

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Jean Dorothy Day

Organisation name:

Agent's full name:

Email address: [jday@kiwilink.co.nz](mailto:jday@kiwilink.co.nz)

Contact phone number:

Postal address:  
28a Niccol Ave. Narrow Neck 0624  
Narrow Neck  
Auckland 0624

### Submission details

**This is a submission to:**

Plan modification number: PC 26

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

**My submission relates to**

Rule or rules:  
PC 26

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:  
Would allow more destruction of important Heritage.

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

Submission date: 12 July 2019

### Attend a hearing

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

## Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Brendan Kell

Organisation name:

Agent's full name:

Email address: [oliverschristmas@orcon.net.nz](mailto:oliverschristmas@orcon.net.nz)

Contact phone number: 0211661075

Postal address:  
163 Balmoral Road  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: PC 26

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

### My submission relates to

Rule or rules:

D18.6.1.2 Height in relation to boundary (1) Buildings in the special character areas overlay (a) (i) for corner sites D18.6.1.3 Yards - set backs D18.6.1.5 Landscaped area - D18.6.1.5.1

252.2  
252.3  
252.4

Property address: 163 Balmoral Road, Mt Eden

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

1.The proposed reduction to 2.5 would limit any future replacement of existing garage with a loft garage given our existing house coverage. 2. The method used for the set back in relation to the other properties in street would hinder any proposed replacement of existing garage on the basic same footprint and look ugly.

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

252.1

Submission date: 12 July 2019

## **Attend a hearing**

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

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

## **Declaration**

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Barbara Cuthbert and Michael Ashmore

Organisation name:

Agent's full name:

Email address: [barbcuth@gmail.com](mailto:barbcuth@gmail.com)

Contact phone number: 0274 124 825

Postal address:  
2A St Aubyn St  
Devonport  
Auckland 0624

## Submission details

### This is a submission to:

Plan modification number: PC 26

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

### My submission relates to

Rule or rules:  
Change to the Height in Relation to Boundary Standard

Property address: 2A St Aubyn St, Devonport, Auckland 0624

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

We reject the provision that narrower sites (less than 15m in width) are to be subject to a more permissive height in relation to boundary recession plan for side and rear boundaries starting with a 3m height on the boundary instead of the existing standard of 2.5m. The narrower sites to which the standard will apply tend to be smaller sites with land areas less than 500m<sup>2</sup> in area, and have a higher building coverage provision. This gives more scope to expand the building at ground level. This provides for additional development potential, and would result in a more dominant building in relation to neighbouring sites if the proposed height in relation to boundary standard were adopted. The supporting documentation for the plan change has not established that narrower sites have less sensitivity to loss of sunlight, light and building dominance to justify a more permissive height in relation to boundary control on side and rear boundaries. We contend that sunlight, light and spacial outlook are equally valued in areas where sites are smaller and buildings closer to their boundaries.

The standard is a crude tool to protect sunlight, light and to control overlooking/building dominance, as it does not take account of site orientation to sunlight and relationship to adjacent buildings. It is therefore important that the standard applied remains at a 2.5m boundary starting height for the recession plane so that where it is exceeded the individual circumstances of sites and effects on neighbouring properties can be taken into account by way of a restricted discretionary consent.

I or we seek the following decision by council: Accept the plan modification with amendments | 253.1

Details of amendments: Delete the proposed change to the height in relation to the boundary standard. | 253.2

Submission date: 12 July 2019

### **Attend a hearing**

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

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

### **Declaration**

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Jeanette Heilbronn

Organisation name:

Agent's full name:

Email address: [jeanette.heilbronn@gmail.com](mailto:jeanette.heilbronn@gmail.com)

Contact phone number: 0211397555

Postal address:  
18 Codrington Crescent  
Mission Bay  
Auckland 1071

### Submission details

#### This is a submission to:

Plan modification number: PC 26

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

#### My submission relates to

Rule or rules:  
Fencing and height to boundary change 26 special character

Property address: Codrington Crescent

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The height for the front and side fences is too low for security reasons. A lot of 2 meter fences are of pillars with iron railing between which gives good views of the houses. Not all fences are solid as this amendment presumes. In some cases the houses are already closer to the boundary than now and it would look stupid to set in the wall and not in keeping with the character of the building.

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

| 254.1

Details of amendments: Retain 2 meter fencing height if the fence is not solid and allows the house to be viewed from the street. Side fences should just have 2 m height .

| 254.2

Submission date: 12 July 2019

### **Attend a hearing**

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

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

### **Declaration**

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

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

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

Yes

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



12 July 2019

Tunncliffe Investment limited  
Tunncliffe Glass Family trust  
7 Belvedere Street  
Epsom 1051

Attention: John Duguid  
General Manager – Plans and Places

Regarding: Proposed Plan Change – Special Character Areas  
**62 Onslow Avenue, Epsom, Auckland 1023**

We wish to formally dispute the requirement for a special character overlay at our property 62 Onslow Avenue, Epsom, Auckland 1023. Our property is positioned in an area between The Drive and St Andrews Road. This area does not have special character pertaining to the street view of the houses. Our property borders a sub-divided property to the west and a fully developed site on the eastern side. Number 60 has been both extended with garage and pool and more recently separate pool-house with minimal grassed areas. Number 64 is sub-divided and number 66 is a very large modern property covering the majority of the site. The rest of the street is lacking in any character homes.

255.1


On the northern side of Onslow Avenue extensive sub-division has been undertaken. In our immediate surrounding area development of new homes is currently in progress.

To limit development of our 1148 square metre site by both extensive renovations and sub-division seems to make little sense, given the extensive development of other properties in the immediate vicinity.

Finally, we would like to see the fence height maintained at 1.8 metres to allow both privacy and animal control within the property.

255.2

Yours sincerely



Kenneth Tunncliffe



Esther Glass

**Submission to PC26 to:** [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

1. **Submitter Details** – Bruce Lotter, 6A Reydon Place, Cockle Bay. A Resident & Ratepayer Howick, Auckland.
2. **Scope of Submission :**

*PC26 Plan Change/Variation :clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.*

*The specific provisions that my submission relates to are:*

*Plan Provisions –*

1. *I generally support the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers some parts of Howick which have a variety of underlying business and residential zones.*
2. *In Part D18.1 the exception of Howick from the Special Character Area Overlay considerations is not acceptable and should be deleted.*
3. *The Special Character Area at Howick is requested to be expanded over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.*
4. *A Special Character Area description for Howick covering residential and business areas is required to be inserted into Part D18.1 of PC26 and in Schedule 15 at Part 15.1.6.1..*
5. *In all other respects I support PC26 and seek to have the controls and standards within PC26 available to cover the expanded Special Character Area shown on the attached Plan.*

**Submission:** *I oppose the specific provisions identified above which exclude Howick from consideration under PC26.*

*I wish to have the following provisions amended:*

- (a) *The removal of the exemption of Howick from Part 18.1 Background.*
- (b) *The expansion of the Special Character Area at Howick to cover the properties identified on the attached plan.*
- (c) *The inclusion of a description for the existing and expanded Special character Areas of Howick into the table within D18.1 and within Schedule 15 at Part 15.1.6.1.*

*The reasons for my views are –*

1. *Howick has several special characteristics that require particular protection in the manner provided for in Part D18 of the Auckland Unitary Plan (AUP). For that reason it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1.*
2. *I see that PC26 is an opportunity to address this long-standing omission in respect of Howick.*

*I seek the following decision by the Council:*

*I accept the proposed Plan Change with the amendments outlined below.*

| 256.1

*Amendments Requested for the Reasons set out are –*

1. *Amend Part D18.1 by removing the words "other than Howick".*
2. *Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan.*
3. *Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.*
4. *Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes.*
5. *Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes.*

| 256.2

| 256.3

| 256.4

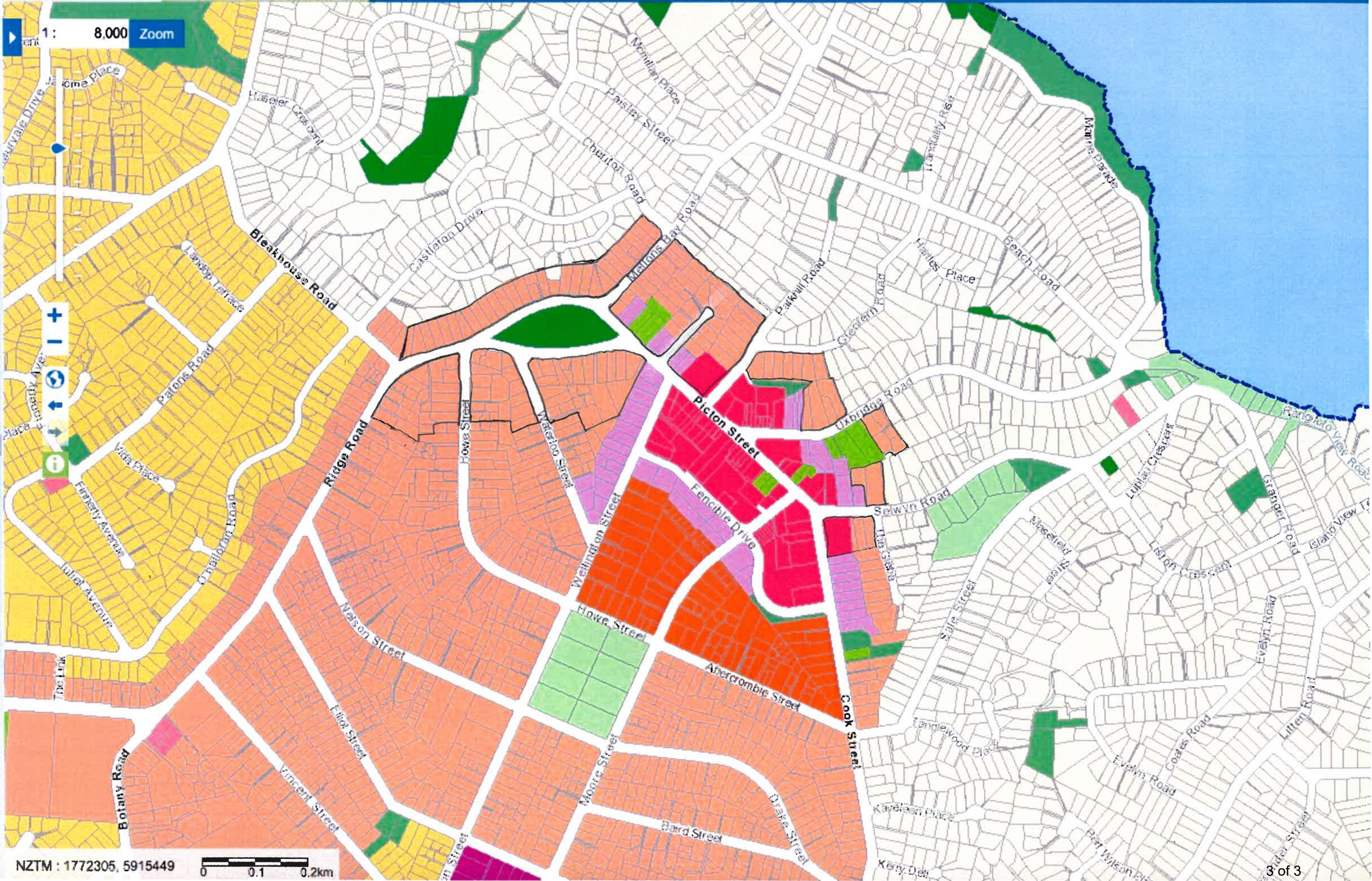
| 256.5

| 256.6

*I wish to be heard in support of my submission.*



1: 8,000 Zoom



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**SUBMISSION ON PROPOSED PLAN CHANGE 26: CLARIFYING THE RELATIONSHIP  
BETWEEN THE SPECIAL CHARACTER AREAS OVERLAY AND THE UNDERLYING  
ZONE PROVISIONS**

To: Attention: Planning Technician  
Auckland Council  
Private Bag 92300  
**Auckland 1142**  
unitaryplan@aucklandcouncil.govt.nz

From: Housing New Zealand Corporation

**HOUSING NEW ZEALAND CORPORATION** (“**Housing New Zealand**”) at the address for service set out below makes the following submission on Auckland Council’s proposed Plan Change 26: Clarifying the relationship between the Special Character Areas Overlay (“**the SCA Overlay**”) and the underlying zone provisions (“**the Plan Change**”).

***Introduction***

1. This submission on the Plan Change is made on behalf of Housing New Zealand.
2. Housing New Zealand’s role includes the efficient and effective management of state houses and the tenancies of those living in them. In the Auckland context, the housing portfolio managed by Housing New Zealand comprises some 30,100 dwellings.<sup>1</sup> Reconfiguring this housing stock in Auckland is a priority for Housing New Zealand to better deliver to its responsibility of providing efficient and effective affordable and social housing.
3. Housing New Zealand does not consider it can gain an advantage in trade competition through this submission. In any event, Housing New Zealand is directly affected by an effect of the subject matter of the submission that:
  - (a) Adversely affects the environment; and
  - (b) Does not relate to trade competition or the effects of trade competition.

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<sup>1</sup> As at 31 May 2019.

