

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 3mverticalheight/45degree 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

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

23.6.19
 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: 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]
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.
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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.

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)



SURVEY GRAND MASTER		A COHERENT REPERITION OF STYLES				DIVERSE ARCHITECTURAL STYLES				ASSESSMENT		NOTES
street	plot number	location street ROW	A COHERENT REPERITION OF STYLES				DIVERSE ARCHITECTURAL STYLES				ASSESSMENT	
			date post 1940	architectural value low architectural value architectural value	landscape character significant contribution	significant contribution	date pre 1940	architectural value low architectural value architectural value	landscape character significant contribution	significant contribution	ASSESSMENT AGENTS CRITERIA	DESIGN CRITERIA
Aberton Avenue	42	▲	▲	▲	▲					▲	▲	
	44	▲	▲	▲	▲					▲	▲	
	46	▲	▲	▲	▲					▲	▲	
	48	▲	▲	▲	▲					▲	▲	
	50	▲	▲	▲	▲					▲	▲	
	52	▲	▲	▲	▲					▲	▲	
	52A	▼	▲	▲	▲					▲	▲	post 1940
	52B	▲	▲	▲	▲					▲	▲	
	54	▲	▲	▲	▲					▲	▲	
	56	▲	▲	▲	▲					▲	▲	
	58	▲	▲	▲	▲					▲	▲	
	60	▲	▲	▲	▲					▲	▲	
	62	▲	▲	▲	▲					▲	▲	
	62A	▼	▲	▲	▲					▲	▲	
	62B	▲	▲	▲	▲					▲	▲	
	64	▲	▲	▲	▲					▲	▲	
	168	▲	▼	▲	▲					▲	▲	post 1940
	265	▲	▼	▲	▲					▲	▲	post 1940
	365	▲	▼	▲	▲					▲	▲	post 1940
	465	▲	▼	▲	▲					▲	▲	post 1940
	66	▲	▲	▲	▲					▲	▲	
	70	▲	▲	▲	▲					▲	▲	
	70A	▲	▲	▲	▲					▲	▲	
	72	▲	▲	▲	▲					▲	▲	
	74	▲	▲	▲	▲					▲	▲	
	76	▲	▲	▲	▲					▲	▲	
	78	▲	▲	▲	▲					▲	▲	
	79	▲	▲	▲	▲					▲	▲	corner of Albion Avenue
	80	▲	▲	▲	▲					▲	▲	# poor quality roof addition
	81	▲	▲	▲	▲					▲	▲	# poor quality roof addition
	82	▲	▲	▲	▲					▲	▲	post 1940
	83	▲	▲	▲	▲					▲	▲	building raised over new base
	84	▲	▲	▲	▲					▲	▲	
	85	▲	▲	▲	▲					▲	▲	corner of Villa Street
	86	▲	▲	▲	▲					▲	▲	
	87	▲	▲	▲	▲					▲	▲	
	88	▲	▲	▲	▲					▲	▲	
	89A	▼	▲	▲	▲					▲	▲	post 1940 / ROW
	101	▲	▲	▲	▲					▲	▲	
