

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Janet Digby

Organisation name:

Agent's full name:

Email address: login@levare.co.nz

Contact phone number:

Postal address:

PO Box 32 374

Devonport

Auckland New Zealand

Devonport

Auckland New Zealand 0744

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

Height in relation to boundary and the rear yard set back.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

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

51.2

51.3

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

51.1

Submission date: 17 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Christina Chua

Organisation name:

Agent's full name:

Email address: christina@firstcomm.tech

Contact phone number:

Postal address:
47 Huka Road
Birkenhead
Auckland 0626

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

D18.6.1.7. Fences and walls and other structures Purpose: • To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape. (1) Fences and walls and other structures, or any combination of these, in the Special Character Areas Overlay - Residential must not exceed a the height specified below, measured from of 1.2m above ground level.: (a) On the front boundary or between the front façade of the house and the front boundary, 1.2m in height.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

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

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

| 52.1

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

| 52.2

Submission date: 17 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

GERARD ROBERT MURPHY

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

Address for service of Submitter

43 WOOD STREET, FREEMANS BAY, AUCKLAND 1011

Telephone: 021-2704181

Fax/Email: gerardmurphy@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number PC 26

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

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

Plan provision(s) D18 - SPECIAL CHARACTER OVERLAY / E38 - SUB-DIVISION URBAN

Or Property Address

Or Map

Or Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

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

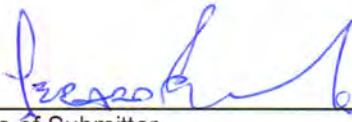
(continue on a separate sheet if necessary)

I seek the following decision by Council:

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

53.1

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


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

16-06-19
Date

Notes to person making submission:

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

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

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

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

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

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

- (a) adversely affects the environment; and
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Submission on a notified proposal for policy statement or plan change or variation

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

DAVID ALEXANDER ALISON

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

* FREEMANS BAY RESIDENTS ASSOCIATION *

Address for service of Submitter

43 WOOD ST, FREEMANS BAY, AUCKLAND 1011

Telephone:

09 376 2978

Fax/Email:

DAVIDALISON@XTRA.CO.NZ

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

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

Or

Property Address

Or

Map

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

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

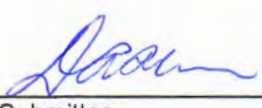
(continue on a separate sheet if necessary)

I seek the following decision by Council:

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

54.1

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



17 JUNE, 2019.

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

Date

Notes to person making submission:

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- (a) adversely affects the environment; and
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Hi all,

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

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

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

55.1

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

55.2

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

55.3

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

Thanks,

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Charles Laurence Digby

Organisation name: N/A

Agent's full name: N/A

Email address: chas@levare.co.nz

Contact phone number:

Postal address:
4 Rattray Street
Devonport
Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
Plan modification number PC 26

Property address:

Map or maps:

Other provisions:

Height to Boundary - I propose staying with the current rules that the buildings cannot be built higher with great bulk and visual impact. This proposed change would allow Devonport buildings have a greater imposing buildings than the standard rule of the SHZ for all of Auckland and could diminish the heritage values of our area Rear Yard set back - I'm very much against changing the 3m boundary to just 1m. This would have a large negative impact in areas of Devonport where sections near corner junctions, of which there are many, have rear yards adjacent to side yards. | 56.2

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified | 56.3

Do you wish to have the provisions you have identified above amended? Yes | 56.1

The reason for my or our views are:

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

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

Submission date: 18 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jae Ellis

Organisation name:

Agent's full name:

Email address: jaeartist98@gmail.com

Contact phone number:

Postal address:
54 New Street
Saint Marys Bay
Auckland 1011

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

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

Property address: 54 New Street, Saint Marys Bay

Map or maps:

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

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

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

The reason for my or our views are:

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

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

57.3

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

57.1

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

57.2

Submission date: 18 June 2019

Attend a hearing

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

Declaration

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

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

- Adversely affects the environment; and
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Submission on a notified proposal for policy statement or plan change or variation

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



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Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Peter Ronald Harrison

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

Address for service of Submitter

129 Wellington Street

Telephone:

021 22 55 915

Fax/Email:

peterh129@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

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

Or

Property Address

Or

Map

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

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

I seek the following decision by Council:

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

58.1

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

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

18.6.2019
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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Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142



For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

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

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

Address for service of Submitter

5 Ireland Street, Freemans Bay, Auckland 1011

Telephone: 021523747 Email: knightcentaurus@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number PC 26

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

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

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

Or Property Address

Or Map

Or Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

I seek the following decision by Council:

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

59.1

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

Nanweil P. King

16.06.2019

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

Date

Notes to person making submission:

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

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

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

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Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

William Andrew Tipping

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

Address for service of Submitter

30 WOOD ST, FREEMANS BAY, AUCKLAND

Telephone:

029 921 6074

Fax/Email:

willt@mw.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

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

Or

Property Address

Or

Map

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:


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

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation | 60.1
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

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



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

19 June 2019

 Date

Notes to person making submission:

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Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Ms/Ms(Full Name) MARY PETER.

Organisation Name (if submission is made on behalf of Organisation) N/A

Address for service of Submitter

P.O. BOX 3757, SHORTLAND ST,
AUCKLAND 1140

Telephone: 0275659325 Fax/Email: mary.peter@aucklandcouncil.govt.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number PC 26

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

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(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.

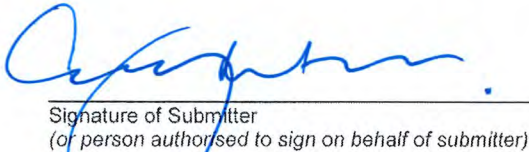
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- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
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61.1

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


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

19/06/19
Date

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: HUI CHEN

Organisation name:

Agent's full name:

Email address: huichen0228@hotmail.com

Contact phone number:

Postal address:
136 ST ANDREWS RD
EPSOM
AUCKLAND 1023

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
UNITARY PLAN - SCHOOL ZONE AND SINGLE-HOUSE ZONE

Property address: 136 ST ANDREWS RD, EPSOM, AUCKLAND,1023

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

OUR HOUSE IS LOCATED IN A SINGLE-HOUSE ZONE, WE JUST BOUGHT IN 2017. SO PLEASE DONT MAKE ANY CHANGE TO OUR AREA ABOUT SCHOOL ZONE(AUCKLAND GRAMMAR AND EPSOM GIRLS GRAAMMAR SCHOOL) AND THE SINGLE-HOUSE ZONE. WE WILL APPRECIATE YOUR WORK, THANK YOU VERY MUCH!

62.2

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

62.1

Submission date: 19 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Teresa Lyndsay Marene Davis

Organisation name:

Agent's full name:

Email address: teresa.davis@fisherpaykel.com

Contact phone number:

Postal address:

1 Station Road
Papatoetoe
Auckland 2025

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

Property address: 1 Station Road Papatoetoe 2025

Map or maps:

Other provisions:

Retaining the Special Character of the 7 Railway Houses on Station Road Papatoetoe of which mine is one . I believe the Plan Changes should incorporate a provision to assist home owners to maintain their houses and preserve their character. I have long felt that the SCA overlay did not protect these homes enough . I am concerned that they may be demolished rather than preserved

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

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

The reason for my or our views are:

the community is very pleased with the relocated and preserved old Train Station building and outbuildings and the wind vane , they are within sight of my home at 1 Station Road . The Railway houses where designed by an Old Papatoetoe Identity and his son Gray Troup is a long time resident of Papatoetoe . I would be very distressed to see the Railway homes demolished and replaced by apartments and that is my fear with the proposed changes to the Unitary Plan . Also of concern if the density of housing on the land currently occupied by the 7 Railway houses is access to the properties which is already difficult if requiring to make a right hand turn across traffic into our properties, as the opposing traffic wishing to make a right hand turn into Wylie Road uses the flush median as an extra

lane and prevents legitimate use of the flush median as a stopping place while waiting to turn into our properties . Therefore any extra traffic as a result of high density housing would make this situation unworkable , the properties would in effect be inaccessible for most of the day and night unless we make a long detour around through Middlemore Hospital up to Massey Road , down through Greys Ave and up to Station Road , at least 15 minutes at peak times

I or we seek the following decision by council: Accept the plan modification with amendments | 63.1

Details of amendments: Further protection and maintenance for the 7 Railway Houses at Station Road Papatoetoe and a restriction on high density housing on the land occupied by the houses | 63.2

Submission date: 20 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Mr Ross Thorby

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

Address for service of Submitter

33 Franklin Road Freemans Bay 1011

Telephone: (0274) 769690 Fax/Email: rathorby@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number PPC25

Plan Change/Variation Name ~~PPC25~~ Clarifying the relationship between special character overlay

The specific provisions that my submission relates to are:

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

Plan provision(s) D 18- Special Character Overlay/S38-Subdivision Urban

Or

Property Address

Or

Map

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are: I support the Plan Change which should provide better clarity for development in our area. I am particularly concerned to help protect the heritage of my suburb and to stop developers over-riding the rules and changing the fabric of our area. The rules should not be open to interpretation. (continue on a separate sheet if necessary)

I seek the following decision by Council:

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

64.1

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

19/6/19

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

Date

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

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

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

I could / could not gain an advantage in trade competition through this submission.
 If you could gain an advantage in trade competition through this submission please complete the following:

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

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

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Lesley Christensen-Yule

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

Address for service of Submitter

6 Arthur St. Freemans Bay, Auckland 1011

Telephone:

02102295335

Fax/Email:

les@trenzchef.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

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

Or

Property Address

Or

Map

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

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

I support Auckland City's initiative to preserve heritage areas for Anclades and NZ. (continue on a separate sheet if necessary)

I seek the following decision by Council:

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

65.1

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

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

20/6/19
Date

Notes to person making submission:
 If you are making a submission to the Environmental Protection Authority, you should use Form 16B.
 Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.
 If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
 I could / could not gain an advantage in trade competition through this submission.
 If you could gain an advantage in trade competition through this submission please complete the following:
 I am / am not directly affected by an effect of the subject matter of the submission that:
 (a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition.

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Philip Yule

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

Address for service of Submitter

6 Arthur St. Freemans Bay, Auckland 1011.

Telephone:

021 681 344

Fax/Email:

phil@voicebox.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

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

Or

Property Address

Or

Map

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

Please stop developers who ignore the Unitary Plan.

The reasons for my views are:

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

(continue on a separate sheet if necessary)

I seek the following decision by Council:

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

66.1

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

20/06/19
Date

Notes to person making submission:
 If you are making a submission to the Environmental Protection Authority, you should use Form 16B.
 Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.
 If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
 I could / could not gain an advantage in trade competition through this submission.
 If you could gain an advantage in trade competition through this submission please complete the following:
 I am / am not directly affected by an effect of the subject matter of the submission that:
 (a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Brendan Christopher Kell

Organisation name:

Agent's full name:

Email address: oliverschristmas@orcon.net.nz

Contact phone number: 021 166 1075

Postal address:
163 Balmoral Road
Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
D18.6.1.7 - Fences and Walls

Property address: 163 Balmoral Road, Mt Eden

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

In relation to being on a corner site in our situation at least, with two road frontages - the one on Tenterden Avenue being the majority of the length of our property - in the event of current hedges being replaced the proposed 1.2 meter height allowance for fencing would destroy any privacy and security to our side and back yard outdoor living areas.