**Scope of the Submission**

4. The submission relates to the Plan Change as a whole.

**The Submission is:**

5. Housing New Zealand opposes the Plan Change, for the reasons set out below.
6. In the absence of the relief sought, the Plan Change:
- (a) Is contrary to the sustainable management of natural and physical resources and is otherwise inconsistent with Part 2 of the Act;
  - (b) Is inappropriate in terms of section 32 of the Act;
  - (c) Is inconsistent with the balance of the Unitary Plan provisions; and
  - (d) Will in those circumstances impact significantly and adversely on the ability of people and communities to provide for their social, economic and cultural wellbeing.
7. In particular, but without limiting the generality of the above:

**Purpose of Proposed Plan Change / Consistency with Environment Court Decision**

- (a) The stated purpose of the Plan Change is to address the outcome of the Environment Court case in *Auckland Council v Budden & Ors*<sup>2</sup> (“**Environment Court Declaration Decision**”), to which Housing New Zealand was a party. In summary, the Environment Court Declaration Decision concluded that the Council had incorrectly interpreted the provisions of the Auckland Unitary Plan – Operative in Part (“**Unitary Plan**”) in that it was processing applications seeking development in the SCA Overlay without reference to the provisions of the underlying zoning.
- (b) As part of this Plan Change process the Council proposes to respond to the Environment Court Declaration Decision by amending the Unitary Plan to include provisions to specify that the provisions of the SCA Overlay take

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<sup>2</sup> [2017] NZEnvC 209; [2018] NZEnvC 003; and [2018] NZEnvC 2030.

precedence over the provisions of the zoning for a site subject to the SCA Overlay in respect of the following matters:

- (i) Development activities specified in the SCA Overlay activity table (e.g. total demolition or substantial demolition, external alterations or additions, and new fences and walls); and
  - (ii) Development standards applying to activities undertaken within the SCA Overlay (e.g. building height; height in relation to boundary; yards; building coverage; maximum impervious area; landscaped area or landscaping; and fences and walls).
- (c) The approach now proposed by the Council creates a situation whereby the SCA Overlay provisions take precedence over the zoning provisions on key matters such as building height, building coverage and landscaped areas, without any regard to the permissible development controls for the underlying zone. The current operation of the Unitary Plan, however, requires regard to be had to the zoning provisions in addition to the SCA Overlay provisions, meaning that the height permissible in the underlying zoning (as an example, the Terrace Housing and Apartment Buildings zone) would no longer be a relevant factor in determining the appropriate height for any re-development and instead the proposed height of 8 metres in the SCA Overlay would be the determinative planning consideration.
- (d) In addition, the Plan Change proposes a number of amendments, whereby existing 'standards' from the Single House zone are essentially being transferred into / duplicated within the SCA Overlay provisions. These proposed amendments have the effect of essentially using the Overlay itself as a 'zone'. The intent of an overlay, as set out in Chapter A1.6.2 of the Unitary Plan, is described as follows:

*Overlays manage the protection, maintenance or enhancement of particular values associated with an area or resource. Overlays can apply across zones and precincts and overlay boundaries do not follow zone or precinct boundaries.*

- (e) Similarly, the National Planning Standards identify the function of an overlay in a district plan as:<sup>3</sup>

*An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.*

And a zone as:<sup>4</sup>

*A zone spatially identifies and manages an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.*

- (f) Specific to the SCA Overlay, Chapter D18.1 of the Unitary Plan describes the purpose and focus of the SCA Overlay as follows:

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

- (g) Therefore, the focus of the SCA Overlay provisions should be specific to the identified special character values, which are identified and discussed in Schedule 15 – ‘Special Character Schedule, Statements and Maps’ of the Unitary Plan. The predominant values identified in the Schedule 15 Special Character Statements focus on the relationship of built form, particularly as it relates to the streetscape and public realm. Housing New Zealand therefore considers that the SCA Overlay provisions need to be re-cast to focus specifically, and only, on these identified special character values – the SCA Overlay should not be seeking to duplicate, incorporate or alter the underlying zone provisions where these provisions are not specific to the values being managed. By not reviewing and re-casting the SCA Overlay in this manner, Housing New Zealand considers that the proposed provisions of the Plan Change are inconsistent with the first set of National Planning Standards (April 2019).

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<sup>3</sup> National Planning Standards at section 12, Table 18.

<sup>4</sup> National Planning Standards at section 12, Table 18.



(h) As such, Housing New Zealand opposes any amendments which seek to incorporate / duplicate underlying zone provisions within the SCA Overlay provisions. Such amendments proposed by Council through the Plan Change, which are opposed by Housing New Zealand, include:

- (i) The proposed amendments and new text introduced into Standard 'D18.6.1.2 Height in relation to boundary', including D18.6.1.2(1), (2), (3), (4), (6) and (7) which all effectively seek to introduce the same provisions as currently exist in the Single House zone. Housing New Zealand seeks that these amendments are deleted; 257.7
- (ii) The proposed amendments and new text introduced into Standard 'D18.6.1.3 Yards', including D18.6.1.3(2) and (3). Housing New Zealand seeks that these amendments are deleted; 257.8
- (iii) The new text in the introduction to Activity Table D.18.4. Housing New Zealand seeks that this amendment is deleted; 257.9
- (iv) The proposed amendments to existing text (D18.6.1(a)), as well as the newly introduced text (D18.6.1(b)) in relation to the Standards for buildings in the SCA Overlay. Housing New Zealand seeks that these amendments are deleted; and 257.10
- (v) The newly proposed text at E38.8.2.6(3), in relation to subdivision controls specific to the SCA Overlay. Housing New Zealand seeks that this amendment is deleted. 257.11

*Incorporation of 'heritage' concepts within the SCA Overlay*

- (i) The Council has also sought to make amendments to the SCA Overlay, which once again seek to introduce the concept of Special Character as a heritage matter, rather than an amenity matter. For example, a definition for the purpose of the Yard control is proposed in the Plan Change as being *“to retain the historical built character of the streetscape...”*. Notwithstanding that a 'purpose statement' has no clear role in the statutory interpretation of the Rule, it effectively introduces 'objectives' to the Rule (which are not consistent to the Objectives of the SCA Overlay itself).
- (j) These amendments to the SCA Overlay are made despite the recent decision of the Environment Court in *Housing New Zealand Corporation v Auckland*

*Council*<sup>5</sup> which confirmed that Special Character was a section 7(c) RMA amenity issue, not a section 6(f) RMA heritage protection matter, meaning that the underlying premise of the SCA Overlay is not to require protection of existing special character buildings, but to encourage development which was in keeping with the special character amenity values defined for that area.

- (k) On this basis, Housing New Zealand opposes any amendments which seek to introduce heritage concepts within the SCA Overlay provisions. Such amendments proposed by Council through the Plan Change, which are opposed by Housing New Zealand, include:
- (i) The newly proposed 'purpose statement' for Standard 'D18.6.1.3 Yards'. Housing New Zealand seeks that this amendment is deleted.

257.12

*Inconsistency of 'Purpose Statement's between underlying zones and the SCA Overlay*

- (l) The Plan Change proposes numerous amendments to introduce new 'purpose statements' into the SCA Overlay provisions for the various 'Standards' set out in Chapter D18.6. As noted above, the statutory role of these statements is unclear, but in Housing New Zealand's view they effectively increase complexity and potential conflict between the correct pathway from Objective to Policy to Method by introducing a revised or 're-interpreted' objective statement. This issue becomes more complex, when referring back to the Residential Zone provisions of the Unitary Plan – where the 'purpose statements' to the standards in the Residential Zone provisions become a key aspect of the assessment framework for multi-unit development. The assessment criteria in relation to infringements of the residential zone 'standards' require proposals to be assessed against the degree to which they achieve the 'purpose' of the standard – effectively making the 'purpose statement' part of the rule framework itself.
- (m) In all cases, the newly proposed 'purpose statements' differ in their content and focus to both the 'purpose statements' set out in the underlying zones (noting their questionable role in statute in any case) and to the Objectives and Policies of the SCA Overlay. In particular, the purpose statements differ from the Single House zone. This complexity is compounded by the fact that the standards themselves are either aligned with – or are now seeking to duplicate the

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<sup>5</sup> [2017] NZEnvC 120; [2018] NZEnvC 186; and [2018] NZEnvC 213.

underlying zoning through the Plan Change (though apparently for a 'different purpose').

- (n) Housing New Zealand considers firstly that such purpose statements do not assist in plan integrity because of the potential confusion between these and the objectives and policies of the Unitary Plan. Notwithstanding this, a 'purpose statement', specific to a SCA Overlay 'standard' should only be necessary when the SCA Overlay standard itself differs from the equivalent standard in the underlying zone or where there are specific policies of the SCA Overlay that would signal that this is an appropriate method to apply. In such a circumstance, the content and focus of the 'purpose statement' in the SCA Overlay should then be to explain and describe how, and most importantly why, the standard will differ from that in the underlying zone.
- (o) As such, Housing New Zealand opposes any amendments which seek to introduce new 'purpose statements' into the SCA Overlay 'Standards' (Chapter D18.6), particularly where the focus and content of these 'purpose statements' differ from those contained in the underlying zones, and where the SCA Overlay standards themselves effectively align with or duplicate existing underlying zone provisions (in particular those of the Single House zone).
- (p) Such amendments proposed by Council through the Plan Change, which are opposed by Housing New Zealand, include:
  - (i) The newly proposed 'purpose statements' in relation to Standards 'D18.6.1.1 Building height'; 'D18.6.1.2 Height in relation to boundary'; 'Standard D18.6.1.3 Yards'; 'Standard D18.6.1.4 Building coverage'; 'D18.6.1.5 Landscaped area'; 'Standard D18.6.1.6 Maximum impervious area'; and 'Standard D18.6.1.7 Fences and walls'. Housing New Zealand seeks that these amendments are deleted.

257.13

*Proposed provisions which are consistent with the purpose and intent of the SCA Overlay*

- (q) While recording Housing New Zealand's overall opposition to the Plan Change in full, we note that the Plan Change has proposed a number of amendments which do seek to better align the SCA Overlay provisions with the specific resource values which the Overlay is seeking to manage (e.g. maintenance and enhancement of identified special character values, particularly those with respect to the relationship of development and built form to streetscape character).

(r) Examples of such amendments proposed in the Plan Change include:

(i) The proposed deletion of the 'rear yard' rule in Standard 'D18.6.1.3 Yards', given that 'rear yards' are not a matter which needs to be managed in the SCA Overlay, where the focus is on the relationship of built form to the streetscape environment; and

257.14

(ii) The proposed amendments to Standard 'D18.6.1.7 Fences and walls', where amendments have been proposed to those aspects of the standard which set height limits for rear and side fences. These proposed amendments are considered to be an improvement to the current standard, and better focus the standard to the management of fences, as they relate specifically to the streetscape.

257.15

(s) In addition, Housing New Zealand also considers that the proposed amendments to the matters of discretion (Chapter D18.8.1.1(c)) and the assessment criteria (Chapter D18.8.2.1(4)(b)) do better align with the intent of the Environment Court Declaration Decision, which found that the provisions of the underlying zones are a relevant consideration for resource consent applications relating to development in the SCA Overlay. Housing New Zealand is therefore supportive of amendments to the SCA Overlay which we consider are consistent with the Environment Court Declaration Decision<sup>6</sup>.

257.16

257.17

Re-casting the SCA Overlay to specifically focus on addressing the resource values which the Overlay is seeking to manage

(t) As discussed above (paragraph 7(g)) Housing New Zealand considers that the SCA Overlay needs to be reconsidered and reassessed as a whole, to ensure that the provisions of the SCA Overlay only seek to manage the specifically identified resource values, rather than the framing being put forward by Council which effectively replaces the function of the residential and business zone spatial layers. Given the intent of the SCA Overlay is to manage (through 'maintenance and enhancement') how built form and development relates generally to streetscape character and the wider streetscape environment, Housing New Zealand is of the opinion that consideration needs to be given to applying the spatial extent of the SCA Overlay not just to residential and business zones, but also to aspects of the wider 'streetscape environment' (e.g.

257.18

<sup>6</sup> [2017] NZEnvC 209; [2018] NZEnvC 003; and [2018] NZEnvC 2030.

such as roads / road reserves and open spaces), as development within the 'streetscape environment' also has the potential to adversely affect identified special character values which relate to the streetscape (e.g. such as landform and street trees / vegetation).

257.18

(u) In seeking such a full review of the role and purpose of the SCA Overlay, Housing New Zealand notes that the Section 32 Assessment undertaken by Council to support the Plan Change identified only three available options, being:<sup>7</sup>

- (i) Option 1 – “Status quo”;
- (ii) Option 2 – “Special Character Overlay Plan Change” (preferred option); and
- (iii) Option 3 – “Wider review of special character management approach”.

(v) Housing New Zealand considers that the Section 32 assessment has not appropriately identified all the potential options available to the Council, nor has it appropriately identified the range of advantages / disadvantages costs and benefits associated with each of the options. In relation to the Option 3 (“Wider review of special character management approach”), the Council appears to have dismissed this option on the basis that it would require a significant amount of resources to undertake a wider review and would also likely lead to potentially large costs (such as for staff time, research and consultation). Housing New Zealand does not agree with the Section 32 assessment undertaken by the Council, in particular the Council’s assessment of the identified ‘Option 3’, and considers that a full, wider review of the SCA Overlay is appropriate and is exactly what is required in order to ensure the SCA Overlay operates as a true ‘Overlay’ (e.g. as outlined in the National Planning Standards, April 2019).

257.19

(w) As part of a holistic review of the SCA Overlay provisions in full, including the spatial application of the SCA Overlay, Housing New Zealand considers that the SCA Overlay needs to be ‘de-coupled’ from underlying zoning (rather than functioning more like a zone / sub-zone). As part of this ‘de-coupling’ process, Housing New Zealand considers that a full review, and likely re-zoning of, the residential land which is currently impacted by the SCA Overlay is required.

257.20

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<sup>7</sup> Plan Change 26, Section 32 Evaluation Report, page 18.

Housing New Zealand proposes that such a re-zoning exercise should be consistent with Housing New Zealand’s submissions put before the Independent Hearings Panel (“IHP”) during the proposed Auckland Unitary Plan submissions and hearing process.

257.20

(x) To assist with the consideration of this proposed relief, Housing New Zealand suggests that the underlying residentially zoned land should be re-zoned, consistent with the best practice re-zoning principles which Housing New Zealand’s planning experts presented to the IHP during the Topic 080 and 081 hearings<sup>8</sup> or in accordance with the proposed re-zoning maps which were presented to the IHP, on behalf of Housing New Zealand, during Hearing Topic 081 (**attached** to this submission).

257.21

(y) Housing New Zealand considers that residentially zoned land currently impacted by the SCA Overlay should be re-zoned consistent with the above, and that the SCA Overlay functions and operates as a ‘true’ overlay (to manage specifically identified resource values), rather than operating as a ‘zone’, or ‘sub-zone’ of the Single House zone.

**Relief Sought**

8. Housing New Zealand seeks the following decision from Auckland Council on the Plan Change:

(a) That the Plan Change be declined;

257.1

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<sup>8</sup> Housing New Zealand (HNZC) made submissions which provided for higher residential densities in areas that are proximate to services and facilities that enable quality living (e.g. in or near centres, frequent public transport routes and facilities, open spaces, community facilities, education and other social infrastructure and employment) using the following criteria:

- a. For sites where HNZC seeks that they be rezoned to Terrace Housing and Apartment Building Zone;
  - i. They are within 400m of a Metropolitan Centre or Town Centre (a proximate walking distance of 5min, which is considered a reasonable distance for people walking to daily facilities and amenities and an appropriate distance to complement the higher density urban form of the Centres themselves);
- b. For sites where HNZC seeks that they be rezoned to Mixed Housing Urban:
  - i. They are within 800m of the Metropolitan Centre or Town Centre (as a 10min walk time proximate, which is considered a reasonable walking distance for larger shopping amenities provided by such centres);
  - ii. They are within 400m of a Local Centre or Mixed Use Zone (a proximate walking distance of 5min, which is considered a reasonable distance for people walking to daily facilities and amenities);
  - iii. They are within 250m of either a Frequent Transport Network (providing for walkable access to public transport services); or
  - iv. They are within 250m of other social infrastructure sites mapped in the PAUP (e.g. schools and tertiary education facilities).
- c. For sites where HNZC seeks that they be rezoned to Mixed Housing Suburban:
  - i. They are within 800m of a Local Centre or Mixed Use Zone (a proximate walking distance of 10min, which is considered a reasonable distance for residents in development of this scale to be walking to such amenities); or
  - ii. They are within 400m of Neighborhood Centre as this zone provides for the daily access to amenities appropriate to support urban development.

- (b) If the Plan Change is not declined, that the proposed provisions of the Plan Change be deleted or amended to address the matters raised in this submission. In particular:
  - (i) Re-casting of rule provisions to maintain their focus to the values associated with the special character amenity values that the SCA Overlay is seeking to recognise; 257.2
  - (ii) Re-application of the SCA Overlay so that it applies to the geographic extent of resource values (rather than being zone specific); and 257.3
  - (iii) Undertake a review, and re-zone the underlying land, in accordance with the maps attached to this submission or in accordance with the proximity criteria presented to the IHP (as outlined above); 257.4

(It is acknowledged that this relief may require that the Plan Change be re-notified);
- (c) Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out in this submission. 257.5

9. Housing New Zealand wishes to be heard in support of this submission.

10. If others make a similar submission, Housing New Zealand would be willing to consider presenting a joint case with them at hearing.