	103	▼	▲	▲	▲					▲	▲	ROW
	103A	▲	▲	▲	▲					▲	▲	post 1940
	105	▲	▲	▲	▲					▲	▲	
	187	▲	▲	▲	▲					▲	▲	
	189	▲	▲	▲	▲					▲	▲	corner of Mt Albert road
Albion Avenue	2	▲	▲	▲	▲					▲	▲	
	3	▲	▲	▲	▲					▲	▲	
	4	▲	▲	▲	▲					▲	▲	
	4A	▲	▲	▲	▲					▲	▲	post 1940
	5	▲	▲	▲	▲					▲	▲	post 1940
	7	▲	▲	▲	▲					▲	▲	
	8	▲	▲	▲	▲					▲	▲	
	8	▲	▲	▲	▲					▲	▲	
	10	▲	▲	▲	▲					▲	▲	
	11	▲	▲	▲	▲					▲	▲	
	15	▲	▲	▲	▲					▲	▲	
	17	▲	▲	▲	▲					▲	▲	
	19	▲	▲	▲	▲					▲	▲	
	21	▲	▲	▲	▲					▲	▲	
Alfred Road	1	▼	▲	▲	▲					▲	▲	ROW
	2	▲	▲	▲	▲					▲	▲	ROW
	3	▼	▲	▲	▲					▲	▲	ROW
	4	▲	▲	▲	▲					▲	▲	
	6	▲	▲	▲	▲					▲	▲	
	7A	▼	▲	▲	▲					▲	▲	ROW
	10	▲	▲	▲	▲					▲	▲	
	10A	▼	▲	▲	▲					▲	▲	ROW / post 1940
	12,12A	▲	▲	▲	▲					▲	▲	ROW
	14	▲	▲	▲	▲					▲	▲	# modern addition
	15	▲	▲	▲	▲					▲	▲	
	16	▲	▲	▲	▲					▲	▲	
	17	▲	▲	▲	▲					▲	▲	
	19	▲	▲	▲	▲					▲	▲	
	20	▲	▲	▲	▲					▲	▲	
	21	▲	▲	▲	▲					▲	▲	
	22, 22A, 22B	▼	▲	▲	▲					▲	▲	ROW
	24	▲	▲	▲	▲					▲	▲	# garage in forecourt
	26	▲	▲	▲	▲					▲	▲	
	28	▲	▲	▲	▲					▲	▲	set back from street/partially concealed by foliage
	30	▲	▲	▲	▲					▲	▲	post 1940 - set back from street/concealed by foliage
	32	▲	▲	▲	▲					▲	▲	below street level
	34	▲	▲	▲	▲					▲	▲	below street level
	36	▼	▲	▲	▲					▲	▲	ROW
	38	▲	▲	▲	▲					▲	▲	
	40	▲	▲	▲	▲					▲	▲	
Alison Avenue	5	▲	▲	▲	▲					▲	▲	
	7	▲	▲	▲	▲					▲	▲	
	11	▲	▲	▲	▲					▲	▲	
	12	▲	▲	▲	▲					▲	▲	
	13	▲	▲	▲	▲					▲	▲	post 1940
	14	▲	▲	▲	▲					▲	▲	
	16	▲	▲	▲	▲					▲	▲	post 1940
	17	▲	▲	▲	▲					▲	▲	post 1940 / ROW
	17BA	▼	▲	▲	▲					▲	▲	post 1940 / ROW
	21BA	▲	▲	▲	▲					▲	▲	ROW
	17	▲	▲	▲	▲					▲	▲	post 1940
	18	▲	▲	▲	▲					▲	▲	
	19	▲	▲	▲	▲					▲	▲	
	20	▲	▲	▲	▲					▲	▲	
	21	▲	▲	▲	▲					▲	▲	
	24	▲	▲	▲	▲					▲	▲	post 1940
	25	▲	▲	▲	▲					▲	▲	post 1940
	26	▲	▲	▲	▲					▲	▲	post 1940
	27	▲	▲	▲	▲					▲	▲	post 1940
	28	▲	▲	▲	▲					▲	▲	villa in bungalow setting
	29	▲	▲	▲	▲					▲	▲	
	30	▲	▲	▲	▲					▲	▲	
	31	▲	▲	▲	▲					▲	▲	post 1940
	32	▲	▲	▲	▲					▲	▲	
	33	▲	▲	▲	▲					▲	▲	
	34	▲	▲	▲	▲					▲	▲	
	35	▲	▲	▲	▲					▲	▲	corner: Karam Avenue
	36	▲	▲	▲	▲					▲	▲	
	37	▲	▲	▲	▲					▲	▲	post 1940
	38	▲	▲	▲	▲					▲	▲	
	39	▲	▲	▲	▲					▲	▲	
	40	▲	▲	▲	▲					▲	▲	
	41	▲	▲	▲	▲					▲	▲	
	43	▲	▲	▲	▲					▲	▲	
	45	▲	▲	▲	▲					▲	▲	