67.2

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

67.1

Submission date: 20 June 2019

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Darren Pang

Organisation name:

Agent's full name:

Email address: pang_darren@yahoo.co.nz

Contact phone number: 0272492833

Postal address:
1/46 Wairiki Road
Mount Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
D18.6.1.3. Yards D18.6.1.5. Landscaped area D18.6.1.7. Fences and walls

68.4

Property address: 46 Wairiki Road, Mt Eden

Map or maps:

Other provisions:
Rules applying to site boundaries should be eased. Special Character Areas Overlay provides no flexible density requirements, which is contradictory to housing affordability. Fencing and walls 1.2m in height - unreasonable requirement as that height provides no privacy and no security, especially families with young children and dogs. Why do property owners have to build low fence/wall and allow other unknown nosy people look at their premises? What is the cost and benefit to the property owners?

68.2

68.3

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

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

The reason for my or our views are:
Auckland needs to grow, it needs to develop more affordable housing. We need policies be put in place that encourage some very flexible density requirements. There is a necessity to reduce character protection. Defining Wairiki Road with Special Character Area Overlay was not right. Auckland can keep certain areas as historic sites, such as Grafton, which is within a short walking distance to the central city and close to bus/train stations, where tourists can jump on the public

68.5

transportation means very easily to go wherever they like in greater Auckland. However, places like Wairiki Road are by no means ideal for sightseeing or display any special character. We do not need dozens of overly prescriptive rules across Auckland.

68.5

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

68.1

Submission date: 20 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ying Chen

Organisation name:

Agent's full name:

Email address: winonashchina@hotmail.com

Contact phone number:

Postal address:

Parnell
Auckland 1052

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
D18.6.1.3. Yards D18.6.1.5. Landscaped area D18.6.1.7. Fences and walls

Property address: 2-55 St Stephens Avenue

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Fencing and walls 1.2m in height - unreasonable requirement as that height provides no privacy and no security. Special Character Areas Overlay provides no flexible density requirements, which is contradictory to housing affordability.

| 69.2

| 69.3

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

| 69.1

Submission date: 20 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

Submission to; **Proposed Plan Change 26 - Auckland Unitary Plan.**

From; Lyndsay and Lianne Brock, 10 Bulwer Street, Devonport, Auckland 0624. Ph. 094456404.

We do not support the provisions of Plan Change 26 regarding changes to the Special Character (SC) overlay as it applies to the following, due to potential negative effects;

Yards,

Building coverage,

Height in relation to boundary including the 15m plus 'trigger'.

Maximum impervious area,

Landscaped area or landscaping,

As life-long residents of Devonport the focus of our submission will address the effects of Proposed Plan Change 26 as it relates to our suburb. However, as the plan change will have city-wide effect, we ask that our comments be considered in regard to all Special Character areas.

General comments; In the past we supported the planning rule changes which culminated in the Residential 3 Built Heritage Zone in the North Shore District Plan. These requirements took decades to refine and were, for the most part, successful in preserving the special nature of heritage areas. The one disappointment was that, in some instances, the rules only preserved the front façade of buildings.

The Devonport peninsula has benefitted enormously from the above plan guidelines, and the area is now widely recognised for its heritage qualities. Local people are aware it is special, but overseas visitors find it extraordinary. For example; they tell us that in Australia there are some beautiful Victorian homes, sometimes a handful, sometimes a whole street, but they have never seen an entire community of well-preserved vintage homes. These comments are echoed by visitors from many countries, with praise for the protection council has provided.

Concern regarding the way Plan Change 26 has been presented for submission;

We vehemently feel statements in the notice to residents which describe changes to the overlay as 'refinements' minimise potential outcomes and are not a true reflection of effects. The notice sent to residents in Special Character Areas states Plan Change 26 has 'refined' rules in a number of categories, including height in relation to boundary, yards, paved areas and fences. This terminology appears, we have to say, disingenuous, and implies the amendments are minor. However, when examined, it is clear the cumulative effects are significant and, in our view, do not fulfil the statement of intent, which is to preserve heritage features and streetscapes.

70.1

Further, information in *Attachment 6 - Proposed Plan Change 26: Amendments to Chapter D18 & Chapter E38* include no tables showing comparisons with the requirements of the previously operational North Shore City Plan. This makes it difficult, if not impossible, for people without a planning background to understand how much the proposed plan change could impact character areas of the city. It is extremely disappointing that such an important proposal has not included sufficient factual data for the public to consider.

There is also the issue of a 4 week submission period. In our view this is far too short a time for the public to assimilate the necessary data, or for education and/or information meetings to be arranged. The latter are necessary to ensure people are aware of likely effects of the plan change.

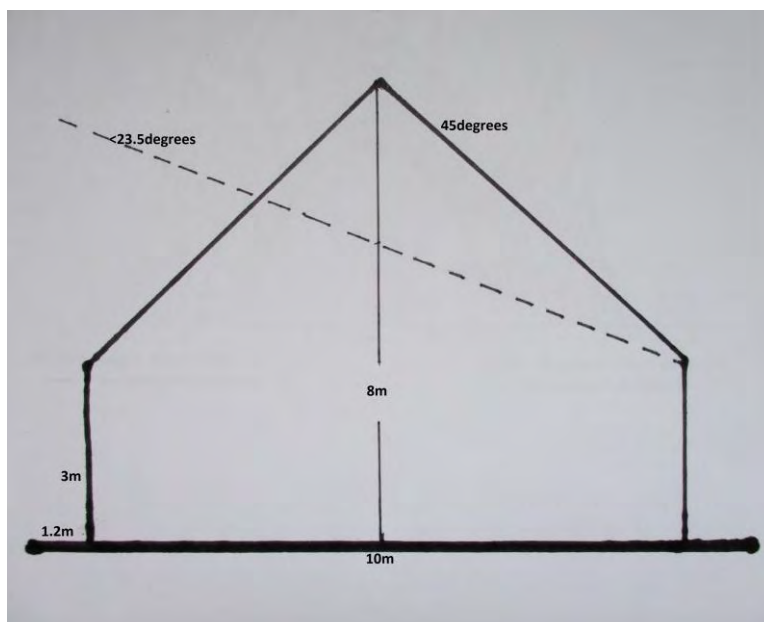
The Unitary Plan policy statement re SC Areas *'seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.'*

The proposed refinements in Plan Change 26 **will NOT ensure special character values are 'maintained and advanced' as required in the Objectives (D.18.2.)**. Most critically, they will also create cumulative major effects which we will address after commenting on the individual policy changes.

D18.6.1.2(a); Height in relation to boundary;

Figure D18.6.1.2.1 shows a height limit at the side of 3metres, which differs from the previous 2.75metres. It also shows a 45degree recession plane.

A 45degree recession plane is remarkably steep, especially when compared to the Auckland June 21st official sun angle of 23.5 degrees. This is illustrated in the image below, showing a front wall of 10m in length and the Auckland sun angle shown as a dotted line.



As the diagram demonstrates, the proposed 45degree recession plane produces a profile which markedly differs from that of existing character homes. Proponents would say the steep plane is merely a mechanism for calculating a building envelope and is not intended to be filled to capacity. However, when planning policy specifically permits a measurement it is inevitable that it will be used where possible.

Raising the side height limit to 3m, combined with the proposed recession plane, immediately increases building bulk and gives a potential for pre 1944 houses to be overshadowed by their neighbours. This will detrimentally affect the collective and cohesive value of streetscapes, have a negative visual aspect and degrade the special nature of the area.

D18.6.1.2(a); The underlying zone height in relation to boundary standard applies where the site has a frontage length of 15m or greater or (b) where the site is a rear site.

The over 15m frontage 'trigger' which brings the underlying zone to dominance will have widespread effects in Special Character Areas. For example; In Devonport's Stanley Point Road approximately one third of property frontages exceed 15metres, as do a good percentage of those in Grove and Wairoa Roads, also Jubilee Avenue. In most streets, they are more scattered, but the potential for dominance of one property over those adjacent will not retain the character of the streetscape, as required.

Applying the 15m 'trigger' to some properties means two totally different set of rules will be used, detrimentally impacting the cohesion of streetscapes and producing the appearance of intermittent planning anomalies. It will also, in our view, produce real risk of legal challenge. **Therefore we do not support the proposed 15m frontage 'trigger' and ask that it be deleted.**

70.2

*

D18.6.1.3; Yards;

Attachment 6 states the proposed changes to yards has the purpose; *'to retain the historical built character of the streetscape by managing the setback and the relationship of the building to the street.'* We contend **the proposed changes to front and rear yards will NOT achieve this stated purpose,** will encourage increases in bulk and have unexpected, detrimental effects on streetscapes.

Table D18.6.1.3.1. requires side yards at a minimum depth of 1.2 metres. It deletes the existing rear yard depth of 3m, then applies an averaging equation to front yards. The latter no longer retains the qualifying text for this averaging which exists in current controls. This text reads; **'Control Flexibility may only be utilised where one neighbour is set further back than other nearby houses or where the road configuration does not produce consistent setbacks or for corner sites.'** The lack of this control flexibility will produce unexpected results where one or more of the adjacent buildings is set further back than their neighbours. We therefore **request that the current flexibility control of front yards be retained to ensure consistency of streetscapes.**

70.3

The most concerning of the proposed changes is deletion of the 3m rear yard requirement. While council may consider construction on rear yards could be constrained by maximum coverage and/or maximum impervious area controls included in the plan change, they will actually add pressure for buildings to go to the maximum permitted height and bulk. This cannot fail to have major effects, and will detrimentally affect cohesion of streetscapes and the historical built character of the area. **We therefore request that the 3m rear yard measurement be retained.**

70.4

D18.6.1.4; Building coverage;

Plan change 26 increases maximum building coverage for properties with areas of 300 to 500sq.m. from 35% to 40%, without the constraints provided in control flexibility provisions contained In the Special Character overlay. These provisions are a vital component in retaining historic character and preserving design features

The Auckland Unitary Plan North Shore Section, Residential 3 Built heritage, contained the following explanation and control flexibility statement;

‘Older houses in this zone should be able to take advantage of greater coverage by way of Control Flexibility if they can remain single storey houses. The flexibility will only be exercised in relation to existing houses as at 22 March 2007 in the zone, where it will allow additions that: protect the form of the existing roof, and protect other aspects of historic character generally.’

This text showed understanding of the reality in heritage areas, and demonstrated how extensions could be added to homes while maintaining character. 35% coverage was permitted on 300sq.m. sites, with an ability to add 10% for in-keeping rear additions to single storey houses. This kept negative impacts to a minimum and preserved the quality of the streetscape.