**DATED** this 12<sup>th</sup> day of July 2019

**HOUSING NEW ZEALAND CORPORATION** by its solicitors and duly authorised agents Ellis Gould



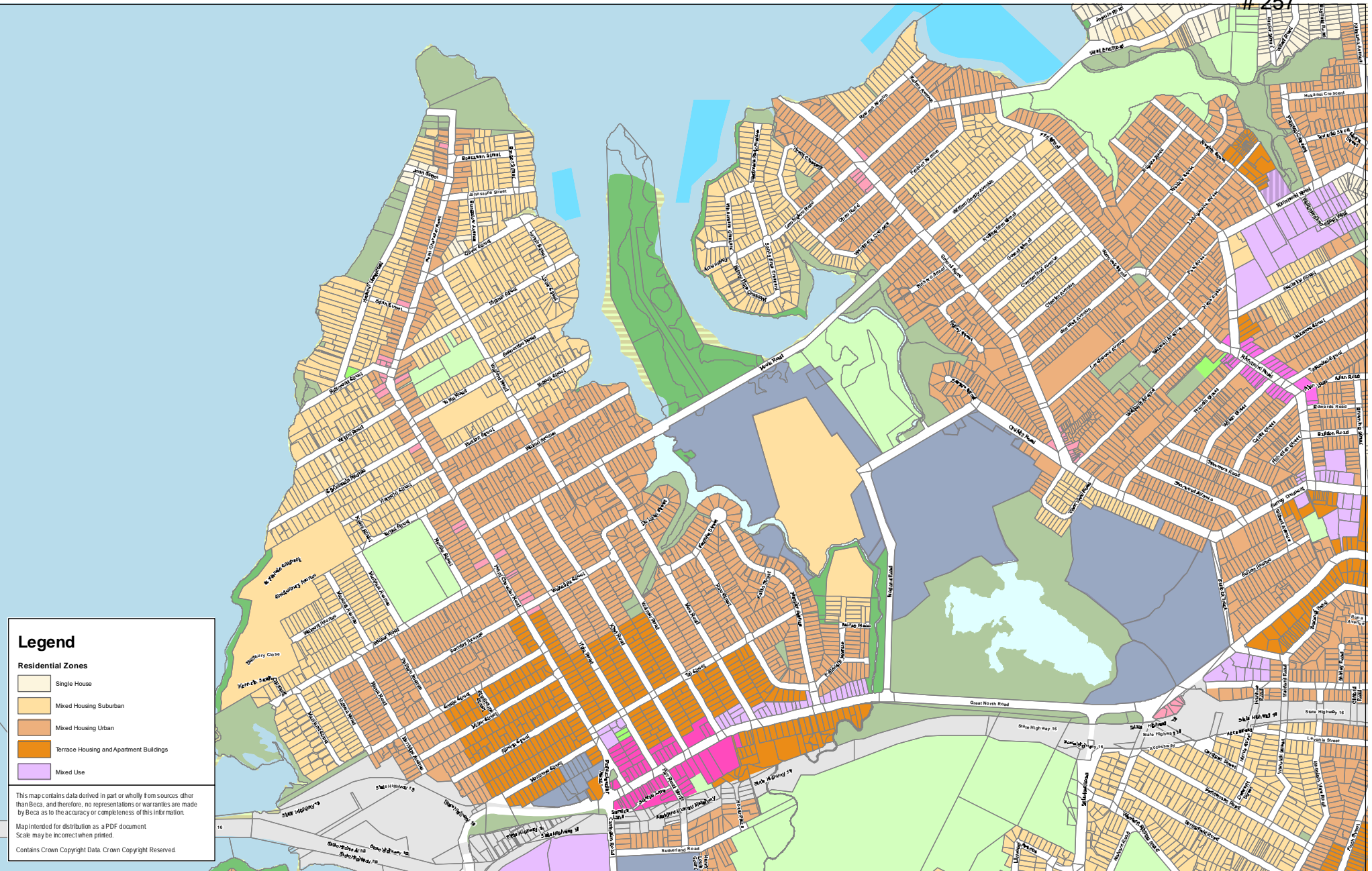
**Dr Claire Kirman / Alex Devine**

**ADDRESS FOR SERVICE:** The offices of Ellis Gould Lawyers, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Attention: Dr Claire Kirman / Alex Devine. ckirman@ellisgould.co.nz / adevine@ellisgould.co.nz.

Copy to: Amelia Linzey / Matt Lindenberg  
Beca Ltd  
PO Box 6345  
Auckland 1141  
Email address:  
amelia.linzey@beca.com;  
matt.lindenberg@beca.com

**Attachment** – Re-zoning maps presented to the IHP in Topic 081 of the Unitary Plan hearings process.





**Legend**

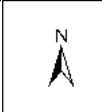
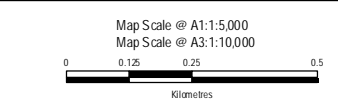
**Residential Zones**

- Single House
- Mixed Housing Suburban
- Mixed Housing Urban
- Terrace Housing and Apartment Buildings
- Mixed Use

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Revision	Author	Created	Approved	Date
1	ATF	14/3	AJD	24/02/16

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

**Point Chevalier**

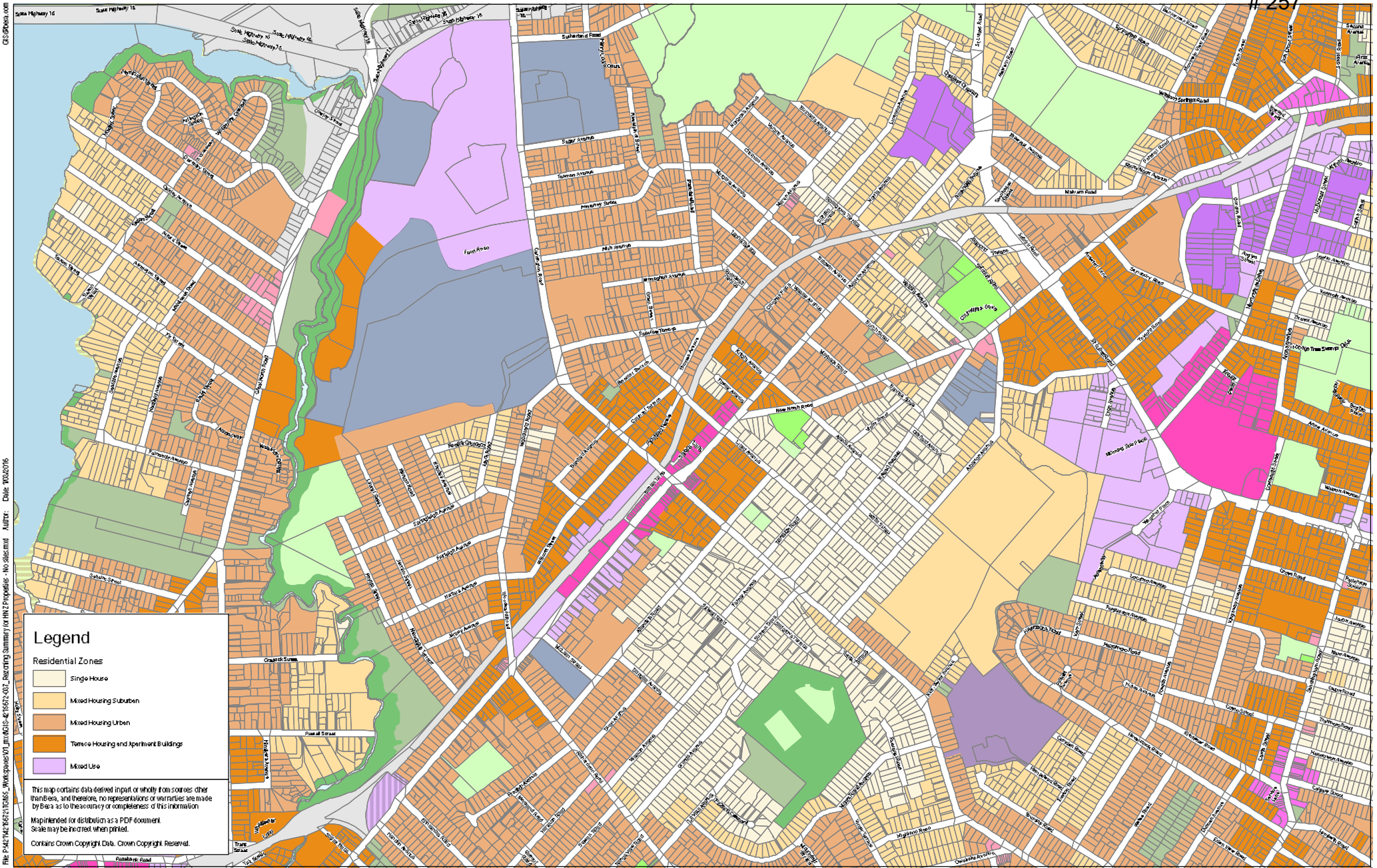
**Client:** Housing New Zealand

**Project:** Topic 081



**Discipline:** GIS

**Drawing No:** GIS-421567 2-37



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 GIS/Becca.com

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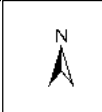
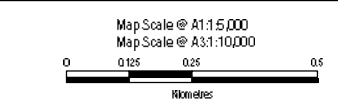
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Revision	Author	Created	Approved	Date
1	AT	10/21	AJ	2016/10/19

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

Waterview and Mount Albert

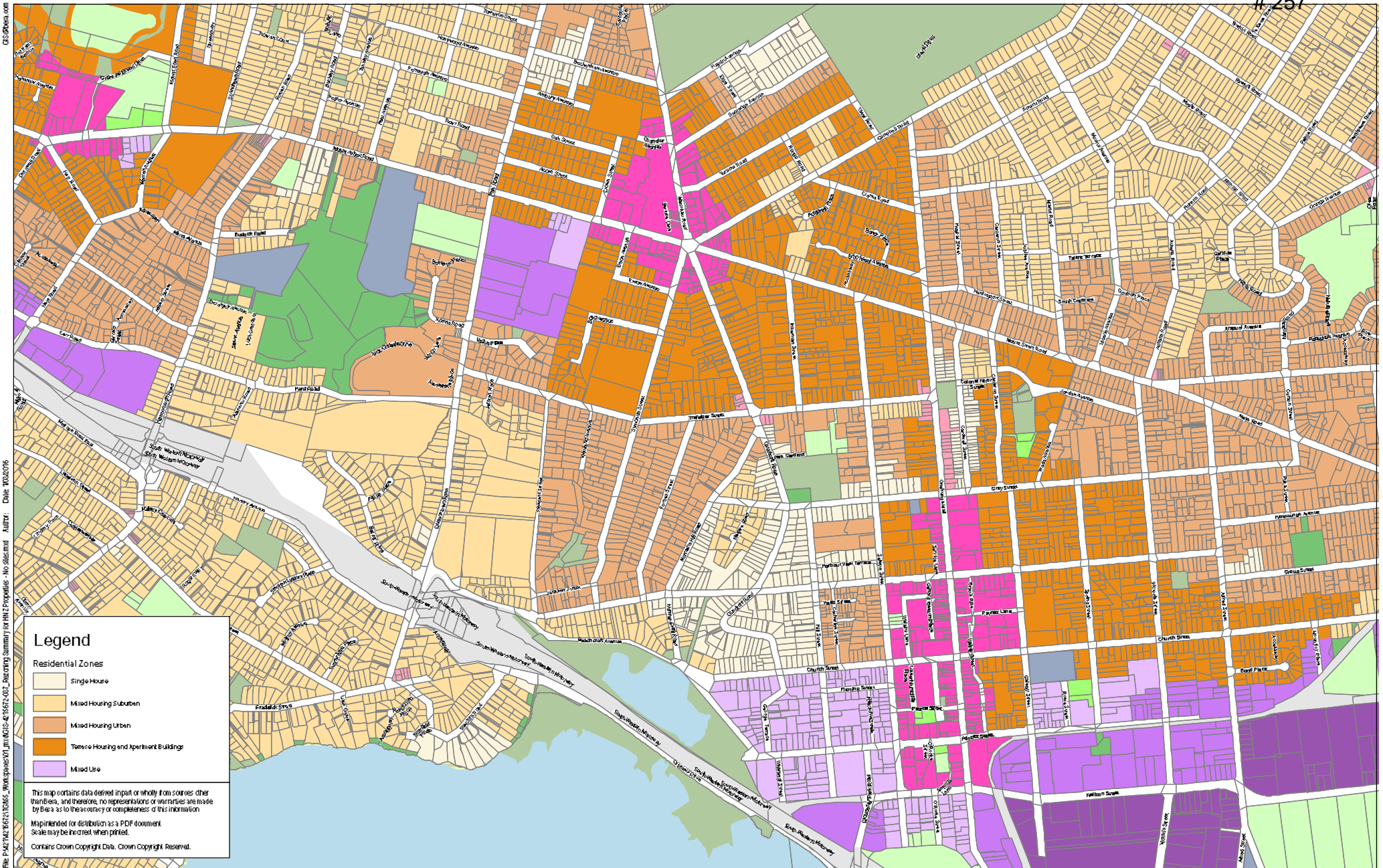
**Client:** Housing New Zealand

**Project:** Topic 01

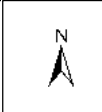
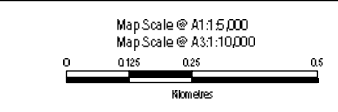


**Discipline:** GIS

**Drawing No:** GIS-421567-2-37



file: P421421667210365\_Workspace100\_mxd\GIS-421667-081\_Recoding Summary for HNZ Properties - No.sites.mxd    Date: 10/20/2016    Author:



Revision	Author	Created	Approved	Date
1	AT	10/21	AJ	2016/10/19

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

Royal Oak and Onehunga

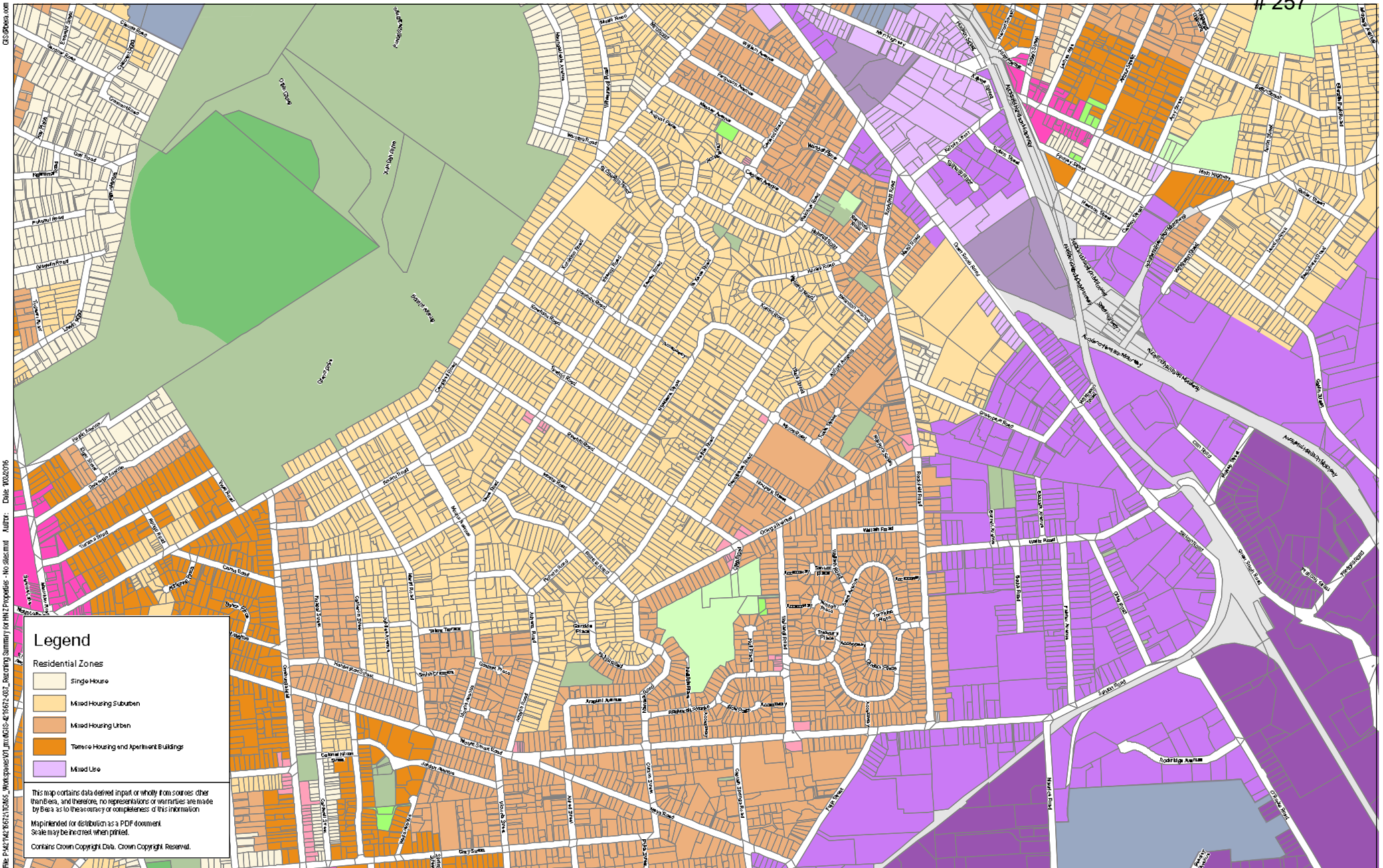
**Client:** Housing New Zealand

**Project:** Topic 081



**Discipline:** GIS

**Drawing No:** GIS-421667-2-37



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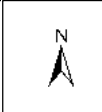
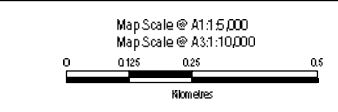
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Revision	Author	Created	Approved	Date
1	AW	16/11	ALJ	29/02/19

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

**Penrose**

**Client:** Housing New Zealand

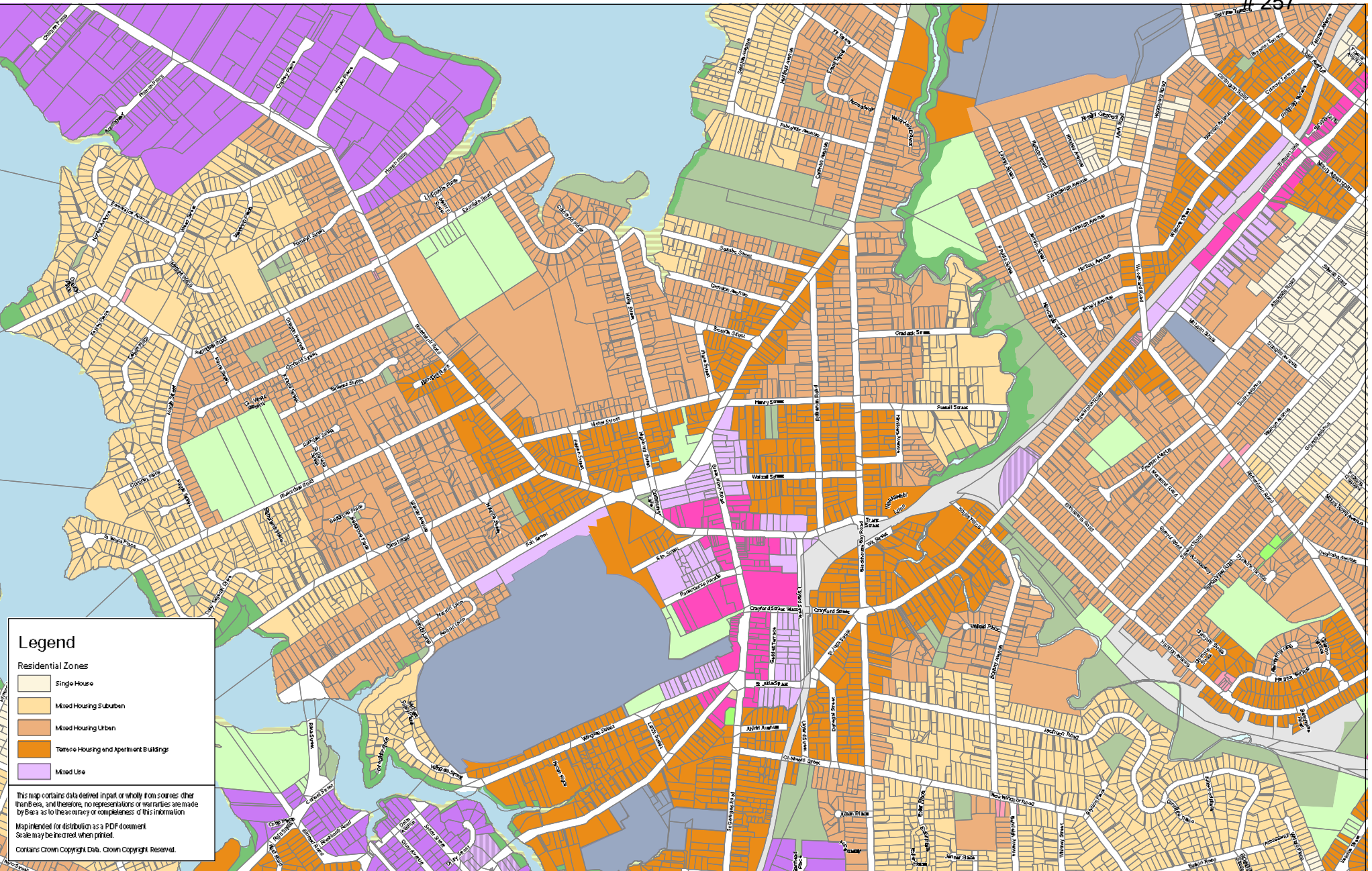
**Project:** Topic 081



**Discipline:** GIS

**Drawing No:** GIS-421661 2-37

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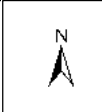
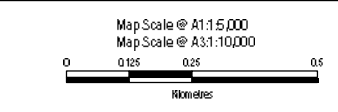


**Legend**

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Revision	Author	Checked	Approved	Date
1	AT	HL	AL	24/02/16

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

Avondale

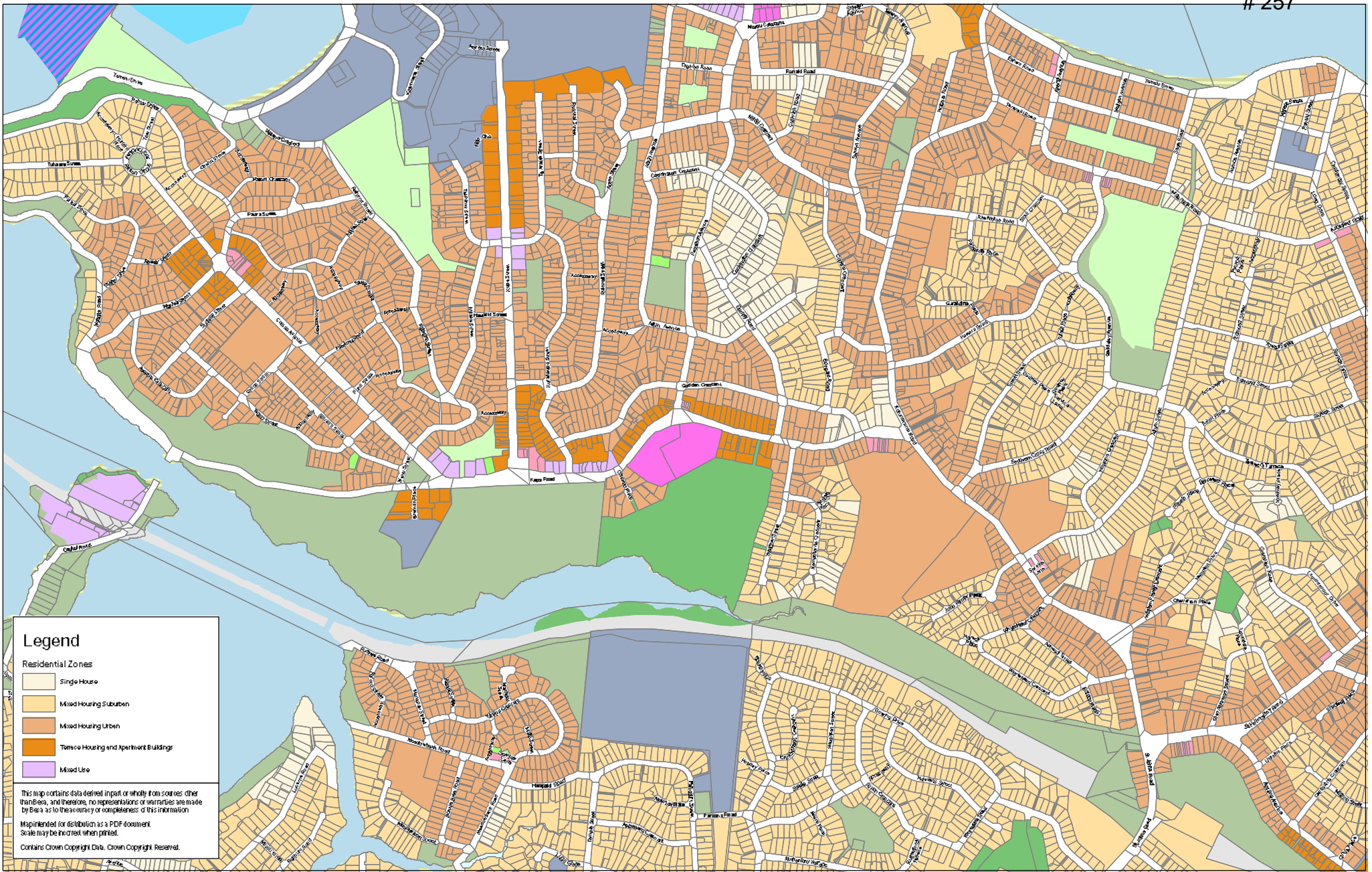
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**Project:** Topic 081



**Discipline:** GIS

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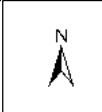
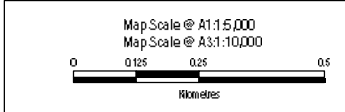


**Legend**

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Revision	Author	Created	Approved	Date
1	AT	10/21	ALJ	2016/10/19

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

Orakei and Meadowbank

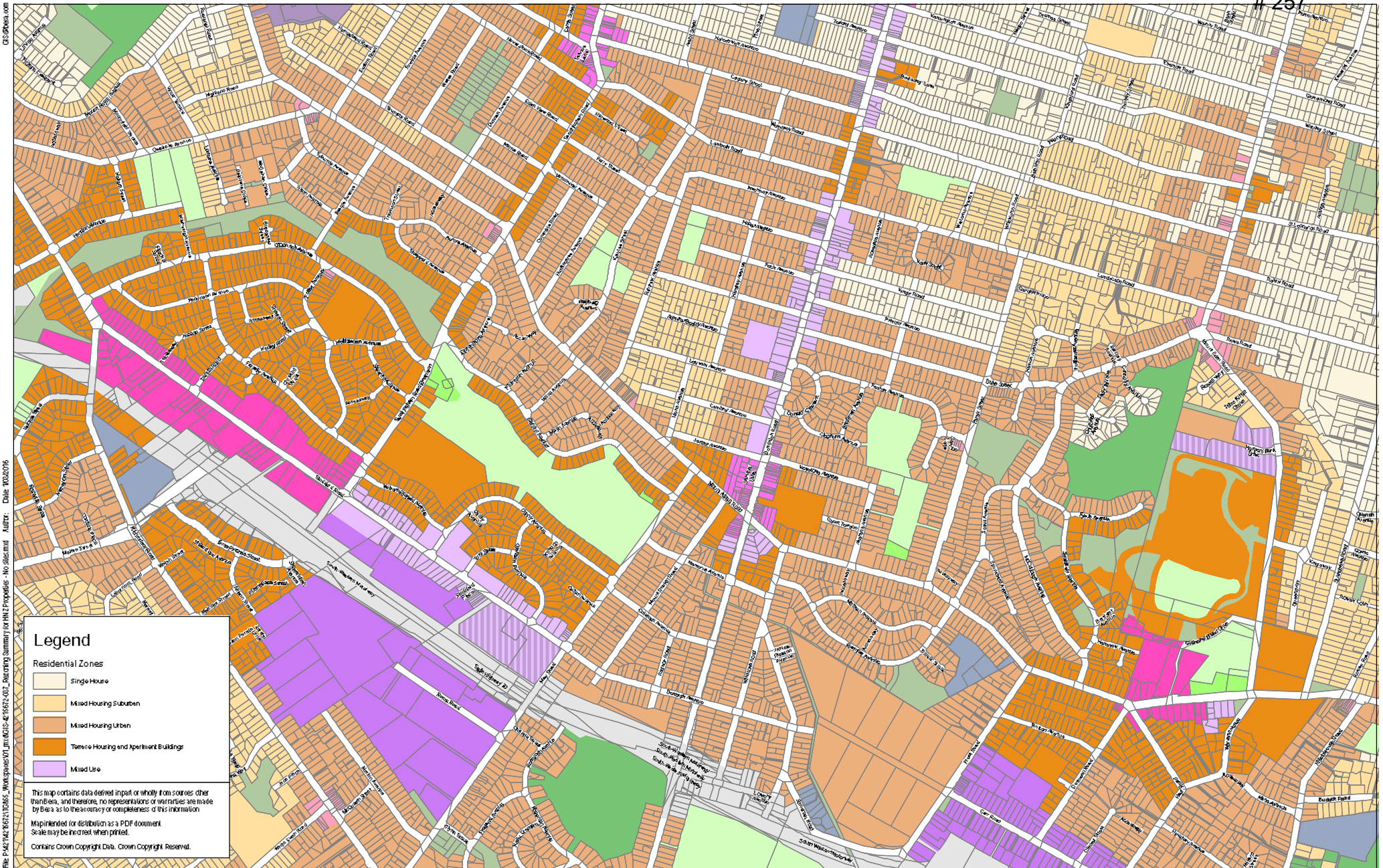
**Client:** Housing New Zealand

**Project:** Topic 081



**Discipline:** GIS

**Drawing No:** GIS-421667-2-37

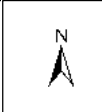
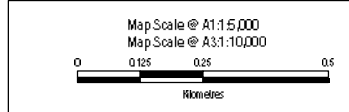


