including activities and standards) in the Special Character Areas Overlay and in the underlying zone, the provision in the Special Character Areas Overlay will prevail over the corresponding provision in the underlying zone”** and to **“refine some of the standards within the Special Character Areas Overlay, including height in relation to boundary, yards, paved areas and fences.”**
5. Therefore in our view the scope should not (because it would disadvantage other parties):
 - a) include giving effect to other wider aspects of the Environment Court declaration decision
 - b) include changing the purpose, function and efficacy of the SCAR overlay;

- c) limit overlays to only matters mentioned in Special Character Statements; and
- d) provide the opportunity for geographic changes to zones and overlays.

6. On this basis, we oppose much of the Housing New Zealand submission (#257). Specifically we oppose those parts of submission #257 which seek to:
- a) broaden the scope of PPC26 beyond that indicated by Auckland Council's public notice (e.g. para 7a of submission #257);
 - b) limit overlays to only matters in Special Character Statements (e.g. paras 7g and 7h, and 7u where a "full review of the role and purpose of the SCA Overlay" is sought);
 - c) limit the purpose of the SCA overlay to streetscapes (e.g. para 7t, noting on our part the broader purpose established in the Unitary Plan D18.1, D18.2 and D18.3); and
 - d) re-zone properties (e.g. paras 7w, 7x, 7y)

These Housing New Zealand submissions are, in our view, out of scope, are contrary to the sustainable management of natural and physical resources and are inconsistent with the overall balance of current Unitary Plan provisions.

7. The relief SEPG seeks is that Auckland Council dismiss these out of scope submission points.
8. The Society notes that the potential effects of allowing out of scope submission points will be to:
- a) disadvantage parties who might have otherwise submitted on PPC26 when first notified;
 - b) require unnecessary work for submitters planning to present at the hearing; and
 - c) change the focus of and disrupt the hearing process.
9. Therefore, it would be useful if Commissioners could provide a ruling on scope prior to the hearing.

The Society seeks to be heard at the forthcoming hearing.

A.R. Bellamy

President

Address for Service:

A.R. Bellamy

6 Landscape Rd, Mt Eden

Auckland 1024

Email: d.bellamy@auckland.ac.nz

Phone: 021 869 148

Further submissions in support of, or opposition to, Proposed Plan Change 26

Further submitter details

Agent: Jennifer Hayman

Organisation name: **Remuera Heritage Inc.**

Address for service: c/- Jennifer Hayman, Hayman Consulting, P O Box 12-450, Auckland 1642

Email: jennifer@haymanconsulting.co.nz

Contact person: Jennifer Hayman

Further submissions to primary submissions are detailed in the accompanying table.

Remuera Heritage Inc. wishes to be heard in support of its submissions.

If others are presenting similar submissions, Remuera Heritage Inc. would consider presenting a joint case at a hearing.

Remuera Heritage Inc. was a primary submitter and has an interest in the proposal greater than the general public. Remuera Heritage Inc. represents a relevant aspect of the public interest via its objectives.

Date: 19 September 2019

| Provision | Submission | Support/Oppose | Reasons | Relief sought |
|--|---|------------------------------------|--|---|
| D18.4 Activity table | 96.2 Weatherall (and other submitters) c/- David Wren | Support in part | Cumbersome and confusing “takes precedence over” needs rewording. | Clarity about when provisions apply, and when they do not. |
| D18.4 Activity table | 110.6 KTW Systems LP c/- Rachel Dimery | Support | Clarity required on where Table D18.4.1 applies, and where it does not, to activity status (and underlying zone provisions prevail). | Reword as suggested by proposed amendments of submitter 110. |
| D18.6.1 Standards | 207.5 Epsom South Planning Group | Support | Standards apply to a number of activities, not just “buildings”. | Revise as submitter 207 suggests. |
| D18.6.1 b) Standards | 110.10 | Support in part | Here the wording is “replace” and “do not apply”. | Reword for consistency and clarity. |
| D18.6.1.1 Building height. Purpose | 207.6 | Support in part | Greater clarity required about the purpose, and the means of retaining built form, e.g. “predominantly one to two storeys” is too generic. The suggested additions attempt to provide context. | Reword as submitter 207 suggests, or alternative revised wording to provide context. |
| D18.6.1.2 Height in relation to boundary | 207.7 | Support in part | Purpose is here also lacking context and clarity on what is being managed. | Amend as submitter 207 suggests, or alternative wording. |
| D18.6.1.2 (1), (2) Height in relation to boundary | 96.4 110.12 | Support in part Support in part | The proposed standards are inconsistent and lack clear rationale. They appear not to have adequately considered effects in different character areas/site locations. | Unpack and revise to achieve desired outcomes in what is being managed, having regard to areas/sites. |

| Provision | Submission | Support/Oppose | Reasons | Relief sought |
|--|-------------------------|---|---|--|
| D18.6.1.3 Yards | 96.5 110.13 207.8 | Oppose in part Oppose Support in part | Removal of rear yard 3m minimum standard, while possibly appropriate in some areas with historic patterns of development, is not appropriate to all character areas. As observed by submitter 96.5, in areas where small side yards are common, the minimum is inconsistent. However, there is conflation of streetscape and landscape character/values, as noted by submitter 207.8, i.e. different character areas have different development patterns – one size does not fit all. | Retain the 3m rear yard requirement but provide (by some additional detail corresponding to different special character areas). See note at Special Character Areas Overlay below. |
| D18.6.1.7 Fences and walls | 96.6 | Oppose | While acknowledging the variability in site position and building orientation, extending the 2m height provision may have adverse effects on character values. | Retain 1.2m height limits to “front” portions. |
| D18.8.1 Matters of discretion | 96.7 110.17 | Support Support | Referencing matters of discretion in the underlying zone is an appropriate matter, but as submitter 96.7 notes, may create confusion. | Consider incorporating specific matters within D18. |
| Special Character Areas Overlay | 96.11 | Support | Use of overlays, as has previously been noted, is not an optimal planning tool. | Consideration be given to creating (reverting to) specific zones. |
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