We do not support 40% building coverage as contained in Plan Change 26 because it will not preserve the values of Special Character Areas as required by the Policy Statement.

70.5

*

D18.6.1.5; Landscaped area or Landscaping & D18.6.1.6; Maximum paved impervious area;

The required Land scape area and Maximum impervious area included in the plan change must be considered together as they have a mutual purpose.

We **support the new definition ‘maximum impervious area’** as it includes rooves as well as sealed areas, and will thereby avoid misinterpretation when consent applications are sought. However, when considered together with proposed yards and coverage, we are uneasy about the pressure it could exert to encourage heightening of buildings. For this reason, our **support applies only to the definition** itself and not the percentages included in the plan change tables.

70.6

70.7

*

Cumulative effects;- height in relation to boundary, yards, coverage, maximum impervious areas,

We strongly believe the cumulative effect of changes to height in relation to boundary, yards, coverage and maximum impervious areas have not been fully assessed.

These changes, taken together, provide significant pressure to add bulk, especially to the rear of buildings, and to fill the vertical limit of the building envelope. We believe they will have detrimental effects on the cohesion of Special Character Area in a manner which is in opposition to the unitary plan policy statement.

We therefore ask that full assessment of the cumulative effect of policies contained in Plan Change 26 be provided to commissioners before a decision is finalised.

70.8

*

Legal issues:

The Auckland Council vs Budden Declaration is cited as the impetus for Plan Change 26. A short precis of the main points are;

*In resource consent decisions Auckland Council incorrectly allowed policies of the Unitary Plan underlying Single House Zone to prevail over those of the Special Character Overlay. It is also stated that council's training instructions to planning staff in this matter be withdrawn as incorrect.

*The policy statement and aims for the Special Character Overlay are in keeping with the policies currently in place, and must prevail over the underlying Single House zone.

*In resource consents where there are two sets of policy governing decisions the most restrictive must apply

*Under the RMA Council must abide by its own policy statements and plans, and that all provisions, objectives, policies and rules relevant to an activity must be applied. It was further commented that '*it is in the essence of an experienced consent authority to consider competing considerations*' - '*and come up with a sound and informed outcome*'.

We find it extraordinary that, in response to the court declaration, Council has introduced a plan change which will serve to dilute the strength of Special Character overlays. In our opinion, it is perverse to degrade it in this manner, a manner which brings the provisions closer to the underlying zone, thereby cancelling much of the protection it aspires to provide.

In the Evaluation report, justification for seeking the plan change constantly repeats; '*Continuing to apply the status quo is likely to result in unexpected and unpredictable environmental outcomes as it is not clear which HIRTB standard should apply*'. We absolutely do not accept this statement, and agree with the declaration that both the overlay and the underlying zone **must** be taken into account, with the overlay prevailing as the most restrictive. We also agree with the declaration's statement that an experienced consenting authority, staffed with professional planners, should be entirely capable of handling consents in these areas.

Higher consent costs are also listed as justification for the plan change. We would comment that, as residents of a special character area, we fully understand the need for building constraints. It is not unusual for a Plan to include such constraints so we, as quoted in the previous paragraph, are sure our council has the expertise to manage them without adding penurious costs.

The declaration also recognises that the special Character Policy Statement is appropriate to the overlay in that it '*seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.*' **We contend that Plan Change 26 will carry such effects that the overlay will no longer fulfil this stated purpose.**

In summing up the Auckland Council vs Budden declaration cited above, one legal principle is a constant, being that the public must be able to have faith in the integrity of the Plan. We are truly sad to comment that we believe that Plan Change 26, by altering the form and cohesion of buildings in special character areas, will not fulfil this principle.

*

In summary;

We do not support Plan Change 26 as follows;

***Height in relation to boundary including the 15m plus 'trigger', yards, building coverage and maximum impervious areas because it will create individual and cumulative negative effects.**

***It includes changes to the special character overlay to the extent that it will no longer achieve the aims contained in the policy statement.**

***It is an inappropriate response to the Auckland Council vs Budden declaration in that it dilutes protection of special character areas, and the changes to planning rules were neither suggested or requested in the declaration.**

***The 4 week submission period, because it is insufficient for the public to be sufficiently informed and/or educated about potential effects of the plan change.**

We therefore request that Plan Change 26 be withdrawn and the Special Character Overlay be retained in its current form.

70.9

Signed,



Lyndsay Brock.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Shamal Charan

Organisation name:

Agent's full name:

Email address: ShamalCharan@hotmail.com

Contact phone number: 021468656

Postal address:
106 Grande Vue Road
Manurewa
Auckland 2102

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
Proposed plan change 26.....chapter D18 Subdivision

Property address: 106 Grande Vue Road, Manurewa

Map or maps:

Other provisions:
Subdivision or authority to build minor Dwelling

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

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

The reason for my or our views are:
Authority to build minor dwelling or subdivide

I or we seek the following decision by council: Accept the plan modification with amendments | 71.1

Details of amendments: Authority to subdivide | 71.2

Submission date: 21 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Fred Koke

Organisation name:

Agent's full name: Fred Koke

Email address: fred.koke@gmail.com

Contact phone number:

Postal address:
4 Hesketh St Kingsland
Auckland
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
Special Character area overlay

Property address: 4 Hesketh St Kingsland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I do not consider my street a character street. There are no real villas and most of the houses are 60's style bungalows.

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

| 72.1

Submission date: 22 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Catherine Spencer

Organisation name:

Agent's full name:

Email address: cath_spencer@hotmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

Plan Change 26 and relates to Chapter D18, special character areas overlay - residential and chapter E38, subdivision - urban of the Auckland Unitary Plan. (i) Height in relation to boundary and (ii) the rear yard set back.

73.2
73.3

Property address:

Map or maps:

Other provisions:

(i) Height in relation to boundary and (ii) the rear yard set back.

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

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

The reason for my or our views are:

The Council now wish to propose that the SCAO prevail. This may seem simple and expedient, however this decision has significant implications that could effect the heritage of Devonport whilst seeming to protect this heritage.

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

73.1

Details of amendments: Maintain the envelope based on a 3m vertical height and then a 45-degree incline for height in relation to boundary. Maintain the current 3m boundary for rear yard setback.

Submission date: 22 June 2019

Supporting documents
PC26 D18.pdf

Attend a hearing

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

Declaration

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

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

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

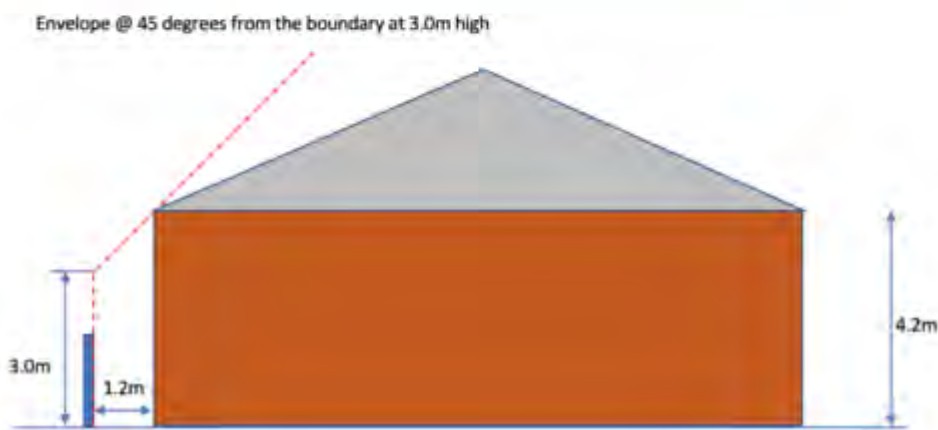
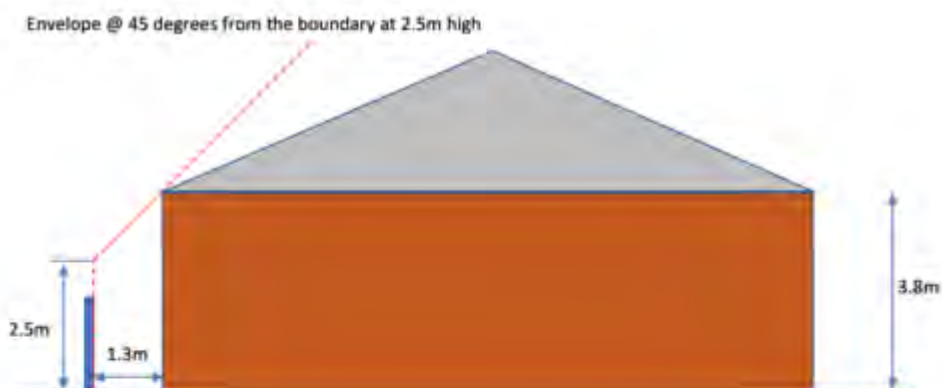
No

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

HEIGHT IN RELATION TO BOUNDARY

This rule seeks to impose a restriction on the side and rear boundaries of any new development such that a building cannot exceed an envelope described by an imaginary line which rises 2.5m or 3m from the boundary line and then inclines inward to the section at a 45-degree angle. The diagrams below describe this rule.

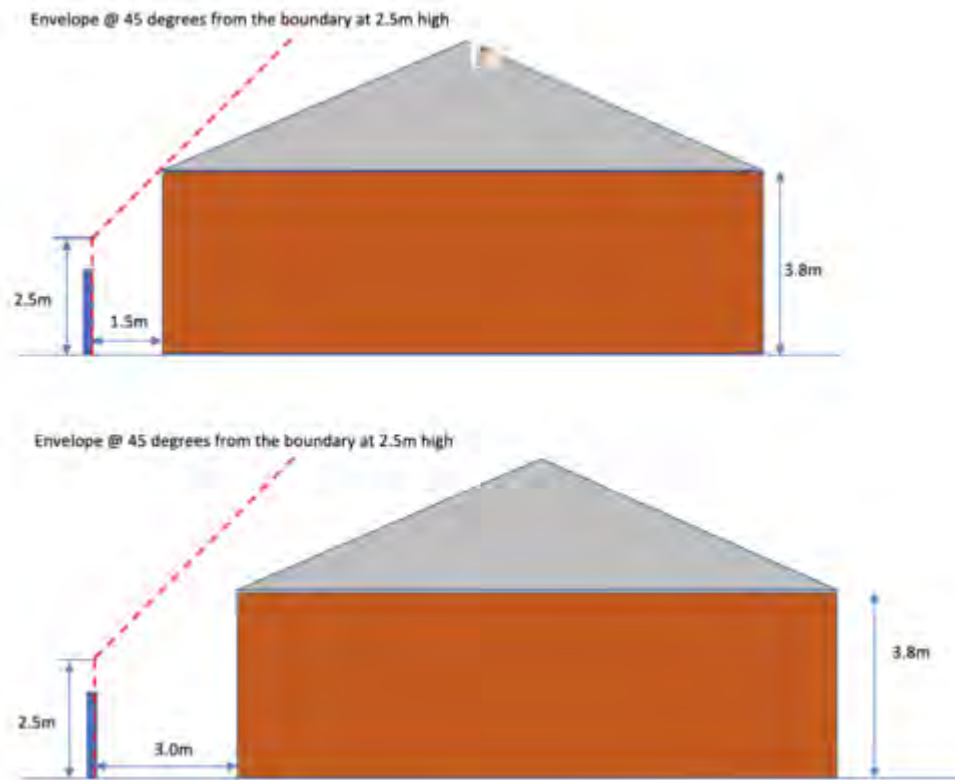
The SCAO rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45-degree incline. This is far more imposing than the standard of the SHZ for all of Auckland which is based on a 2.5m vertical height and then a 45-degree incline. The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact with the 3m @45-degree envelope as the diagram shows.