**Legend**

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Revision	Author	Created	Approved	Date
1	AT	1/21	AL	2/16/2016

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

Stoddard and Three Kings

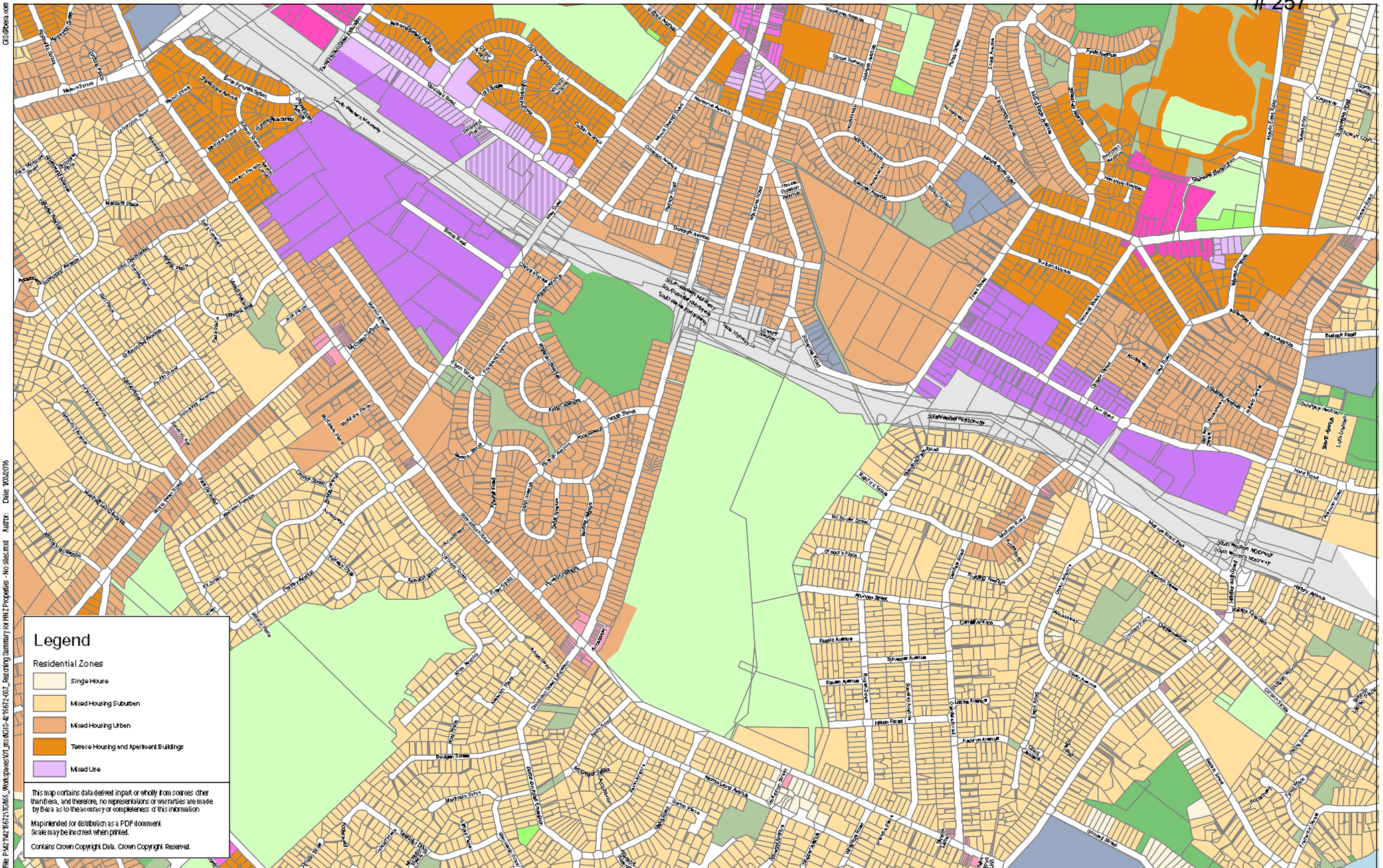
**Client:** Housing New Zealand

**Project:** Topic 01



**Discipline:** GIS

**Drawing No:** GIS-421567 2-37



**Legend**

**Residential Zones**

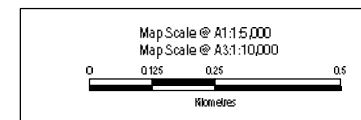
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Revision	Author	Created	Approved	Date
1	ATZ	10/21	AJS	2016/10/19

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

Mount Roskill

**Client:** Housing New Zealand

**Project:** Topic 081



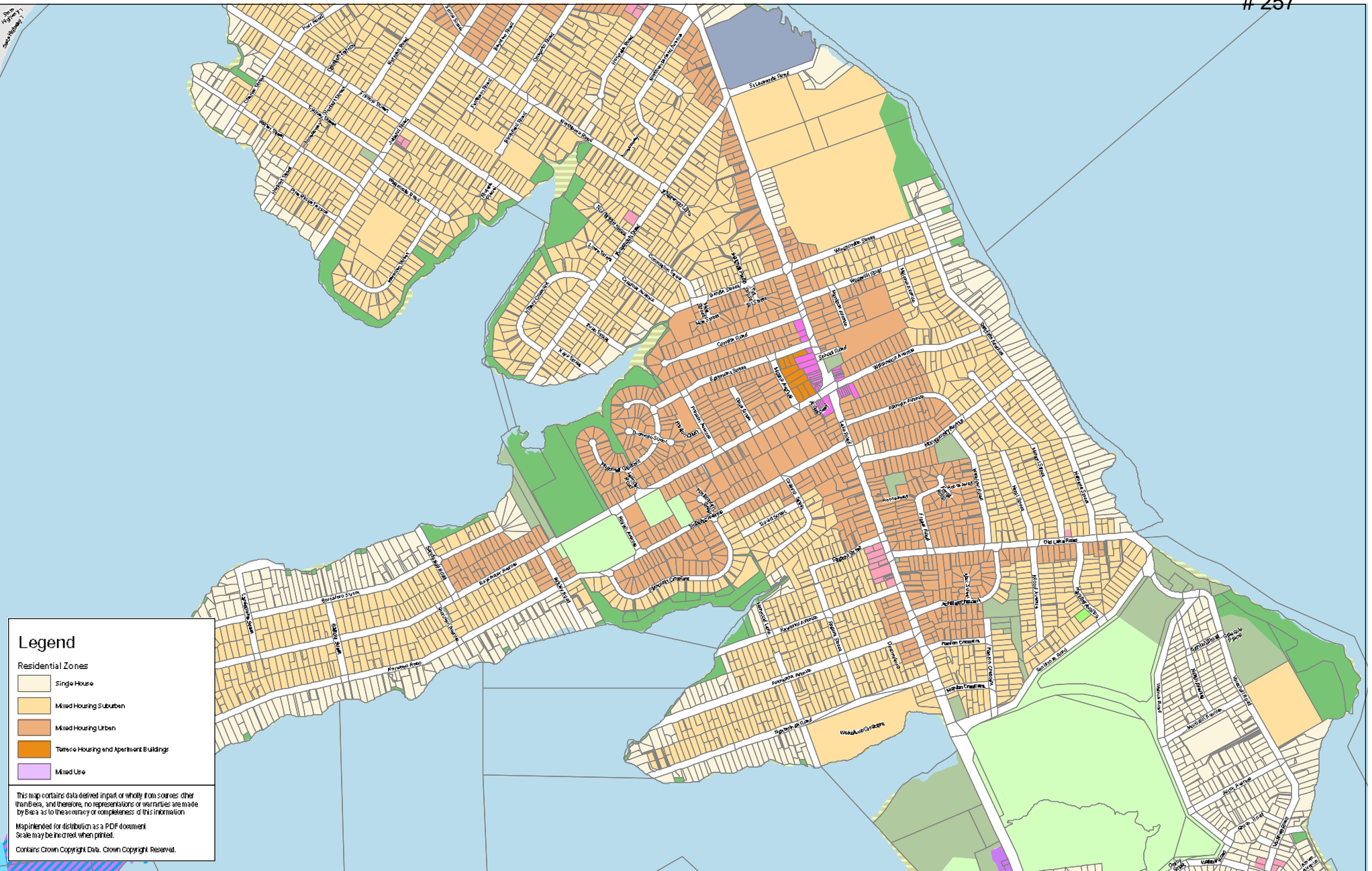
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**Drawing No:** GIS-421667-2-37



GIS@beca.com

File: P:\4215672\0365\_Workspaces\10\_11\GIS\4215672-0365\_Resoning\_Summary\_for\_HNZ\_Properties\_No\_Areas.mxd Author: Dale 10/26/2016



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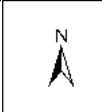
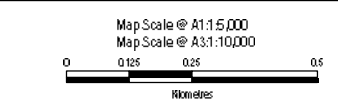
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Revision	Author	Checked	Approved	Date
1	AT	AT	AT	2016/10/16

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

Belmont

**Client:** Housing New Zealand

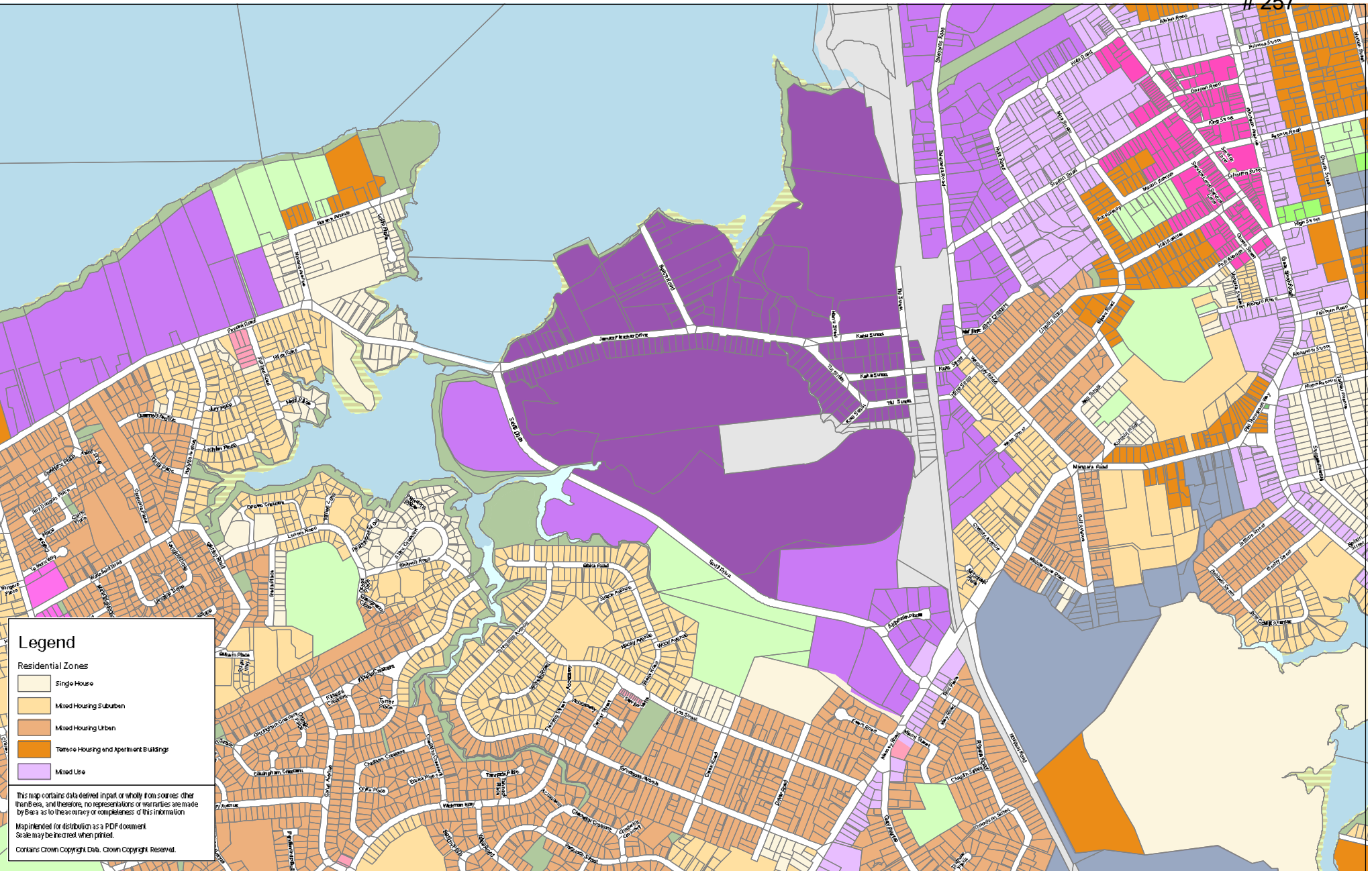
**Project:** Topic 081



**Discipline:** GIS

**Drawing No:** GIS-421567 2-37

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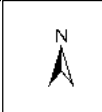
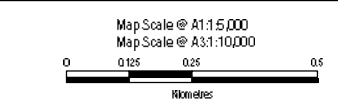
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Revision	Author	Created	Approved	Date
1	AW	10/21	AW	20/02/16

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

**Client:** Housing New Zealand

**Project:** Topic 081

**Location:** Mangere 2

**Client:** Housing New Zealand

**Project:** Topic 081



**Discipline:** GIS

**Drawing No:** GIS-421567-2-37

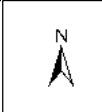
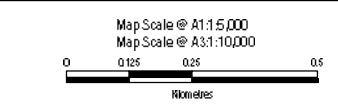


**Legend**

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Revision	Author	Created	Approved	Date
1	ATF	10/21	AJS	2016/10/19