Address	Notes
Alendale Road	
8a	ROW
94d	villa - corner Mount Albert Road
12A	corner Mount Albert Road
13	
14A	# post 1940 addition at rear
35	Hospital car park
Almorah Place	
2	Hospital car park
4	
6	
6	older house substantially modernised post 1940
18	post 1940
20	
69	post 1940 / ROW
73	
Annan Street	
1	
Ara Street	
1	
2	
3	
4	
5	
8	
7	post 1940
7A	
9	
9	
10	
12	
13	post 1940
14	
16	
18	
17	
18	
18	
20	
22	
Aralinga Avenue	
1	
2	post 1940
2A	
3	
4	post 1940
4B	
5A	
25	post 1940
35	post 1940
45	post 1940
55	post 1940
65	post 1940
75	post 1940
16	
26	post 1940
36	post 1940
46	post 1940
7	
8	
9	
9A	post 1940
10	
11	
12	
13	
14	
15A	post 1940
15B	post 1940
15C	post 1940
15D	post 1940
18	
17	
18	
18	
20	
21	
23	
24	
25	post 1940
95A	
26	
27	
28	
28	post 1940
28A	post 1940
30	
31	
Argyle Street	
23	
25	
29	
31	
35	ROW
37	
38	
43	ROW
45	post 1940
57	
58	post 1940
59	ROW
63-65	ROW / post 1940
73	
Ameiy Crescents	
2a b	post 1940
4	post 1940 modernisation
5	
8	ROW
7	
10	ROW
11	
12	# post 1940 addition & garage
14	# post 1940 alteration at rear
18	house below street level
18	house below street level
20	# post 1940 addition, house below street level, concealed
21	concealed by foliage
22	# post 1940 garage; house below street level, concealed
22A	post 1940
24	# post 1940 addition, house below street level, concealed
26	# post 1940 roof addition & garage; house concealed by
28	# house has been modernised
33	# windows changed; house set back from street
42	ROW
44	ROW
46	ROW
48	# post 1940 addition
54	# house has been modernised
58	# post 1940 roof addition
80	
64	post 1940
66	# large post 1940 alteration
68	post 1940