REAR YARD SETBACK

There are boundary limits for side yards in the SCAO which require that no building is less than 1.2m from the boundary. However, for the rear yard the proposal is to reduce the current 3m boundary to just 1m. This has a significant visual impact of new building as seen from neighbouring properties.

The diagram below shows for the same sized building the impact of building within the original 3m setback.



A very important consequence of relaxing the 3m setback for the rear yard is the impact it could have in areas of Devonport where sections near corner junctions have rear yards adjacent to side yards as the diagram below shows.

Property A is on a different street to property B & C. Property A's rear yard abuts the side yard of Property C, whilst the side yard of Property A abuts the rear yard of Property B.

Property C would be significantly impacted if the 1m rear yard rule were to apply as any proposed building would be hugely more visible from the garden of Property C, also potentially impact daylight shading.

The ability to build as close as 1m from the boundary to a neighbour's side yard would have significant impact on the value and enjoyment of a neighbour's property even it is in their back garden.



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Dean Tony Turner

Organisation name:

Agent's full name:

Email address: deanturnerpm@gmail.com

Contact phone number:

Postal address:

1 Reimers Ave
My Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

rules that relate to the property below

Property address: 1 Reimers Ave, Mt Eden

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Other houses in the street don't seem to have any restriction applied plus there's Eden park directly across the road.

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

| 74.1

Details of amendments: fence height restrictions removed and yard requirement restriction eased

| 74.2

| 74.3

Submission date: 23 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

bruce@hadden.co.nz

Dear Sir/Madam: We wish to submit that in the Special Character Area in which we live, 100 Victoria Avenue Remuera, the right will remain to subdivide land of over 1,200 square metres. That is, can subdivide down to 600 square metres.

Your sincerely,

Wendy Hadden and Bruce hadden

75.1

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Dame Denise L'Estrange-Corbet

Organisation name:

Agent's full name: Dame Denise L'Estrange-Corbet

Email address: denise@worldbrand.co.nz

Contact phone number: 021 432 431

Postal address:
8 MARGARET STREET,
FREEMANS BAY
AUCKLAND CITY 1011

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

I CANNOT EVEN SEE THE CHANGES, AS WHEN I GO ONTO THE WEBSITE, THAT WAS IN THE EMAIL, IT STATES THE 'PAGE IS NOT AVAILABLE', SO HOW DO I KNOW WHAT YOU ARE PLANNING TO DO? I WOULD LIKE A COPY OF THE PLANS THAT RELATE DIRECTLY TO MY PROPERTY TO BE EMAILED TO ME FORTHWITH PLEASE

Property address: 8 MARGARET STREET, FREEMANS BAY, AUCKLAND 1011

Map or maps:

Other provisions:

I HAVE NO IDEA WHAT THE CHANGES ARE, BUT CAN IMAGINE THEY ARE MORE PROBLEMATIC THEN BEFORE. WHY DO THE COUNCIL HAVE TO KEEP CHANGING THINGS? IF THEY ARE NOT BROKEN, DON'T FIX THEM!

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

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

The reason for my or our views are:

IF I KNEW WHAT THEY WERE! CAN THEY PLEASE BE SENT TO ME FOR MY PROPERTY ONLY, I AM NOT INTERESTED IN ALL THE OTHER BUMPH

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

76.1

Submission date: 23 June 2019

Attend a hearing

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

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

Yes

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Dame Denise L'Estrange-Corbet

Organisation name:

Agent's full name: DENISE L'ESTRANGE-CORBET

Email address: denise@worldbrand.co.nz

Contact phone number: 021 432 431

Postal address:
8 MARGARET STREET
FREEMANS BAY
AUCKLAND 1011

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
FENCES AND WALLS 'The standard stipulates tht any new fences to be cnstructed forward of the line of the front facade of the building are to be a maximum height of 1.2m'.

Property address: All new builds in the 'special character overlay chapter'

Map or maps:

Other provisions:
Fencing heights

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

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

The reason for my or our views are:

I think this proposal has not been thought through. To have a 1.2m height limit to front fences will raise a lot of questions, namely: -Privacy -Security -Animals that can jump this fence -Children can lean over fence to pat dogs in the yard -Mismatched fence heights on a street I feel we are all entitled to privacy in our homes, and particularly if the new builds are not attractive, then they should be hidden by higher fences! The higher the better! So what I am understanding, is that the older type homes have 2m high fences, which will remain, and the newbuilds will have to have a 1.2m height restriction, which will make the fences very disproportionate in visuals. High fence, low fence, high fence etc. It will look like muddlesville. What I do not understand, is that if it is not broken, why the council want to fix it? At the current 2m height restriction, that is the maximum, so if you want it

shorter, you can choose to do this, but with a lower specified level, you have no choice. I feel this will add to less security for homes, and for those on the other side of the law to be able to assess and access the property more easily. I feel it should be left as is, so the vista is more in keeping with what is already there.

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

Submission date: 4 July 2019

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Christopher and Louise Johnstone

Organisation name:

Agent's full name:

Email address: johnstone_associates@xtra.co.nz

Contact phone number: 09 378 4979

Postal address:
54 Selbourne Street
Grey Lynn
Auckland 1021

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
D18. Special Character Areas Overlay – Residential and Business

Property address:

Map or maps:

Other provisions:
Maximum height should not be increased Height to boundary should remain the same Building coverage should not be increased Landscaped area should not be increased

77.2
77.3
77.4
77.5

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

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

The reason for my or our views are:
The proposed new standards are greater than allowed for in the Unitary Plan and permissible modifications to residential buildings in the areas specified should be no greater or no less than they are currently since this would make a mockery of the Special Character Areas Overlay

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

77.1

Submission date: 23 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Lim Che Cheung Chan

Organisation name:

Agent's full name:

Email address: wclctychan@gmail.com

Contact phone number: 0211319173

Postal address:
26 St Andrews Road
Epsom
Auckland 1023

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

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

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
As explained in the attached document.

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

Submission date: 23 June 2019

Supporting documents
Feedback to Auckland Council on Special Character Zone - LC Final Version Submission.pdf

Attend a hearing

| · 78.1

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

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

Declaration

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

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

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

No

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

To whom it may concern,

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

Thank you for the opportunity to allow feedback on the PROPOSED PLAN CHANGE 26. We appreciate the underlying intent of providing better clarity on the relationship between the special character area overlay and the underlying zones.

However, we are concerned that the development criteria are inappropriately restrictive in a number of areas. In many cases, if the proposed rules were to be retrospectively implemented, vast majority of the existing houses (if not all) in a local neighbourhood would have a significant number of non-compliances (e.g. properties around 26 St Andrews Road). The proposal would be inequitable to the properties that have not yet newly renovated and fully developed to its full potential. It would be helpful for the Auckland Council to consider reviewing the special character zone, in particular, 26 St Andrews road should not be zoned in the special character zone, as the existing underlying zone has already been adequately provisioned to mitigate any adverse impact of the aesthetic, physical and visual qualities of the area and virtually all nearby properties would not have retrospectively met the proposed zoning standards.

| 78.2

It is worth noting that the property located at 26 St Andrews Road is an ordinary weatherboard house that can be found in many locations in Auckland NOT zoned in Special Character Areas. This property does not have any meaningful historical or architecture significance. Any further development at 26 St Andrews Road (without the special character overlap) is likely to have less than minor impact on the aesthetic, physical and visual quality of the local area.

| 78.3

Current examples of existing properties that violate the proposed rules

Specifically, we would like to highlight a number of obvious observations in the nearby neighbourhood that would not be consistent with the special character area zone, hence justifying that the special character zone should not be applied at 26 St Andrews Road.

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

| 78.4

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

| 78.5

The next property adjacent to the northern boundary of 26 St Andrews Road, is 22 St Andrews Road, which is a relatively newly developed property, and at the time of development, there were already a number of non-complying activities based on the older zoning rules even without the current

special character zoning restrictions being formally applied. It would not have complied with requirement D18.6.1.2 height in relation to boundary. Imposing the special character rules on remaining non-developed sites with a small property such as at 26 St Andrews Road which has less than minor impact on the overall of the aesthetic, physical and visual quality of the local area, appears unjustified, and adds unfair burden to the existing owners.

22A St Andrews Road is a property that was built in the 1990s with a plaster exterior. Again, it does not have any historical special character. This property can be easily seen from road side which makes up part of the street view. The same can be said for 27 and 29 St Andrews Road, which are modernised houses with plastered exterior as part of the front façade defining the street face.

| 78.6

The prominent characteristics of many houses around 26 St Andrews Road that would not visibly appear to comply with the new requirements show that the PROPOSED PLAN CHANGE 26 imposes grossly unequal restrictions and unnecessarily heavier burden upon those existing home owners who have yet to rebuild/redevelop their properties. Conversely, in order to meet the purposes as defined in the proposed plan change, such as to retain the existing built form character of predominantly one to two storeys in the established residential neighbourhoods; maintain the relationship of built form to the street and open space; retain the character of the streetscape and enable a built form that reflects the identified character of the area would be to follow the design of my neighbouring properties. Hence if the characteristics of neighbouring houses do not comply with the new changes, exemptions would have to be allowed to meet these purposes if the new rules are to be implemented on 26 St Andrews Road.

Therefore, we request Auckland Council to [remove the special character zone overlap from 26 St Andrews Road](#) to demonstrate that the Council is treating every home owner fairly in the neighbourhood.

| 78.7

We look forward to the Auckland Council's prepared summary of decisions requested by submitters soon after the end of the feedback submission period, and hope that it will adequately summarise the number of reasons why special character overlap does not appear to be justified for specific areas. We are keen to see some documented evidence available for the home owners to show that Auckland Council had in fact actively and adequately considered the prior feedback in a meaningful way.