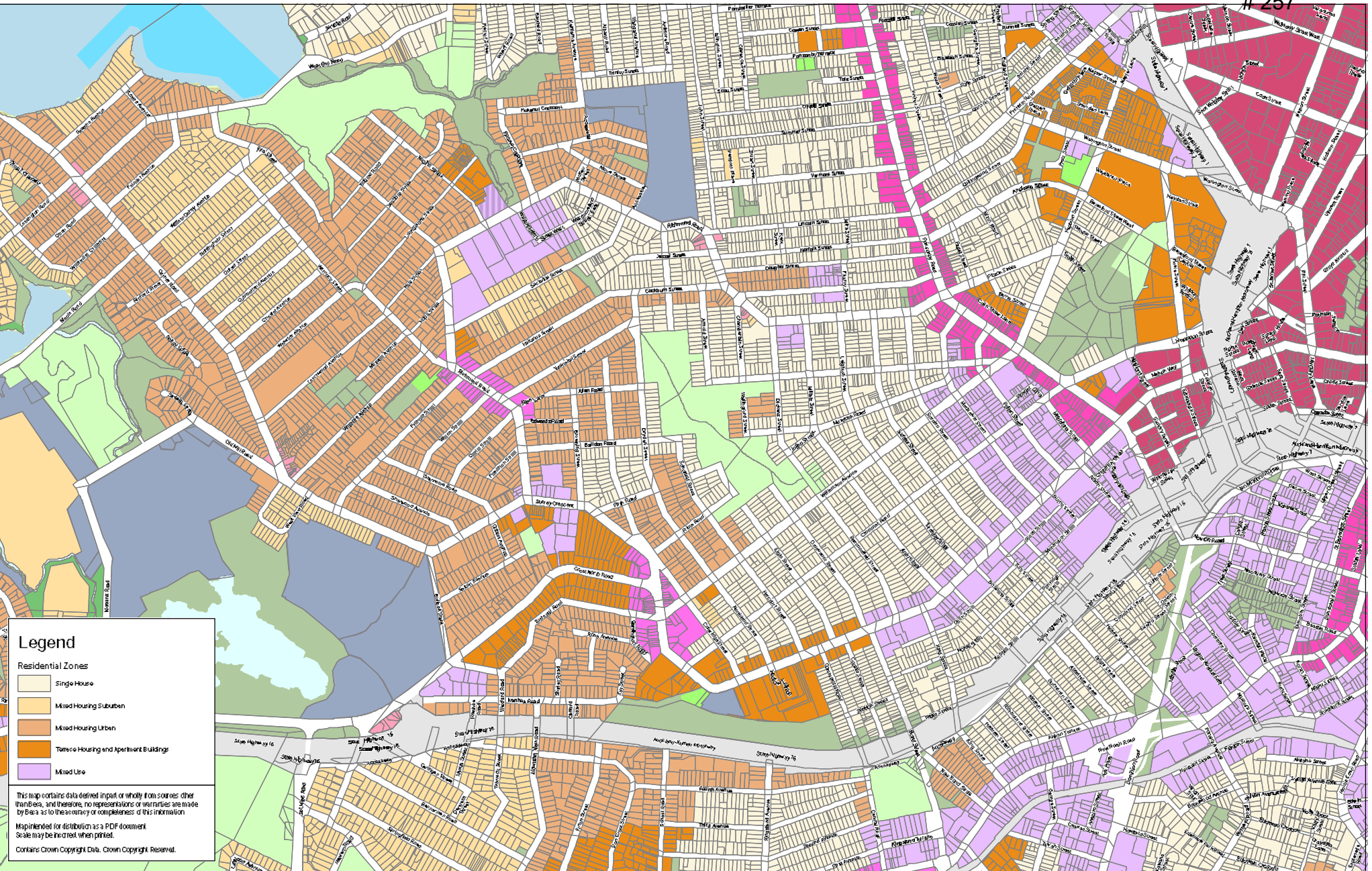
**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments  
Grey Lynn, Westmere, Ponsonby and Freemans Bay

**Client:** Housing New Zealand  
**Project:** Topic 01



**Discipline:** GIS  
**Drawing No:** GIS-421567-2-37

File: P421421651210265\_Worksheets101\_m16GIS-421567-081\_Resoning\_Summary\_for\_HNZ\_Properties\_No\_Areas.mxd    Date: 10/20/2016    Author: CS@beca.com



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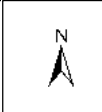
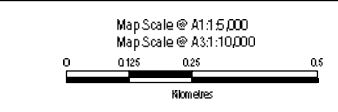
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Revision	Author	Created	Approved	Date
1	AT	10/21	AJ	2016/10/19

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

Grey Lynn, Westmere, Ponsonby and Freemans Bay 2

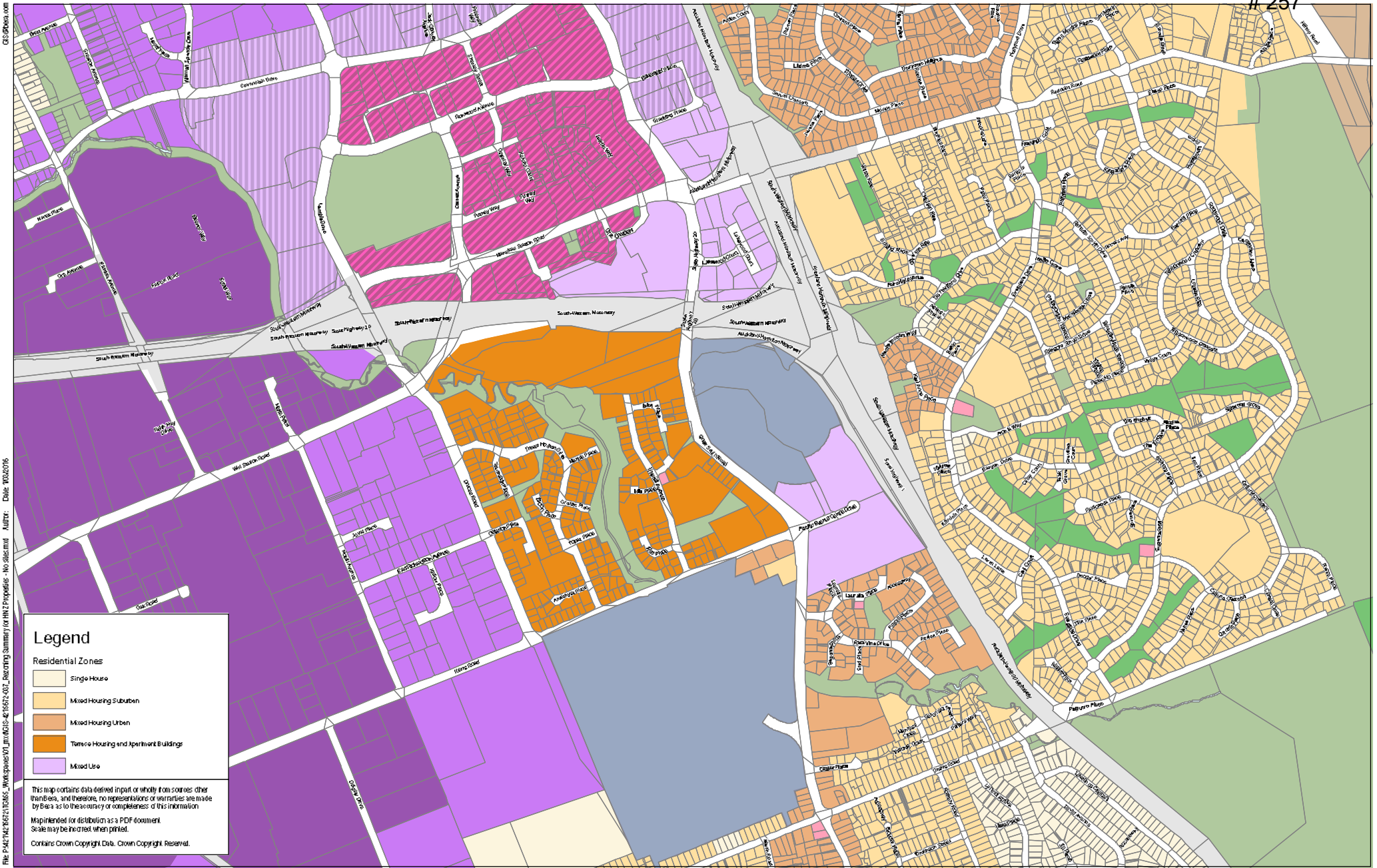
**Client:** Housing New Zealand

**Project:** Topic081

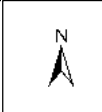
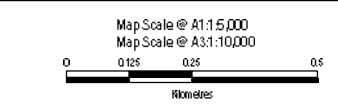


**Discipline:** GIS

**Drawing No:** GIS-421567 2-37



File: P:\421567\257\GIS\421567-257\_Becoming\_Summary\_for\_HNZ\_Properties\_No\_Access.mxd Author: Dale 10/20/2016



Revision	Author	Created	Approved	Date
1	AT	10/21	AJ	2016/10/19

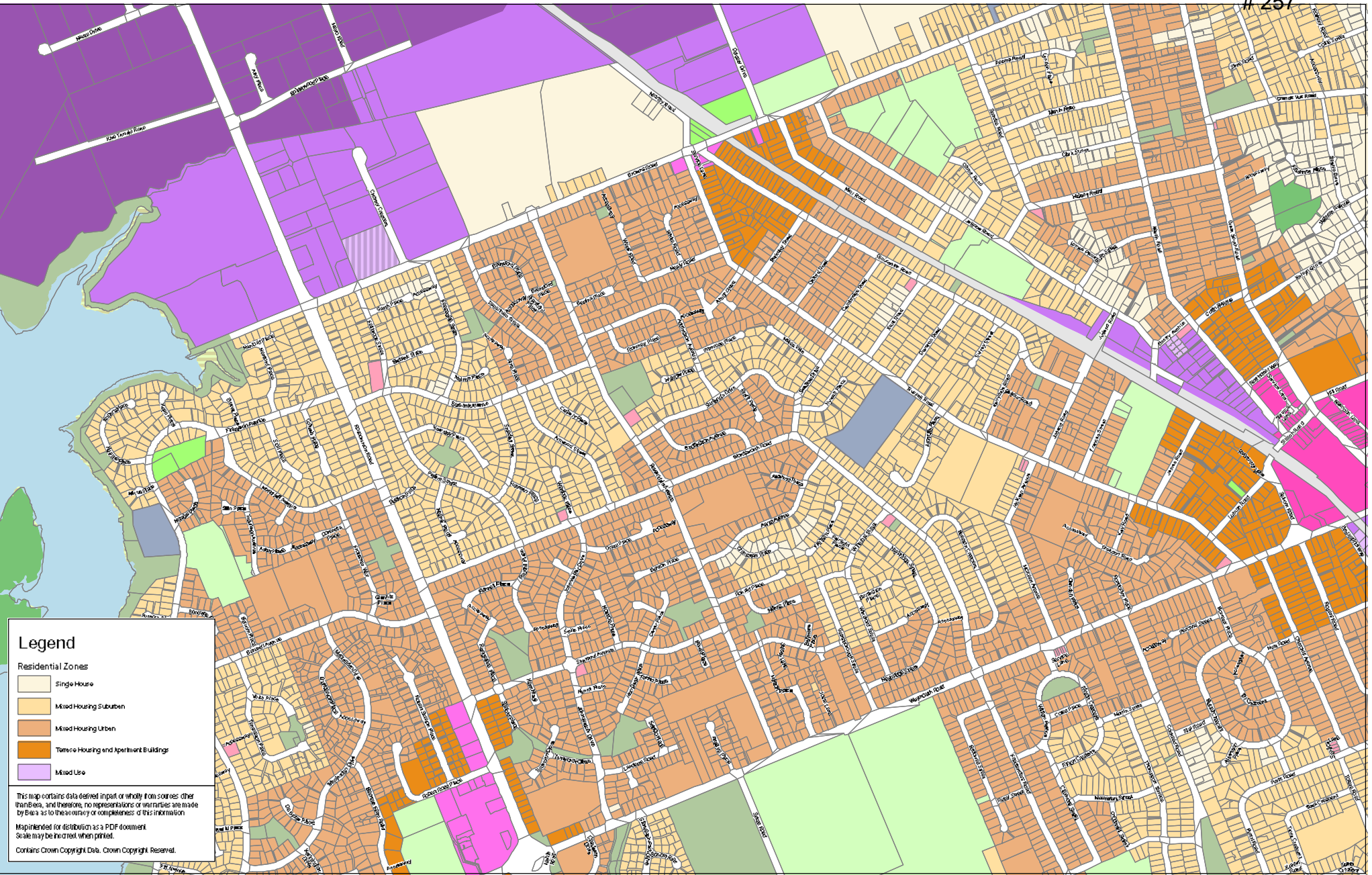
**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments  
**Manakau 2**

**Client:** Housing New Zealand  
**Project:** Topic 01



**Discipline:** GIS  
**Drawing No:** GIS-421567-2-37

File: P42142165710365\_Workspace101\GIS-421567-081\_Resoning Summary for HNZ Properties - No.sites.mxd Author: Dale W202016 Date: 10/20/2016



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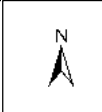
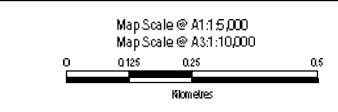
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Revision	Author	Created	Approved	Date
1	AW	10/21	AW	20/10/2016

**Title:** Rezoning Summary for HNZ Properties and Consequential Amendments

Clendon and Weymouth

**Client:** Housing New Zealand

**Project:** Topic 081



**Discipline:** GIS

**Drawing No:** GIS-421567-2-37

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Julie M Hill

Organisation name: Parnell Heritage Inc

Agent's full name:

Email address: [enquires@parnellheritage.org.nz](mailto:enquires@parnellheritage.org.nz)

Contact phone number: 021930663

Postal address:  
6 Bradford Street  
Parnell  
Auckland 1052

### Submission details

#### This is a submission to:

Plan modification number: PC 26

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

#### My submission relates to

Rule or rules:

Rule from the Special Character Overlay: -Height in relation to boundary. -Yards

Property address:

Map or maps: Special Character Overlay maps -Parnell residential

Other provisions:

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

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

The reason for my or our views are:

According to Auckland Council document (page 6 of Public notification 30 May 2019). The Special Character Purpose regarding building height is to retain built form character; maintain the relationship of built form to the street, and maintain a reasonable level of sunlight access and minimise visual dominance effects. In fact the single house zone is preferable as regards the later point. The special character overlay allows for building to occur closer to boundary (1 metre vs 3metre) and this will allow greater bulk and height. The single house zone would also appear to recognize more modern living where neighboring homes should have greater distance to mitigate the effects of modern living such as loud and/or amplifies TV radio and music.