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	
56A	post 1940
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	

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.

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.

11 Dudley Road, Mission Bay

June 26, 2019

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

11 Dudley Road, Mission Bay

June 26, 2019

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

11 Dudley Road, Mission Bay

June 26, 2019

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

11 Dudley Road, Mission Bay

June 26, 2019

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

11 Dudley Road, Mission Bay

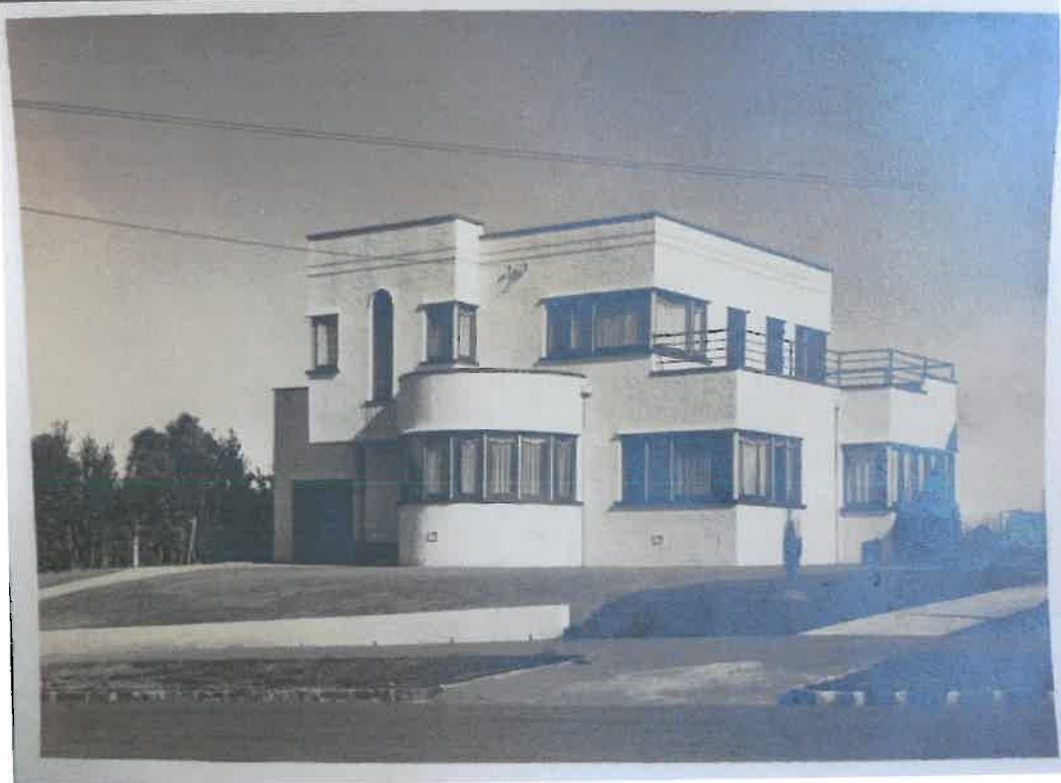
June 26, 2019

Appendix B:



11 Dudley Road, Mission Bay

June 26, 2019



11 Dudley Road, Mission Bay

June 26, 2019



Appendix C:

11 Dudley Road, Mission Bay

June 26, 2019

17	▲		▲		▲																▲	
18	▲		▲		▲																▲	▼
2/18		▼		▼																	▲	
20	▲		▲		▲																▲	▼
22	▲		▲		▲																▲	
24	▲		▲		▲																▲	
26	▲		▲		▲																▲	
Dudley Road	4		▲		▲																▲	
	9		▲		▲																▲	
	19		▲		▲	#															▲	
	20a		▼																		▼	▼
	23		▲								▲		▲								▲	▼
	24		▲																		▼	▼
	30		▼																		▼	▼
	32		▲																		▼	▼
	46		▲																		▼	▼
	52		▲																		▼	▼
Drompsie Road	6		▲																		▲	
Duncomb Street	1		▲			▲															▼	▼
Dunholme Road	8		▲																		▼	▼
	10		▲																		▼	▼
Eastbourne Road	6		▲																		▼	▼
	10		▲																		▼	▼
	17		▲			▲															▲	▼
	40		▲																		▼	▼
42a, b, c, d			▼																		▼	▼
..			▼																		▼	▼



166
Manurewa
Board.

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 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)

Or

Property Address

14 LAWRENCE CRESCENT, HILL PARK, MANUREWA

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:

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 :

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)

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

[Empty box]

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:

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.

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)

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

25.6.19

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)

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.

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

Submission date: 5 July 2019

Attend a hearing

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

| 171.2

| 171.3

| 171.1

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.

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

#173



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 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

John Childs 2
John Childs
Consultants

The reasons for my views are:

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 | 173.1
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

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.

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 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.

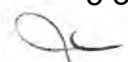
HEIGHT TO BOUNDARY

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.

177.1

Remove our property from the
Special Character Overlay.

177.2

- 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

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.

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

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.

FORM 5

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:

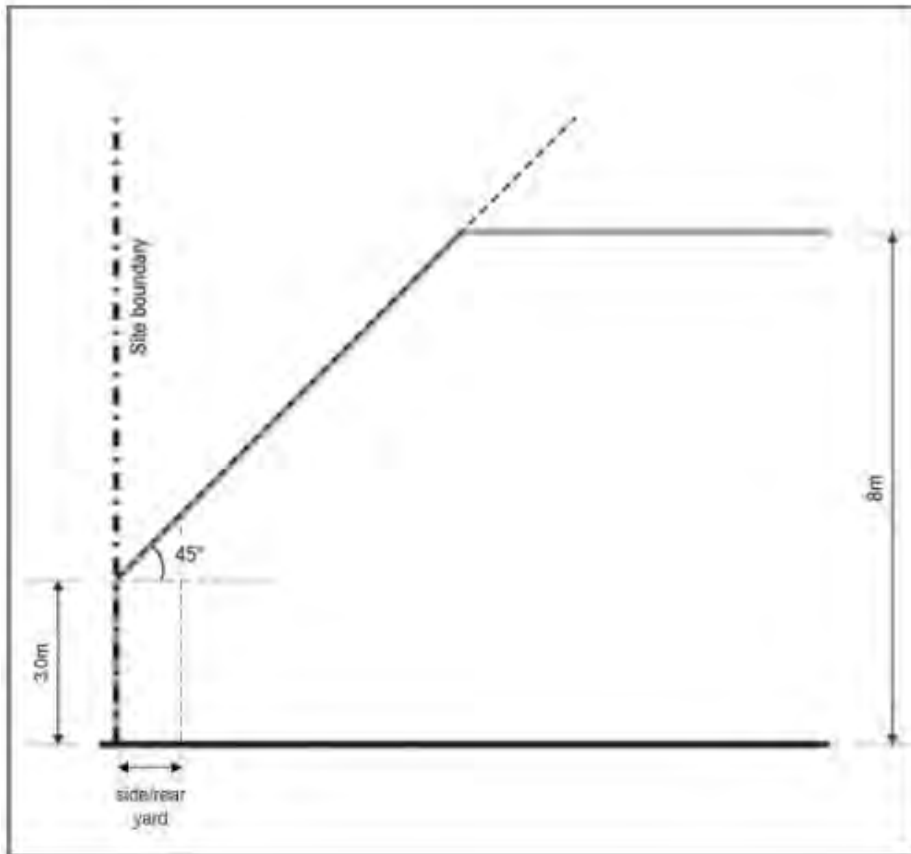
- retain the character of the streetscape;
- enable a built form that reflects the identified character of the area; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects.

(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.

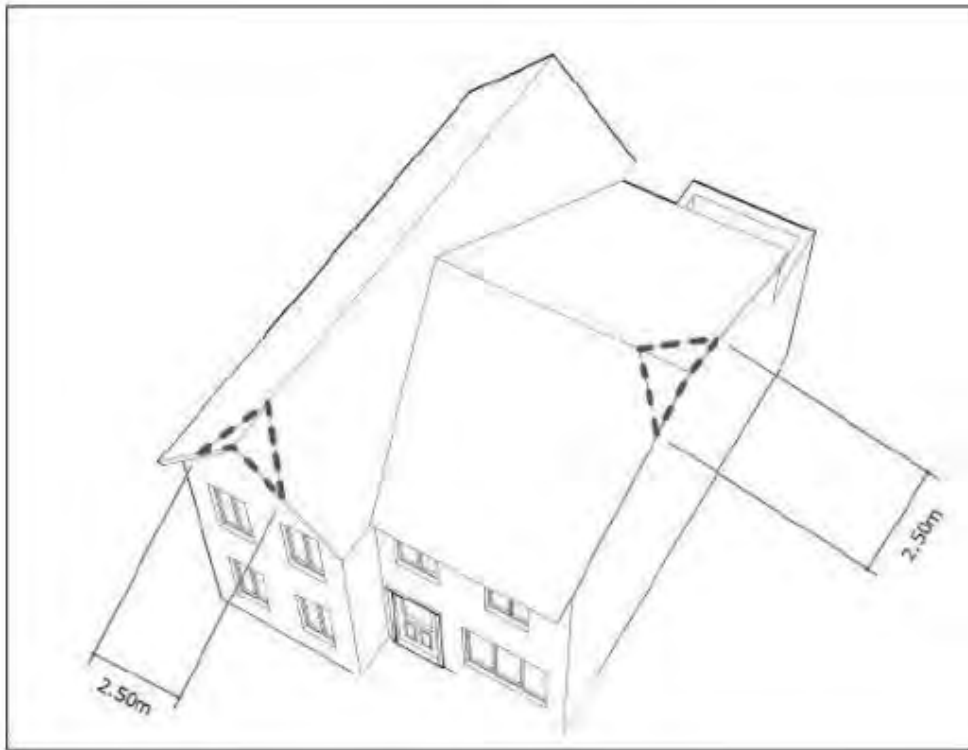
(3) Standard D18.6.1.2(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

(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.