Yours sincerely,

Lim Che Cheung Chan

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Janet Dickson

Organisation name:

Agent's full name:

Email address: janet@dickson.co.nz

Contact phone number: 021765408

Postal address:
2/24 Selwyn Road
Cockle Bay
Auckland 2014

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
D18.1, which excludes Howick from the whole of PC26

Property address: Howick Village area

Map or maps: Howick Village area

Other provisions:
Contrary to the D18.1 of the Plan, I submit that Howick must be included in the provisions of PC26, and that for this to happen, this Plan Change must allow for Howick to acquire its full and complete Special Character Area Statement, which is still in process. I do not support specific Point D18.1 as it stands, although I support the intention of the Plan as a whole.

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

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

The reason for my or our views are:
It is nonsense to create protection for areas of special character in the whole of the super city but exclude one important suburb, just because Council has not created the essential Special Character Area Statement for that area, which would bring that particular suburb under the same protection as the rest of the city.

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

| 79.1

Details of amendments: Make provision to include Howick as soon as its Special Character Area Statement has been finalised to the satisfaction of the local people.

| 79.2

Submission date: 23 June 2019

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Submission to PC26 to: unitaryplan@aucklandcouncil.govt.nz

1. Submitter Details – Janet Dickson
2. Scope of Submission :

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

The specific provisions that my submission relates to are:

Plan Provisions –

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

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

I wish to have the following provisions amended:

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

The reasons for my views are –

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

I seek the following decision by the Council:

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

Amendments Requested for the Reasons set out are –

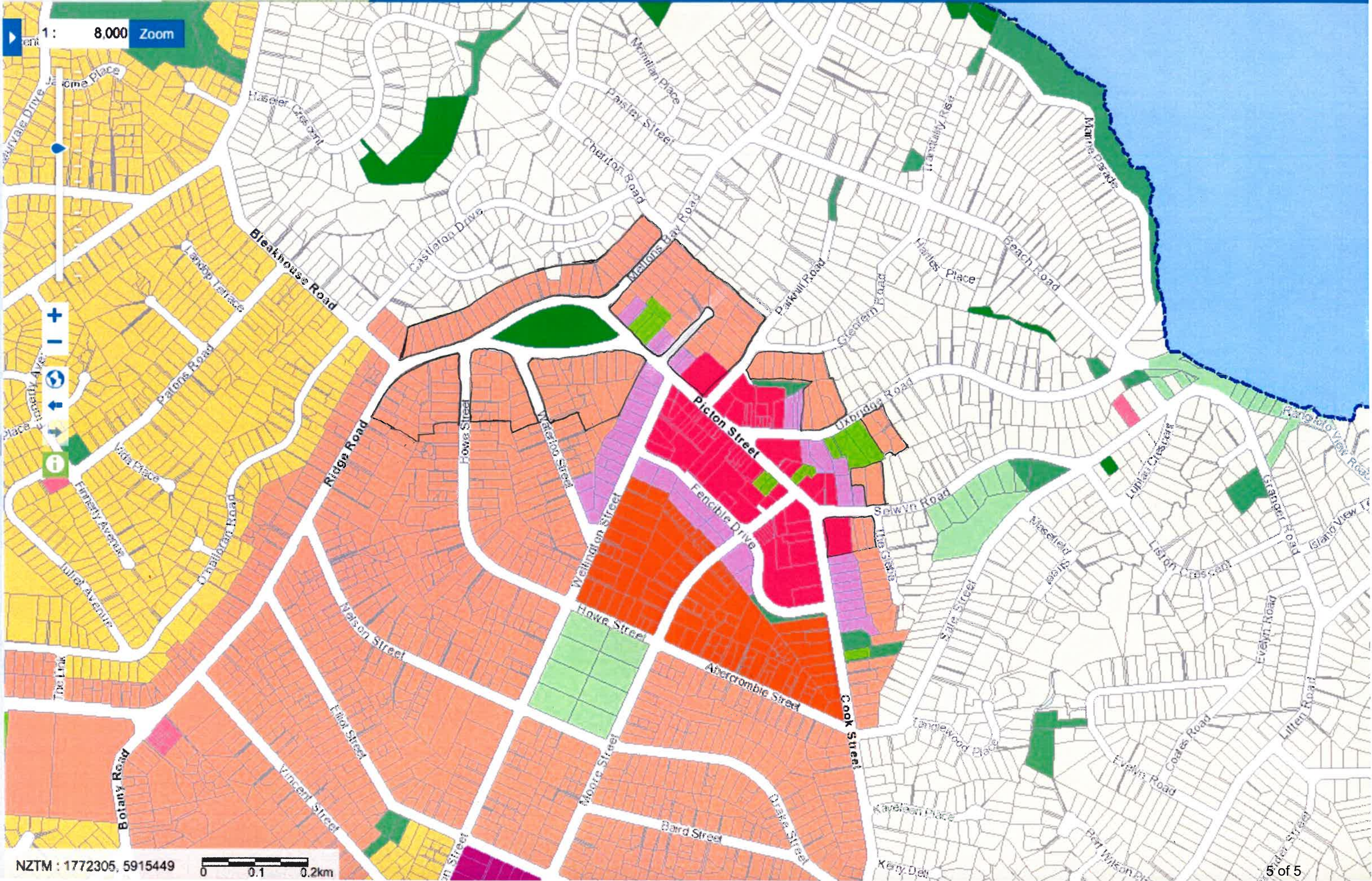
- | | |
|--|------|
| 1. <i>Amend Part D18.1 by removing the words "other than Howick".</i> | 79.3 |
| 2. <i>Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan.</i> | 79.4 |
| 3. <i>Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.</i> | 79.5 |
| 4. <i>Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes.</i> | 79.6 |
| 5. <i>Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes.</i> | 79.7 |

I wish to be heard in support of my submission.

Dated 12 July 2019



1: 8,000 Zoom



NZTM : 1772305, 5915449 0 0.1 0.2km

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Philip Wood

Organisation name:

Agent's full name:

Email address: philandvalw@xtra.co.nz

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

All of it

Property address: -

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I am not an expert in resource consents or building process but this allows people to build buildings that are not in keeping with the surrounding area, which block out light, which ruin people's privacy and in the process decimate people's property values. It is even worse if their frontage is 14.5metres rather than 15 metres which makes no sense. This is in no way making the city more livable for its residents - ie what the council is meant to be doing. You are approving plans for 1 person that detrimentally affect a number of people. You are fixated on what the appearance is from the street rather than from surrounding properties, the residents of which have to look at the added building all day every day rather than people just walking by on the street. The rules are already way too lax and you are making them even looser. Your letter implies you are doing something special for special character areas like Devonport whereas all you are doing is applying a slightly different set of mathematical formula to determine what can be built. This will ruin the special character nature of Devonport as you cant maintain a special character of an area by using mathematical formula. The whole council process at the moment is a box ticking process where the affected residents are subject

to the determination of a council official's view on what count as minor and if a mistake is made there is no accountability because the rate payers only recourse is to spend a large amount of money to get redress through the courts. No other organisation can get away with such a lack of accountability, lack of transparency and waste of resources.

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

| 80.1

Submission date: 23 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Nicole Helen Joyce

Organisation name:

Agent's full name:

Email address: tonnic2@yahoo.co.nz

Contact phone number: 021388228

Postal address:
13 Kiwitea Street
Sandringham
Auckland 1041

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

Property address: 13 Kiwitea Street, Sandringham

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Further tightening of the rules applying to the Special Character Area Overlay is redundant and unnecessarily restrictive when any attempted preservation of significant property features in this zone, is going to be dramatically undermined by the fact this most restrictive residential zone directly adjoins the most visually dominant Terrace House and Apartment Building zone. The proposed plan change actively ignores this planning anomaly and does not address the real issue of adjoining conflicting zones.

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

Submission date: 23 June 2019

Supporting documents
PC 26.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

21 June 2016

Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Tony & Nicole Joyce
13 Kiwitea Street
Sandringham
Auckland 1041
tonnic2@yahoo.co.nz
021 388 228

Attention – Planning Technician

Dear Sir / Madam

Re: Auckland Council Proposed Plan Change 26

As owners & occupiers of the property situated at 13 Kiwitea Street, Sandringham, we hereby make a submission in respect of Proposed Plan Change 26.

We note that the Special Character Overlay controls place restrictions on properties within those areas, with the aim to manage the impact on streetscape character, built form that reflects or respects the identified character of the area, avoid, remedy or mitigate impacts on solar access and visual dominance of built form. However, the Unitary Plan and Proposed Plan Change 26 are largely silent on the potential impacts which would be caused by development of the adjoining Terrace Housing and Apartment Building zone immediately to the north west of our property. Those detrimental impacts are potentially exactly the same as those that the controls applying to our site under the Special Character Area Overlay, are trying to prevent.

The Plan offers no meaningful approach to managing the transition between low density single storey dwellings and the potential 16m height of an apartment building which is permitted on the adjoining Terrace Housing and Apartment Building zoned sites. The controls are weak, and the height plane control to determine setback from a side or rear boundary will not result in a suitable transition in built form or avoidance of undue building dominance. Furthermore, reasonable solar access would not be maintained given the site orientation to the north-west.

It appears to be quite a planning anomaly that there should be such conflicting zones permitting a high density, multi-level terrace housing and/or apartment development immediately adjoining a heritage significant area, which is what a Special Character Area really is.

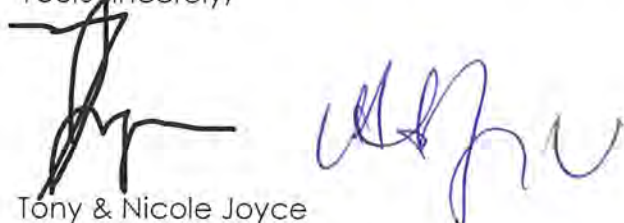
The Unitary Plan singles out Special Character Areas for specific controls that are over and above those that apply to sites with the same zoning, but not located in a Special Character Area. However, the Unitary Plan does not make a similar distinction when applying controls for the Terrace Housing and Apartment Building zone relative to low density zones, nor does it manage the transition in building form; as far as we can determine, the Unitary Plan makes no mention at all about the Special Character Areas in this regard, and simply appears to treat all low density residential zones the same. In our view, this is an unacceptable oversight and in practice, would undermine the integrity of Special Character Areas and furthermore, undermine the objective of the Unitary Plan to protect these areas.

Potentially, our property could be viewed from Kiwitea Street with a highly intrusive, visually obstructive, solar access-limiting, privacy eliminating 16m high building back drop. Yet we are restricted to an 8-9 metre height limit, and likely less, given our existing dwelling is single storey. Such a situation would be completely unacceptable, and we are certain this would be a commonly shared view amongst affected property owners in and around Kiwitea Street, and any neighbours to such a development.

We respectfully request that Auckland Council review as a matter of urgency the appropriateness of the Terrace Housing and Apartment Building zoning adjacent to our property, and the current controls to manage the building transition, visual dominance and protection of solar access, and to ensure compatibility with the special character significance of the area. Council needs to address this potential impact on the significance of the Special Character Area that is Kiwitea Street and the likely level of impact on amenity by having the lowest density residential zone immediately adjoining the highest density residential zone. That is simply not sound or accepted planning practice. There is an opportunity to address this anomaly now, and we implore Council to do so.