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

| 258.1

Details of amendments: Have the activity table reflect the most restrictive criteria for building height, height in relation to boundary, yards, building coverage, landscaped area, from either the single house zone rules or the special character rules

Submission date: 12 July 2019

### **Attend a hearing**

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

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

### **Declaration**

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

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

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

No

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



**Submission to PC26 to:** [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

1. **Submitter Details – Matthew Stephen John Brajkovich**

Phone: 0279093555 or email: [matthewboomer49@gmail.com](mailto:matthewboomer49@gmail.com)

2. **Scope of Submission :**

*PC26 Plan Change/Variation: clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.*

*The specific provisions that my submission relates to are:*

*Plan Provisions –*

1. *I generally support the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers some parts of Howick which have a variety of underlying business and residential zones.*
2. *In Part D18.1 the exception of Howick from the Special Character Area Overlay considerations is not acceptable and I request to be deleted.*
3. *The Special Character Area at Howick, is requested to be expanded to include Cockle Bay, Mellon Bay, and over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.*
4. *A Special Character Area description for Howick, Cockle Bay, Mellons Bay covering residential and business areas is required to be inserted into Part D18.1 of PC26 and in Schedule 15 at Part 15.1.6.1..*
5. *In all other respects I support PC26 and seek to have the controls and standards within PC26 available to cover the expanded Special Character Area shown on the attached Plan.*

**Submission:** *I oppose the specific provisions identified above which exclude Howick from consideration under PC26. The main reason is without this as stated in the PC26 document ADVERSE effect will occur to the environment and breach AUP policy and make decision making harder.*

*I wish to have the following provisions amended:*

- (a) *The removal of the exemption of Howick from Part 18.1 Background.*
- (b) *The expansion of the Special Character Area at Howick to cover the properties identified on the attached plan.*
- (c) *The inclusion of a description for the existing and expanded Special character Areas of Howick into the table within D18.1 and within Schedule 15 at Part 15.1.6.1.*

*Not limiting above (C) to just Howick but to include Cockle bay and Mellons Bay, as both support he integral function and amenity value of the Howick area and provide for the community by integrating with it.*

*The reasons for my views are –*

1. *Howick has several special characteristics that require particular protection in the manner provided for in Part D18 of the Auckland Unitary Plan (AUP). For that reason it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1.*
2. *I see that PC26 is an opportunity to address this long-standing omission in respect of Howick, and Howick Beach. Cockle Bay and beach and Mellons Bay and beach, in particular the outcomes for the*

*Hauraki Gulf and the Act 2000, along with all sections of the AUP for the protection of the environment of the catchments.*

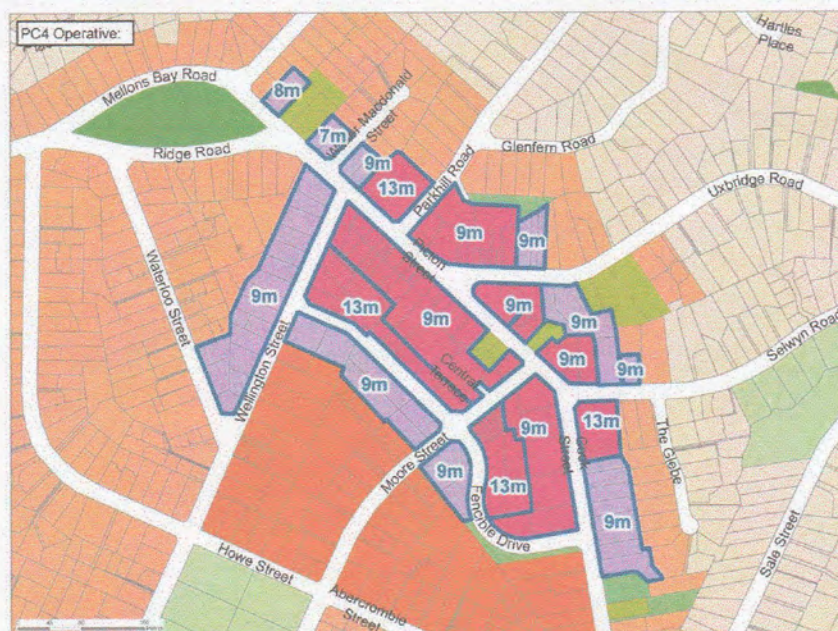
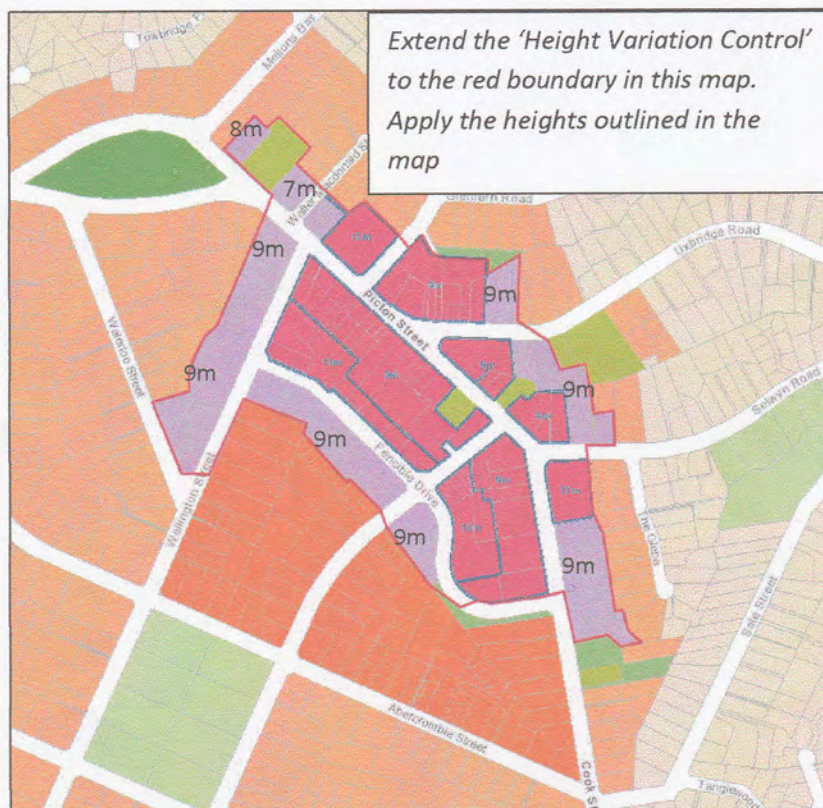
*I seek the following decision by the Council:*

- I accept the proposed Plan Change with the amendments outlined below.* | 259.1
- Amendments Requested for the Reasons set out are –*
1. *Amend Part D18.1 by removing the words "other than Howick".* | 259.2
  2. *Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan.* | 259.3
  3. *Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.* | 259.4
  4. *Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes.* | 259.5
  5. *Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes. And include Cockle Bay and Mellons Bay.* | 259.6

*I wish to be heard in support of my submission re the above and any issues re protecting the environment, while still developing housing as both can be achieved.*

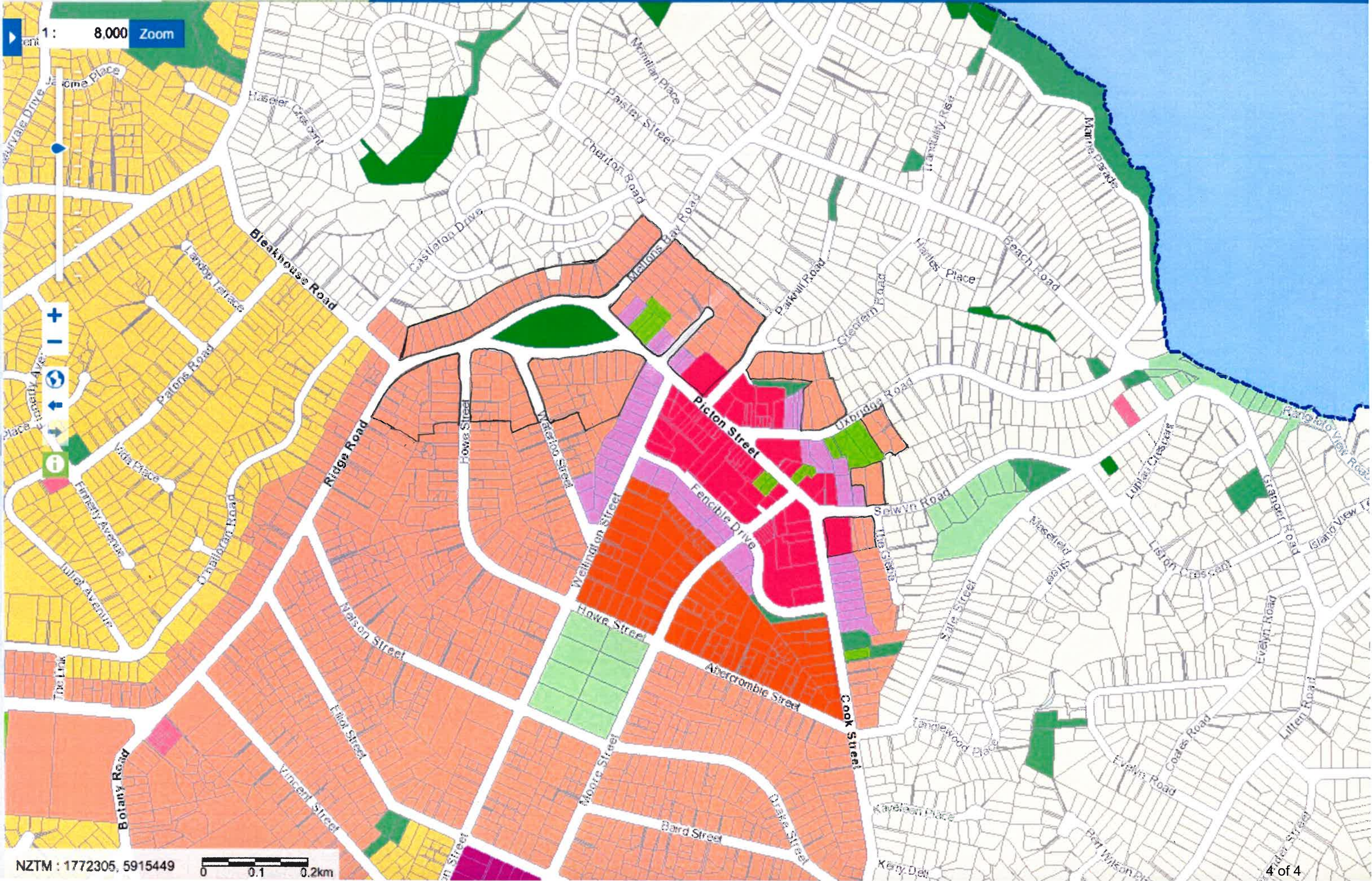
## Plan Change 4 Amendments to Auckland Unitary Plan GIS Viewer (maps)

Geographic area:	South
Affected site(s)	Howick Town Centre (i.e. Picton Street, Fencible Drive, Cook street), Addresses attached overleaf
Plan Change 4 Amendment:	Adjust Height Variation Control for Howick Town Centre- Business Town Centre Zone and Business Mixed Use Zones





1: 8,000 Zoom



NZTM : 1772305, 5915449 0 0.1 0.2km

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Yolande Wong

Organisation name:

Agent's full name:

Email address: [yolandejoe@gmail.com](mailto:yolandejoe@gmail.com)

Contact phone number: 821896563

Postal address:  
38 Allendale Road  
Mount Albert  
Auckland 1025

### Submission details

#### This is a submission to:

Plan modification number: PC 26

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

#### My submission relates to

Rule or rules:  
Height in relation to boundary

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I'm not satisfied that the new restriction of height in relation to boundary to apply to sites with a front boundary width of greater than 15 meters is justified. I do not see any clear evidence that this is warranted. There may be sites with existing buildings or topography where this restriction may create built form that is not in keeping with the objectives and policies of the zone. I would like the road frontage rule removed and 3m plus 45 retained for all sites in the overlay.

I or we seek the following decision by council: Accept the plan modification with amendments | 260.1

Details of amendments: Retain the 3m plus 45 height in relation to boundary for all sites in the overlay | 260.2

Submission date: 12 July 2019

### **Attend a hearing**

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

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

Yes

### **Declaration**

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

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

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

Yes

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

**Submission to PC26 to:** [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

1. **Submitter Details** – Friends of Cockle Bay Domain
2. **Scope of Submission :**

*PC26 Plan Change/Variation :clarifying the relationship between Special Character Areas Overlay and Underlying Zone Provisions.*

*The specific provisions that my submission relates to are:*

*Plan Provisions –*

1. *We generally support the purpose and intention of PC26. It is acknowledged that PC26 overcomes a problem created by the Council's previous incorrect interpretation of the relationship between the Special Character Areas Overlay that covers some parts of Howick which have a variety of underlying business and residential zones.*
2. *In Part D18.1 the exception of Howick from the Special Character Area Overlay considerations is not acceptable and should be deleted.*
3. *The Special Character Area at Howick is requested to be expanded over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.*
4. *A Special Character Area description for Howick covering residential and business areas is required to be inserted into Part D18.1 of PC26 and in Schedule 15 at Part 15.1.6.1..*
5. *In all other respects we support PC26 and seek to have the controls and standards within PC26 available to cover the expanded Special Character Area shown on the attached Plan.*

**Submission:** *We oppose the specific provisions identified above which exclude Howick from consideration under PC26.*

*We wish to have the following provisions amended:*

- (a) *The removal of the exemption of Howick from Part 18.1 Background.*
- (b) *The expansion of the Special Character Area at Howick to cover the properties identified on the attached plan.*
- (c) *The inclusion of a description for the existing and expanded Special character Areas of Howick into the table within D18.1 and within Schedule 15 at Part 15.1.6.1.*

*The reasons for our views are –*

1. *Howick has several special characteristics that require particular protection in the manner provided for in Part D18 of the Auckland Unitary Plan (AUP). For that reason it is requested that the exception provided for Howick in Part 18.1 is removed. Howick should be treated in the same manner as all other Special Character Areas and deserves a full explanation in Schedule 15 at Part 15.1.6.1.*
2. *We see that PC26 is an opportunity to address this long-standing omission in respect of Howick.*

*We seek the following decision by the Council:*

*We accept the proposed Plan Change with the amendments outlined below.*

| 261.1

*Amendments Requested for the Reasons set out are –*

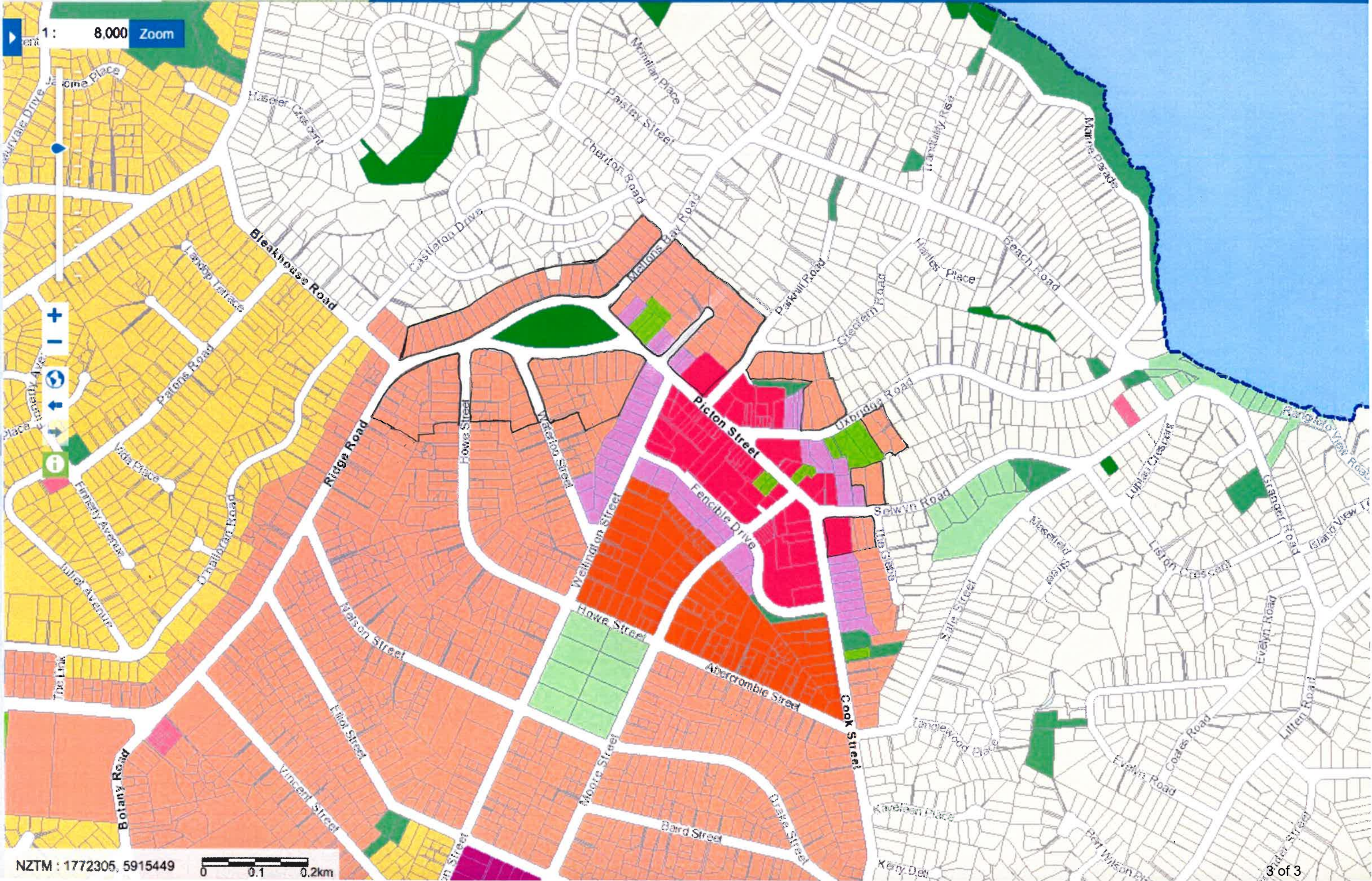
1. *Amend Part D18.1 by removing the words "other than Howick".* | 261.2
2. *Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan.* | 261.3
3. *Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.* | 261.4
4. *Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes.* | 261.5
5. *Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes.* | 261.6