APPENDIX B

<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>	

APPENDIX B

<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>	

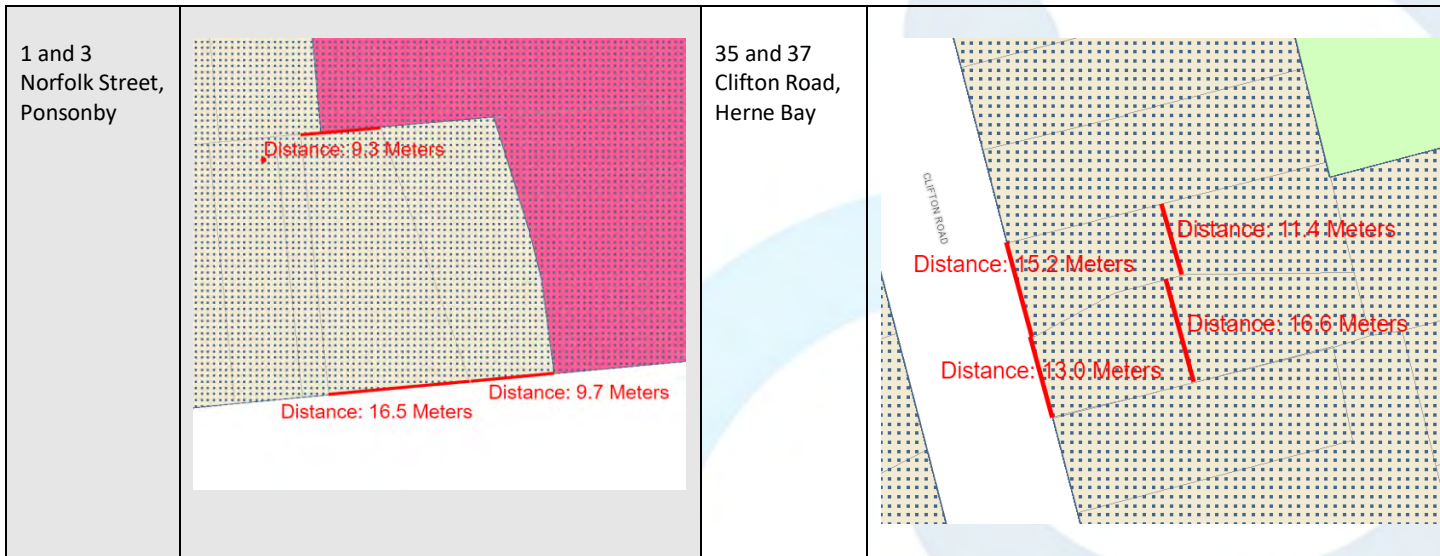
APPENDIX B

<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>	

APPENDIX B

<p>19 Belvedere Street, Epsom (675 m²)</p>	<p>Distance: 5.3 Meters Distance: 24.3 Meters</p>	<p>42A Orakei Road, Remuera (607 m²)</p>	<p>Distance: 26.8 Meters Distance: 8.0 Meters</p>	<p>44 Entrican Avenue, Remuera (1390m²)</p>	<p>Distance: 50.6 Meters Distance: 32.5 Meters Distance: 11.1 Meters Distance: 59.1 Meters</p>
<p>48 Entrican Avenue, Remuera (3714 m²)</p>	<p>Distance: 9.5 Meters</p>	<p>1 Farrar Street, Grey Lynn (300m²)</p>	<p>Distance: 20.3 Meters</p>	<p>105 Brighton Road, Parnell (419m²)</p>	<p>Distance: 15.5 Meters</p>

APPENDIX B



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:

Email address: weston.house@xtra.co.nz

Contact phone number:

Postal address:
10 Calliope 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:
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

.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sonya Marx

Organisation name:

Agent's full name: Sonya Marx

Email address: redsonya58@gmail.com

Contact phone number:

Postal address:
11 Thames Street
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

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." | 186.6
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 notifiabilty 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. | 186.2
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. | 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

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 Parnel, 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:

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

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

The reasons for my views are:
6. _____

~~I object to the increases in building coverage, and maximum impervious area (at PC 20 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 out three issues), it is unacceptable to allow even small increases in building coverage and impervious area.~~

I seek the following decision by Council: _____

- 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

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