We look forward to hearing from Auckland Council in due course.

Yours sincerely,

The image shows two handwritten signatures in blue ink. The first signature is on the left and is more stylized, while the second signature is on the right and is more legible, appearing to read 'Nicole Joyce'.

Tony & Nicole Joyce

I wish to make a submission on the above proposed planning change 26. I do not wish to be heard in relation to this submission.

I jointly own a dwelling in an area of special character: St Mary's Bay. I support the objective of the change in clarifying the interaction of rules relating to Special Character Area Overlay and those zoned residential. I do not believe that it is adequate to carve out existing resource consents from the change without proper consultation with affected parties where there is a material difference in outcomes were Change 26 to apply. Additionally, I do not believe it is adequate to provide a one paragraph summary of the changes in a letter and refer residents to the actual plan to interpret themselves. A simple summary of the impact of the change versus status quo in terms of height to boundary, yards and paved areas should have been provided.

| 82.1

| 82.2

As per Auckland Council letter to affected residents 30 May 2019, I wish to reserve my right of appeal to the Environment Court in respect of any decision made by the Council which directly or indirectly affects my current residential property.

Regards

Stephen Hudson

Stephen.Hudson@macquarie.com

10 Percival Parade
St Marys Bay
Auckland 1011

I wish to make a submission on the above proposed planning change 26. I do not wish to be heard in relation to this submission.

I jointly own a dwelling in an area of special character: St Mary's Bay. I support the objective of the change in clarifying the interaction of rules relating to Special Character Area Overlay and those zoned residential. I do not believe that it is adequate to carve out existing resource consents from the change without proper consultation with affected parties where there is a material difference in outcomes were Change 26 to apply. Additionally, I do not believe it is adequate to provide a one paragraph summary of the changes in a letter and refer residents to the actual plan to interpret themselves. A simple summary of the impact of the change versus status quo in terms of height to boundary, yards and paved areas should have been provided.

83.1

83.2

As per Auckland Council letter to affected residents 30 May 2019, I wish to reserve my right of appeal to the Environment Court in respect of any decision made by the Council which directly or indirectly affects my current residential property.

Regards

David Robertson

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Lambert Hoogeveen

Organisation name:

Agent's full name:

Email address: lamberth@mail.com

Contact phone number:

Postal address:
3/25 Reimers Avenue
Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

1. Building height to be 8mtrs, no exceptions, D18.6.1.1 2. Re-instate the 3mtr rear yard setback in the SCO, D18.6.1.3

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

1. Regarding building heights on the SCO, 8mtr height is 8mtr heigh, there should be no exception to this rule by allowing another 1mtr in certain conditions. Today it is one meter, tomorrow it is going to be 2mtrs, etc. No exceptions, period. 2. The rear yard set-back of 3mtrs should be re-instated. 1mtr in the underlying zone provisions in not enough for a Heritage 1 neighbourhood. What makes a Residential 1 neighbourhood attractive and gives it its character is the feeling of open space, both front and back. It also prevents shading of one property on to another.

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

84.1

Details of amendments: 1. Section D18.6.1.1, building height to be 8mtrs without exception. 2. Section D18.6.1.3, re-instate 3mtrs rear yard setback.

| 84.2

| 84.3

Submission date: 24 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

M^s Joanna Keane .

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

Address for service of Submitter

5 QUADRANT RD . ONEHUNGA .

Telephone:

021-204-7193 .

Fax/Email:

joanna.keane.230@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

Or

Property Address

5 QUADRANT ROAD. ONEHUNGA. 1061.

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: Prior to the recent Unitary Plan restructure, my property of 1050sqm was able to be subdivided for 2 sections/site!

I would ask that the Heritage Status, remain on the Dwelling and that the section can be subdivided. (continue on a separate sheet if necessary)

I seek the following decision by Council:

see attachment

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

85.1

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

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

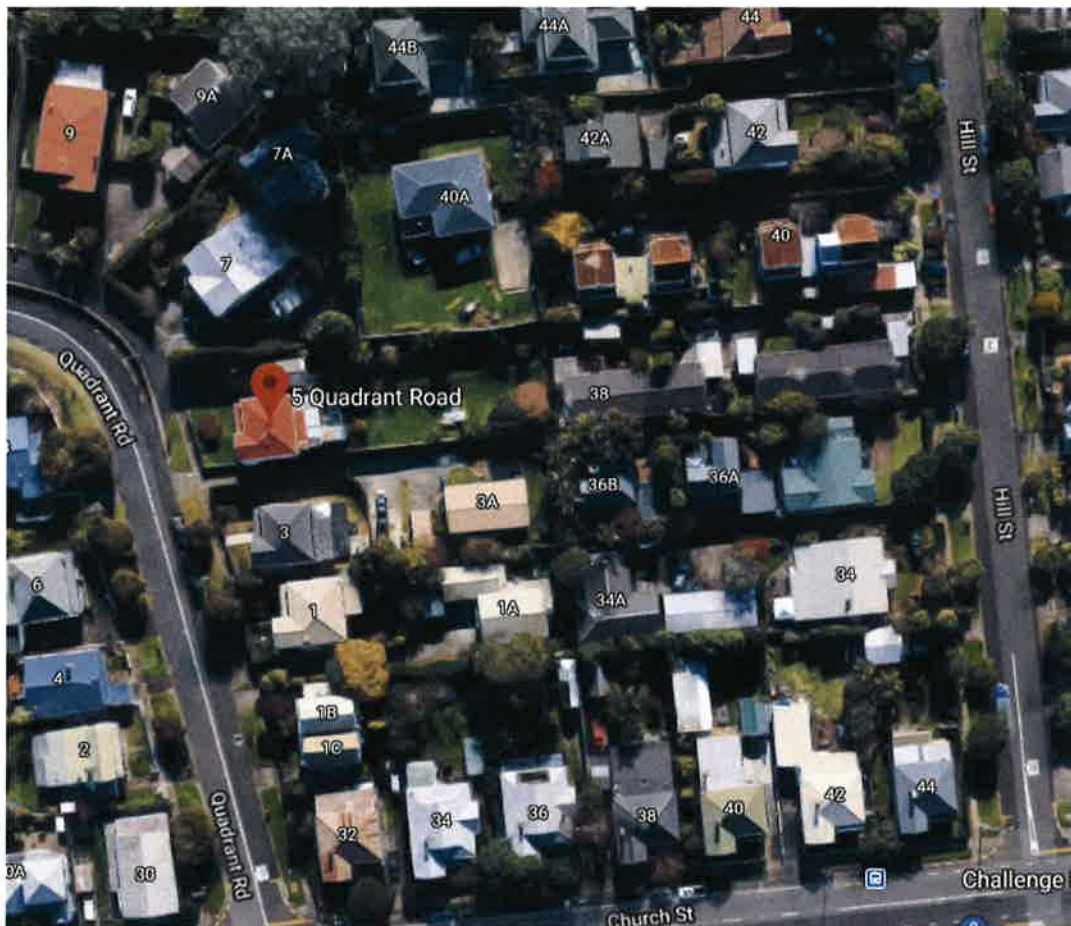
24.6.2019
Date

Notes to person making submission:
 If you are making a submission to the Environmental Protection Authority, you should use Form 16B.
 Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.
 If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
 I could / could not gain an advantage in trade competition through this submission.
 If you could gain an advantage in trade competition through this submission please complete the following:
 I am / am not directly affected by an effect of the subject matter of the submission that:
 (a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition.

The Reasons for my views are contd...

I bought the property in 1983, when it had a zoning for 3 townhouses. (which meant the House could be removed...)

As you can see from the photo I am the only property with the section intact. (the great Kiwi Quarter Acre) and that the sections that have been subdivided have not impinged on the streetscape, or the surrounding area.



With the properties around me successfully fitting in with the Special Character Area.

Therefore, this is why, I am putting in a submission for the change back to the previous concept. – with the ability to subdivide the property into 2 sections, without losing the integrity of the Heritage home and streetscape, (for the front property) and retaining it as a Special Character Area.



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Patrick Noel Joseph Griffin

Organisation name:

Agent's full name: Mary Griffin

Email address: griffinmt1952@gmail.com

Contact phone number:

Postal address:
2 Thames St Mt Eden
Auckland
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
Chapter D 18 Special character areas overlay under proposed plan change 26

Property address: 2 Thames St Mt Eden Auckland

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Leave the street as it is - if people own the property it should be their right to make changes as they see fit. Otherwise is there reason to own property

| 86.2

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

| 86.1

Submission date: 24 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Maria Poynter

Organisation name:

Agent's full name:

Email address: maria.poynter@gmail.com

Contact phone number:

Postal address:

Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
No specific rules.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
I support the proposed changes.

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

| 87.1

Submission date: 24 June 2019

Attend a hearing

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

Declaration

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

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

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

No

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

Submission regarding Proposed Plan Change 26:

We request the right to be heard.

The Council wish to solve an anomaly and propose that the SCAO prevail. This may seem simple and expedient, however this decision has significant implications that could effect the heritage and character of Remuera, our residential area, and may seem to protect character and heritage but effectively diminish it if pursued.

HEIGHT IN RELATION TO BOUNDARY

This proposed rule seeks to impose a restriction on the side and rear boundaries of any new development such that a building cannot exceed an envelope described by an imaginary line which rises 2.5m or 3m from the boundary line and then inclines inward to the section at a 45 degree angle.

The SCAO rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard of the SHZ for all of Auckland which is based on a 2.5m vertical height and then a 45 degree incline.

The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact with the 3m @45 degree envelope . This would significantly and adversely effect the strong sense of character and heritage value we have in our street, and many streets like it in remuera, and other more established suburbs with character overlays.

We submit that the more restrictive height to boundary measure be used

88.1

REAR YARD SETBACK

There are boundary limit for side yards in the SCAO which require that no building is less than 1.2m from the boundary.

However for the rear yard ,the proposal is to reduce the current 3m boundary to just 1m. This has a significant visual impact of new building as seen from neighbouring properties.It will significantly and adversely effect the charcater and amenity we enjoy derived from the fact of being in a single house zone with a character overlay.

A very important consequence of relaxing the 3m setback for the rear yard is the impact it could have in areas of Remuera, where there are single house areas with reasonably large land holdings thereby offering the degree of property diversity that the UP still anticipated could be provided for in central areas, and in my area where sections near corner junctions have rear yards adjacent to side yards.

The ability to build as close as 1m from the boundary to a neighbours side yard would have significant impact on the value and enjoyment of a neighbours property on another even it is in their back garden.

We submit that the more restrictive rear yard setback be used.