*We wish to be heard in support of our submission.*





1: 8,000 Zoom



NZTM : 1772305, 5915449 0 0.1 0.2km

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Simon Nicolaas Peter ONNEWEER

Organisation name:

Agent's full name:

Email address: [piet88@yahoo.com](mailto:piet88@yahoo.com)

Contact phone number:

Postal address:  
61 Seafield View Road  
Grafton  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: PC 26

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

### My submission relates to

Rule or rules:  
All

Property address: It says this is optional.

Map or maps: All

Other provisions:  
It says this is optional.

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

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

The reason for my or our views are:  
The Special Character Overlays can play an important part in helping to protect Auckland's heritage. Confirming their primacy over underlying zones will make them more effective.

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

Submission date: 12 July 2019

## Attend a hearing

| 262.1

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

### **Declaration**

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Fiona Bower

Organisation name:

Agent's full name:

Email address: [fi\\_bower@hotmail.com](mailto:fi_bower@hotmail.com)

Contact phone number:

Postal address:

### Submission details

#### This is a submission to:

Plan modification number: PC 26

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

#### My submission relates to

Rule or rules:

All of it

Property address:

Map or maps: Auckland

Other provisions:

Heritage areas of Auckland.

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

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

The reason for my or our views are:

The document presented to the community is ambiguous in its wording. Requires clarification for the citizens of Auckland to actually understand what has been presented. People have found the submission information confusing and Council has been remiss in not having any public meetings to explain the affects that this change will make. In Heritage areas such as Devonport Heritage to be critical (i) Height in relation to boundary and (ii) the rear yard setback

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

Submission date: 12 July 2019

### Attend a hearing

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

### **Declaration**

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Debbie Holdsworth

Organisation name:

Agent's full name:

Email address: [d.holdsworth@xtra.co.nz](mailto:d.holdsworth@xtra.co.nz)

Contact phone number:

Postal address:

Mt Eden  
Auckland 1041

### Submission details

**This is a submission to:**

Plan modification number: PC 26

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

**My submission relates to**

Rule or rules:  
D18.6.1.7. Fences and walls

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I do not support a maximum height of 1.2m as it means the threshold for having to apply for restricted discretionary resource consent is too low. Given anecdotal feedback of individuals experience of the cost, time delays and frustrations going through this process it would mean the costs are likely to be too prohibitive relative to the cost of a new fence. Most of the fences in our street are higher than this, and the low fences in the street which have aesthetic appeal and character range between 1.3m and 1.5m. At 1.5m there is still a sense of openness and appropriate streetscape character.

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

| 264.1

Details of amendments: Increase the height threshold to 1.5m and provide some certainty around the costs, timeframes in addition to streamlining the process.

264.2  
264.3

Submission date: 12 July 2019

### **Attend a hearing**

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

### **Declaration**

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Jennifer Anne Strange

Organisation name:

Agent's full name:

Email address: [j\\_a\\_strange@hotmail.com](mailto:j_a_strange@hotmail.com)

Contact phone number: 0211427832

Postal address:

PO Box 37743

Parnell

Auckland

Parnell

Auckland 1151

## Submission details

**This is a submission to:**

Plan modification number: PC 26

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

**My submission relates to**

Rule or rules:

Ch D18 Special Character-residential provisions Single Housing Zone provisions

Property address: 15 Logan Terrace Parnell and surrounding neighbourhood

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions The provisions in the Special character area overlay(SCAR) even with the proposed amendments to consider neighbour's amenity, are too narrow in purpose to allow consideration and protection of natural heritage. Allowing corresponding SCAR provisions to prevail with the amendments proposed, could result in larger houses with smaller planted areas surplanted the nineteenth century houses and destroying landform and vegetation..Therefore they should not prevail over the corresponding provisions of the Single House zone provisions, which should remain, and applications should consider all the provisions of both the underlying zone and the SCA overlay provisions Purpose statements of the Single House zone in the AUP are important and should prevail

265.2



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

| 265.1

Submission date: 12 July 2019

### **Attend a hearing**

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

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

### **Declaration**

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Iain Rea

Organisation name:

Agent's full name: Iain Rea

Email address: [iainrea@gmail.com](mailto:iainrea@gmail.com)

Contact phone number: 027 5685522

Postal address:  
18 Ngataringa Road  
Ngataringa  
Auckland 0624

### Submission details

#### This is a submission to:

Plan modification number: PC 26

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

#### My submission relates to

Rule or rules:  
D18.6.1.2. D18.6.1.3. Yards

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Existing height in relation to boundary is sufficient. A back yard area and how houses relate to each other are as much part of the special heritage area as the buildings themselves. Do not agree that a back yard should be the same as every other boundary.

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

266.1

Details of amendments: Remove the amendments to the two sections, D18.6.1.2. D18.6.1.3.

266.2

Submission date: 12 July 2019

266.3

## **Attend a hearing**

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

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

## **Declaration**

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

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

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

No

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



To: **Auckland Council**  
 Name of submitter: **Civic Trust Auckland**  
 Submission on: **Proposed Plan Change 26**

## Introduction

Civic Trust Auckland (**Civic Trust**) is a non-profit public interest group, incorporated in 1968, with membership, activities and interests throughout the greater Auckland region. Its aims include the protection of natural landforms, the preservation of heritage in all its aspects, and the encouragement of good planning for the city and region.

## Submission

1. Civic Trust supports in principle the intention of clarifying the relationship between the Special Character Area (SCA) Overlay and the underlying Zoning provisions in so far as that may help achieve the purpose of the SCA overlay.<sup>1</sup>
2. Civic Trust submits that the SCA overlay currently acts to manage the values of special character, but not so much to retain them.
3. Restoration, repair, and minor alterations to buildings are enabled within the SCA overlay and thus the SCA overlay is for the management of activities such as the construction of new buildings.
4. The Plan Change also makes some amendments to some of the development standards in the SCA overlay to ensure that they are appropriately tailored to the special character values in the areas to which they relate. These include *building height, height in relation to boundary, yards, building coverage, maximum impervious area, landscaped area, and fences and wall.*
5. There appear to be instances where the implementation of SCA rules as proposed would result in a consented building with designs that may be inappropriate in the context of other properties in close proximity which form part of the collective value identified in the special character statements.

267.1

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<sup>1</sup> AUP D18.1 The Special Character Areas Overlay – Residential and Business seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.

6. Such problems appear to arise when two potentially conflicting rules (in the form of activities and standards), with differing activity statuses or metrics, apply to the same activity.
  7. D18.6 provides that all activities must comply with the development standards as listed. Those aspects of design (*namely: building height, height in relation to boundary, yards, building coverage, maximum impervious area, landscaped area or landscaping, fences and wall*) will, when approached differently by different owners, result in any number of design outcomes. D18.6.1 b) starts by saying "*Except where otherwise specified in this chapter ..* "
  8. Council notes that the plan change may result in some provisions being more restrictive than they are under the status quo, but that some provisions may be more enabling.
  9. Civic Trust supports the plan change generally in its intention, but seeks that (*as provided for in D18.6.1 b*), Council specify elsewhere in the chapter, the areas in Auckland with comparative design parameters for SAR overlay and underlying Zoning (where relevant), and further include a rule that states the more restrictive standard will apply.
- Civic Trust could not gain an advantage in trade competition through this submission.
  - Civic Trust does wish to be heard in support of its submission.

267.2

Signature of person authorised to sign  
on behalf of submitter



12 July, 2019

<b>Organisation name:</b>	Civic Trust Auckland
<b>Contact phone number:</b>	09 368 1516
<b>Email address:</b>	cta@civictrustauckland.org.nz
<b>Postal address:</b>	PO Box 74049 Greenlane Auckland 1546
<b>Contact name:</b>	Audrey van Ryn

Enquiry type: Something else

Tell us what the problem is and more details about the location.  
Please include Howick in PC26 as a special area. We are one of the original settlements in Auckland and Stockade Hill has significant historical importance. Do not allow the views to be built out and enable the area to retain its unique appearance.  
Gail Russell resident

268.1

Contact details

First name Gail

Last name Russell

Contact phone 0272519224

Email address [gailyr52@gmail.com](mailto:gailyr52@gmail.com)

Can we contact you if we need more information? Yes

As a owner and resident of 6 Hillcrest Grove Manurewa I wish to object to the proposed reduction in minimum section size from 750m2 to 600m2.

The special character of this suburb (single dwelling,abundance of native bush,abundance of well established trees etc) will be potentially badly affected by this proposed change.

I believe it has possibly slipped through in error.

I had difficulty in accessing the official submission form, but I trust this objection is fairly straightfoward and will be accepted,

Yours faithfully

Brian Wood

mershwood@gmail.com

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

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



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

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

For office use only
Submission No:
Receipt Date:

## Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Adele Joanne WHITE

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

Address for service of Submitter

52 Pearson Road Whitford Auckland 2571

Telephone:

0274 784 092

Fax/Email:

dellys@extra.co.nz

Contact Person: (Name and designation, if applicable)

## Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

Special character overlay

Or

Property Address

Or

Map

Or

Other (specify)

## Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes  No



The reasons for my views are:

I believe clarification of wording in the ALIP is necessary to ensure that the special character areas overlay will override the zoning

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation  | 270.1
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

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

*Opdetel White*

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

12/07/2019

Date

**Notes to person making submission:**

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

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

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

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

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

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

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

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

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



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

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

For office use only
Submission No:
Receipt Date:

## Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

JOHN ROSS SPILLER

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

Address for service of Submitter

P.O. Box 38-190, HOWICK, 2145 or  
c/- 102 Picton Street, Howick 2014

Telephone:

021 870 770

Fax/Email:

spiljon55@outlook.com

Contact Person: (Name and designation, if applicable)

## Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

ANY PARTS OF AUCKLAND THAT THE SPECIAL CHARACTER OVERLAY AFFECTS

Or

Property Address

Or

Map

Or

Other (specify)

## Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are: I believe that clarification of wording in the Auckland Unitary Plan is essential to ensure that Special Character Area Overlays will override the underlying zonings in the A.U. P.

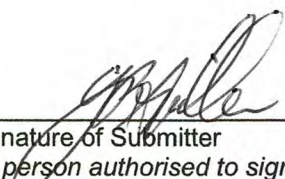
(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- 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.

271.1

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

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

12-07-2019  
Date

**Notes to person making submission:**

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

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

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

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

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

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

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

My property at [94 Stanley point Road](#) is located in the Special Character Area. It abutts land that was previously in the Heritage Res 3/special character area, where the owner successfully sought exclusion from heritage zoning provisions.

The land excluded is at; 70, 76, 80, 90 & [92 Stanley Point Road](#).

When originally excluded, the right of way (ROW) parts of the titles were not shown as being part of the exclusion. Decisionmakers acknowledged that the streetscape was integral to the heritage provisions and deliberately did not exclude the ROW portions, with heritage provisons continuing to apply.

In subsequent decisions the retention of the heritage provisions over ROWs has been overlooked. This appears to be by error rather than in response to any submission. Would you please explain how that occurred?

I submit;

- That the ROW portions of 70, 76, 80, 90 & [92 Stanley Point Road](#) be included in the special character area. | 272.1
- That the heritage provions take precedence wherever the special character area interfaces with the single house zone, at 70, 76, 80, 90 & [92 Stanley Point Road](#). | 272.2
- That the the fencing provisions of the heritage zone apply wherever there is interface with the single house zone sites, at 70, 76, 80, 90 & [92 Stanley Point Road](#). | 272.3
- That maximum fence heights for side fences be 1.2m, forward of the front face line of abutting homes, e.g 92 and [94 Stanley Point Rd](#). | 272.4
- That all ROW side fences be limited to 1.2m within 5m of the front boundary, to allow for improved legibility of the special chgaracter zone from the street and to contribute to improved safety outcomes for pedestrians and other raod users. | 275.5

I wish to appear before the hearing committee.

Name: Diana Renker  
Address: 94 Stanley Point Road, Devonport, Auckland 6024

Kind regards,

Diana Renker

renkerd@gmx.net

The reasons for my views are: that unless the provisions are amended, a child could climb a fence to gain access to a pool by climbing on an adjacent structure

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

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

Decline the proposed plan change / variation

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

273.1

I would like to add that if a swimming pool fence is proposed close to a structure that a child could climb and so scale the swimming pool fence, it should be fence should be built at least a meter away from the

I wish to be heard in support of my submission

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

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

273.2

Structure rather than the fence be built more than 2m. above ground level. This would ensure that both health & safety and H3.6.12. ① would be adhered to.

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

R. M. Rive

Date

12-7-19

**Notes to person making submission:**

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

Robin Rive  
robinrive1939@icloud.com

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

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



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

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

For office use only
Submission No:
Receipt Date:

#### Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

SARAH ELIZABETH WITHELL

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

Address for service of Submitter

3 RYLE ST, FREEMANS BAY, AUCKLAND 1011

Telephone:

021 414151

Fax/Email:

seg@xta.co.nz

Contact Person: (Name and designation, if applicable)

#### Scope of submission

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

Plan Change/Variation Number PC 26

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

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

Or

Property Address

Or

Map

Or

Other (specify)

#### Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes  No

The reasons for my views are:

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

(continue on a separate sheet if necessary)

I seek the following decision by Council:

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

274.1

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

*[Handwritten Signature]*

*26-06-2019*

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.

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

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