88.2

Trustees

1. PROPOSED PLAN CHANGE 26 TO THE AUCKLAND UNITARY PLAN.

The proposed change appears to support the protection of special character and heritage through recommending that the provision in the Special Character Areas Overlay will prevail over the corresponding provision in the underlying zone. However, in actual fact, the SCAR Overlay is less restrictive in allowing anyone wanting to develop their property greater freedom to do so. It is not clear how the proposed change will assist owners who want to protect the character and amenity of the Special Character Area where the Single House Zone also applies. It allows more lenient rules about heights and yards, which will lead to much greater density, bulk and heights to the side and rear of properties.

2.2. For example:

2.2.1. Height to Boundary: The Special Character Area Overlay rule for height in relation to boundary defines the envelope based on a 3 metre vertical height and then a 45 degree incline, where the sites have a road fronted boundary less than 15 metres in width. This is far more imposing than the standard of the Single House Zone which is based on a 2.5 metre vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that buildings can be built higher with great bulk and visual impact. It is not clear why bulkier houses should be allowed when the width of the property is less.

2.2.2. Rear Yard: In the rear yard the proposal is to reduce the current 3 metre boundary to just 1 metre. This will allow building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. Relaxing the 3 metre setback for the rear yard will have a highly detrimental impact in areas where sections near corner junctions have rear yards adjacent to side yards. By allowing the Character Overlay to predominate, it puts neighbours in special character and heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy.

2.3. The size and scale of more development to the side and rear of houses in the SCAR Overlay will add visual bulk that will detract from the character features of the area. The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of facadism and is not genuine heritage protection.

2.4. We oppose the intention to reduce the requirement for sufficient space to be provided in rear yards in order to separate housing and ancillary buildings from the rear boundary of a site. Remuera Heritage submits that the current 3 metre rear yard should be retained. This will maintain character and amenity values in the area. Having rear yards of only 1 metre will reduce the privacy, tree cover, landscaping, views and general amenity of neighbours and neighbourhoods.

2.5. Environmental effects and privacy. The plan needs to take into account the effects of development on neighbours as well as on streetscape. In particular, we wish to note that when special character and heritage houses were built in the 19th and early 20th centuries, privacy was much easier to maintain. Then there was significantly less light, air and noise pollution from radio, television, music, technology, outdoor living, recreational facilities and

traffic. We want to retain respect for our neighbours and social and community wellbeing in the 21st century. These are now universally acknowledged as being of primary importance to a healthy society. The more restrictive requirements should apply regarding rules, standards and provisions which affect these environmental factors in our communities.

2.6. Also, we do not support anything which will make special character and heritage buildings more easily able to be demolished and special character areas to be eroded.

88.4

2.7. we want all neighbours in special character areas to be notified when there is development proposed on their boundary.

88.5

3. In summary, the proposed plan change 26 is less about protecting special character and heritage and more about protecting individual property rights to develop character / heritage houses to the detriment of neighbours, community wellbeing and zoning values in traditional areas like Remuera. we seek that the underlying zone, the Single House zone, prevail over the rules, standards and provisions of the Special Character Areas Overlay, where both are applicable.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kathy Prentice

Organisation name:

Agent's full name:

Email address: kat.pren@gmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

D18.6.1, Standards, D18.6.11 Building Heights, D18.6.1.2 Height in relation to boundary and D18.6.1.3 Yards.

Property address:

Map or maps:

Other provisions:

The Special Character Overlay is the wrong mechanism to protect heritage. It is cumbersome and over complicated to have two sets of rules applying to properties

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

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

The reason for my or our views are:

Height to Boundary: The Special Ch- The plan change will allow greater building heights and densities in the side and rear of character properties. This will have detrimental effects on the heritage value of the buildings and so will not achieve the aims of protection of the character of the area. Character Area Overlay rule for height in relation to boundary defines the envelope based on a 3m vertical height and then a 45 degree incline. This is far more imposing than the standard of the Single House Zone which is based on a 2.5m vertical height and then a 45 degree incline. The outcome of this proposed more lenient rule is that building can be built higher with great bulk and visual impact. Rear Yard: In the rear yard the proposal is to reduce the current 3m boundary to just 1m. This will allow building to occur only one metre from a neighbour's boundary and will have a significant visual and privacy impact on neighbours. I am really concerned about this change in distance to boundary.

Relaxing the 3m setback for the rear yard will have a highly detrimental impact in areas of Devonport where sections near corner junctions have rear yards adjacent to side yards. By allowing the Character Overlay to predominate it puts neighbours in heritage areas at a disadvantage from those in the single house zone without an overlay. These neighbours will be impacted by more encroachments into their side and rear privacy. The size and scale of more development to the side and rear of houses in the SCA will add visual bulk that will detract from the character features of the area. The plan change will result in the original fronts of heritage houses being dwarfed and dominated by large rear and side developments. This will allow a form of facadism and is not genuine heritage protection.

| 89.3

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

| 89.1

Submission date: 24 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

Hi there,

This is a letter in responses to the councils letter we received recently regarding the proposed plan change 26. I would like to have my say on this matter, mainly how it has been affecting the development we are planning for our house and our street, Princes Avenue.

Below is the list of items I feel requires further clarification / change and my reasons.

- I believe the characters/styles outlined in the Schedule 15 Special Character Schedule Statements and Maps for Princes Avenue special area are inaccurate. It is very unreasonable and confusing that the developments on our street are assessed against the Council's Special Character Area Statement which does not truly corresponds to the characters of the street. Therefore, the overlay rules should not take precedent. | 90.1
- As a result of council's flawed statement, we are currently preparing an independent character study and report to support our proposal. The report we prepared would likely contradict with the council's documents and caused further complication. This also means we will spend more time and more consultant fees for our project which won't be compensated. This is a waste of money and resources.
- I think that council should put greater focus on the existing character of the individual houses and the immediate affected neighbours to determine which provisions of the SCA Overlay would prevail. This shouldn't be a one rule for all approach because every site and proposal are different. For example, our existing dwelling/site is very different compared to the other dwellings on the street, in terms of its building mass, and appearance of key architectural elements, and its architectural significance; it also does not match the character / style described in the Special Character Area Statement. I think it's reasonable and fair if proposal like this is given more design flexibility and should be considered under the Single House Zone. I want to stress that the objective of the SCA overlay is to maintain and enhance and it is not about recreating and rebuilding the character / values. | 90.2
- The SCA overlay is written for dwellings that don't need much changes to the building mass and appearance, but the overlay is very tough and unfair on dwellings that has a small existing frontage and incoherent character. These proposals are restricted discretionary activities and subject to notification, which makes them very difficult, costly and time consuming. As a home owner planning one of these difficult project, I feel like I am getting punishments other than supports from the council.
- SCA overlay policies appears to be anti-development, and I don't think this is right. New development and design can also respond positively to the identified special character values and context of the area. I was especially upset when the council planner in the pre-app meeting even warned and reassured us that our proposal would likely go through the costly notification process and tried to scare us to change our proposal.
- Due to all the reasons mentioned above, many of us residents on the street feel that the SCA overlay is very limiting, expensive and difficult. I have strong reasons to believe that my site should be removed from the overlay map. | 90.3

Council's conservative approach made me believe that the overlay devalues my property and made my site less attractive to future buyer.

- I also would like further clarification on what are "D18.6 Standards" and "D18.7 Assessments" and how are they applied. I found the "D18.6 Standards" is very useless and meaningless. It is far easier to comply to numbers and areas requirement, but it does not mean a consistent character value is met. I think there should be one sets of standards i.e. the Single House Zone standards, to keep it simple. The SCA overlay should focus on the architectural and design aspects of the proposal.

| 90.4

I hope the above is clear and council would consider these when looking at the proposed plan change 26.

Regards,

Sharyn Qu
06/23/2019

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Raymond Johnston

Organisation name:

Agent's full name: RWJohnston

Email address: tamariki@hotmail.com

Contact phone number: 021377447

Postal address:

Auckland
Auckland 0627

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

D18.6.1.2. Height in relation to boundary - Why should the underlying (and presuming more restrictive) height in relation to boundary standard apply to a rear site? Also the amendments do not outline or address what is considered as the front or side of a rear site. In our case vehicular access and indeed visibility of the house is from the 'side' of the house and not the 'front' (as defined as the wall facing the roadway, which is otherwise obscured by a front property in our case).

| 91.2
| 91.3

Property address: 5 Council Terrace

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Retaining a 2.5m height on relation to boundary for a rear site in our situation is manifestly unfair. In our case, applying a 3.0m height in relation to boundary does not impact on the streetscape, but would result in better outcomes in terms of being able to address our needs in terms of space for our growing family.

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

| 91.1

Details of amendments: Allowing the 3.0m height in relation to boundary to also apply to rear sites, instead of letting the 2.5m underlying rule apply.

Submission date: 24 June 2019

Attend a hearing

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

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

Declaration

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

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

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

No

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

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

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

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

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

For office use only

Submission No:

Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

JENNY GRANVILLE

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

Address for service of Submitter

10 RYLE ST FREEMANS BAY 1011

Telephone:

021 185 9345

Fax/Email:

jenny.j.granville@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

PC-26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

D18 - SPECIAL CHARACTER OVERLAY - E38 - SUB.URBAN

Or

Property Address

Or

Map

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

I believe the plan change is vital in order to provide clarity for development in the special character Area. These rules help manage and retain our heritage areas. These rules should not contain conflicting standards. The S.C. overlay rules should replace any conflicting rule.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

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

Decline the proposed plan change / variation

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

-
-
-
-

92.1

I wish to be heard in support of my submission

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

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

-
-
-

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

25.6.2019
Date

Notes to person making submission:

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

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

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

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

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

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

(a) adversely affects the environment; and

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Donald James Lyon Catherine Elizabeth Lyon and Professional Trustee Services Ltd

Organisation name:

Agent's full name:

Email address: clyon@xtra.co.nz

Contact phone number: 6421834303

Postal address:
15 Summit Drive
Mt Albert
Auckland 1025
Mount Albert
Auckland 1025

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
Special Character Area Overlay as it applies to the property at 42A Kitenui Avenue Mt Albert

Property address: 42A Kitenui Avenue Mount Albert

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

With the addition of further development restrictions, subdivision controls and assessment criteria over and above those of the underlying zoning, the effect of the provisions are to severely constrain future development of this site (which already contains a multi-unit development) and others in the same street and neighbourhood which no longer have the special character which the overlay seeks to protect. For clarity we do not oppose the purpose or controls of the special character overlay per se, in fact we support them being applied to appropriate sites and neighbourhoods. However we believe it is inappropriate to apply the overlay to the site at 42A Kitenui Avenue, which is a rear site, without street appeal and already containing 4 brick and tile units from the 1950's. The controls of the

overlay and the restrictions they create are simply not relevant or appropriate for this site or others close by that already contain multi unit developments and/or do not face the street. The effect of the overlay is to restrict future intensification potential on a site suitable for that purpose and we note that such intensification potential is wholly consistent with the purposes of the Auckland Unitary Plan to promote good urban development close to transport nodes on the Isthmus and hence mitigate the adverse impacts of urban sprawl.

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

| 93.1

Details of amendments: Remove Special Character Area Overlay from 42A Kitenui Avenue as the Overlay is inappropriate for this large rear site which already contains a four unit development.

| 93.2

Submission date: 25 June 2019

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stephen A Nielsen

Organisation name:

Agent's full name:

Email address: sunjamr@earthlink.net

Contact phone number:

Postal address:

3 Lytton St

Devonport

Devonport

Auckland 0624

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

D18.4.1 - Activity Table (A1)

Property address: 3 Lytton St

Map or maps:

Other provisions:

Activities that are Permitted.

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

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

The reason for my or our views are:

My house is a plaster-clad house. I am planning to re-clad it with weatherboard, similar to the other houses in my neighbourhood. At the moment, I can apparently do this without a resource consent. It appears that if this plan change is approved, according to D18.4.1, I would then need a resource consent, since re-cladding is not listed as a Permitted activity. Re-cladding is not technically a "restoration and repair" activity, it is a modification to the appearance of the building. I would like to see D18.4.1(A1) modified to say "Restoration and repair (including re-cladding) to a building on all sites in the Special Character Areas Overlay..." If this plan change requires a resource consent for re-cladding, then I and many other owners of plaster clad houses will simply leave them as is, which

most people consider to be out of character with the neighborhoods. Therefore I consider that it's very important to clarify this issue. Other than this issue, Plan Change 26 is acceptable to me.

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

| 94.1

Details of amendments: See above.

Submission date: 25 June 2019

Attend a hearing

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

Declaration

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

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

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

Yes

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

25 June 2019

Re : Unitary Overlay Plan. Proposed Plan Change 26 – Herne Bay Area

Dear Council Planning

In response to the Unitary Plan Change we would like to formally submit our concerns in response to the proposed changes for the Herne Bay area. There are many old and established family homes on full sections in the Herne Bay area in which families move in to bring up their children. We feel that a home in the Herne Bay area should be able to be rebuilt in the exact same style it was originally and be rebuilt in proportion to the section size if it were destroyed. This is also what our homes are insured for. The homes built in Herne Bay were built for the landscape and to fit in with the unique surrounding area, which is why people move into the area. Obviously, homes and land would be greatly devalued if this plan was passed through, and rates would need to be reduced accordingly. Herne Bay residents contribute more than their fair share of rates to compensate for the homes and or land which is a unique part of the area and why it appeals to many.

95.1

The special feature of Herne Bay area is that people live on larger sections with family homes built in proportion to the section. We oppose that larger sites be subdivided or that a home can only be rebuilt on quarter of a larger site or smaller part of a half site as per Building Coverage allowed in table D18.6.1.4 as an example -- someone who has a site of **500m²** would be limited to 40% of site ie. 200m² and which larger homes on half sites are part of Herne Bays uniqueness and should be able to build in accordance to their section size. Also, if a property fit into the next category by 1m² - ie. **501m²** they would only be able to build on 35% of their site which would be 175m² - a smaller house for the sake of 1m² which makes no sense. It will devalue the homes and the area. Much has been spent on landscaping and parking space to suit the homes and section sizes, and many people are privately employed to service the area for curb appeal so gardens and parking areas or special feature parking under houses is a unique part of people living here and upkeep is maintained to a high standard including berm areas making Auckland a diverse, desirable and liveable place for all.

95.2

If this part of Herne Bay area is designated as high density; the landscape and surrounding area would change dramatically and would of course need more council upkeep, and the area would no longer be a desirable place to live for locals who have moved in for the home sizes, sections, landscapes and surroundings to bring up families, and of course would not be worth the upkeep, if the overall value of the house, and living in the area has been taken away. Perhaps other destinations may then be become more desirable to live in, which in turn would require moving businesses and employment out of Auckland also. It would be good if Auckland Council can reserve some areas with homes built in proportion to section sizes as a unique liveable part of Auckland City landscape and keep Auckland as a desirable diverse city which is inclusive of everyone to live in.

95.3

We therefore would like the Auckland Council to reconsider not including Herne Bay or this part of Herne Bay into the proposed plan change 26 but keep this area as a unique part of Auckland district.

95.4

Yours sincerely

Adam and Sue Berry

26 Bella Vista Road

Herne Bay 1011

Auckland

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Colin and Jocelyn Weatherall

Organisation name:

Agent's full name: David Wren

Email address: david@davidwren.co.nz

Contact phone number: 098150543

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:

The entire Plan Change

Property address:

Map or maps:

Other provisions:

Please see attached document

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

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

The reason for my or our views are:

See attached document

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

| 96.1

Details of amendments: See attached document

Submission date: 25 June 2019

Supporting documents

Submission PC26 Cand J Weatherall.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Proposed Plan Change 26 - Submission

1. This document supports the submission from Colin and Jocelyn Weatherall on Proposed Plan Change 26 (**PC26**) to the Auckland Unitary Plan.

Provisions Subject to this Submission.

2. This submission concerns the entire PC26 and specifically the following provisions
 - D18.4 Activity Table
 - D18.6.1 Standards for buildings in the Special Character Areas Overlay - Residential and in the Special Character Areas Overlay – General (with a residential zoning)
 - D18.6.1.2. Height in relation to boundary
 - D18.6.1.3. Yards
 - D18.8.1. Matters of discretion
 - E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business

Reasons for Submission

3. Introduction

4. Overall the direction the direction of PC26 is supported as it provides a solution to the complicated situation currently facing applicants dealing with proposals that are subject to the Special Character Area overlay. To the extent that PC 26 resolves the current cumbersome requirements, the plan change is supported subject to the changes outlined below and in the alternative relief sought in paragraph 31.
5. It is submitted that subject to the changes outlined below PC26 will be in accordance with the purpose and principle of the Resource Management Act 1991.

6. D18.4 Activity Table

7. The changes proposed to the introduction to the activity table state that where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 takes precedence over the activity status in the underlying zone.
8. The use of the term 'take precedence' in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This

therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion as to which activity rules apply.

96.2

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

10. The changes proposed to paragraph (a) are unusual in that they will create the situation where activities that are fully discretionary or non-complying will be subject to the development standards in D18.6.1. This is inconsistent with the approach taken elsewhere in the Unitary Plan. It is submitted that this clause should be amended to relate to only permitted, controlled and restricted discretionary activities.

96.3

11. D18.6.1.2. Height in relation to boundary

12. The introduction of different height in relation to boundary rules for sites of less than 15m wide and those of 15m wide or greater is inappropriate and will result in anomalies. Firstly in many areas there is no difference in the style and shape of buildings based on the width of the site. Most corner sites, no matter where they are located will be detrimentally affected for no planning reason other than they are corner sites.

13. The use of a 15m cut off point for the imposition of the rule is arbitrary and ignores the fact that even on larger sites the stud height of older houses is higher than most modern houses and that makes the 3m and 45 degree height to boundary standard appropriate. The location of existing buildings on site is more of a determinant of ability to comply with the height to boundary standards than the width of the site.

14. It is submitted that this distinction should be removed.

96.4

15. D18.6.1.3. Yards

16. The removal of the rear yard rule is supported.

17. It is submitted that the side yard should be removed also. In most cases the actual side yard in areas subject to the Special Character Overlay will have small side yards, in many cases less than 1m (which is the main underlying standard). Imposing a 1.2m yard is inconsistent with the new stated purpose of the rule and has nothing to do with streetscape. A standard side yard approach as per the underlying zone is adequate for most situations and this will not

96.5

impact on streetscape.

18. D18.6.1.7. Fences and walls and other structures

19. The changes proposed to the fencing rules are generally supported however the rule does not sufficiently allow for corner sites where there were typically higher fences along the long front boundary. It is submitted that the rule be amended to allow a 2m high fence along the longerfront boundary of corner sites. This will enable fencing to match the traditional type of fencing provided in the older areas of Auckland and for residents to obtain privacy in their rear yards.

96.6

20. D18.8.1. Matters of discretion

21. PC 26 introduces a cross reference in respect of matters for discretion to the matters of discretion for the standard (or equivalent standard) in the underlying zone. It is submitted that these matters should be self contained within the overlay as the rules replace the rules in the underlying zone. Referencing back to the underlying zone where there are different rules will cause confusion especially where the purposes of the rules are different.

96.7

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

23. PC 26 introduces a new clause (3) which states that the subdivision net site area controls in Table E38.8.2.6.1 take precedence over those in Table E38.2.3.1.

24. The use of the term 'take precedence' in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion.

96.8

25. Changes Requested.

26. I seek the following changes to PC26 (Additions underlined and deletions struck through). These changes seek to clarify how the proposed changes to the rules should work and to give effect to this submission.

D18.4. Activity table

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

Where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 ~~takes precedence over~~ replaces the activity status in the underlying zone (whether or not that activity status is more restrictive).

Where an activity is not provided for in Table D18.4.1, the activity will have the activity status provided in the underlying zone. All other relevant overlay, precinct, Auckland- wide and general rules apply.....

D18.6. Standards

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

a) All activities that are listed as permitted, controlled or restricted discretionary activities – undertaken within the Special Character Areas Overlay – Residential or Special Character Areas Overlay – General (with a residential zoning), whether they are listed in Table D18.4.1 or in the underlying zone, must comply with the following development standards.

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

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

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

~~(a) The site has a frontage length of less than 15m~~

~~(i) For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.~~

~~(2) The underlying zone height in relation to boundary standard applies where: (a) The site has a frontage length of 15m or greater; or~~

~~(b) The site is a rear site.~~

.....

Table D18.6.1.3.1 Yards

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

D18.6.1.7. Fences and walls and other structures

Purpose:

- To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.

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

(a) On the front boundary or between the front façade of the house and the front boundary, 1.2m in height. (except that on corner sites this rule shall apply only on the shorter frontage)

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

(c) For the purposes of this standard, the front façade of the house means the front wall of the main portion of the house facing a street, and shall exclude bay windows, verandahs, stairs, attached garages and similar projecting features. The front facade Houses on corner sites ~~have two front facades~~ is the front facade facing the shorter frontage of the site.

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

D18.8.1. Matters of discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary resource consent application.

D18.8.1.1. Special Character Areas Overlay - Residential

.....

(3) For an infringement of the any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:

(a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement; and

Note 1

Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

(b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.

~~(c) the matters of discretion for the standard (or equivalent standard) in the underlying zone.~~

(c) any policy which is relevant to the standard;

(d) the purpose of the standard;

(e) the effects of the infringement of the standard;

(f) the effects on the amenity of neighbouring sites;

(g) the effects of any special or unusual characteristic of the site which is relevant to the standard;

(h) the characteristics of the development;

(i) any other matters specifically listed for the standard; and

(j) where more than one standard will be infringed, the effects of all infringements.

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

(1) Proposed sites identified in the Special Character Areas Overlay – Residential and Business must comply with the minimum net site area in Table E38.8.2.6.1 Special Character Overlay – Residential and Business subdivision controls.

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

(3) The minimum net site area controls within Table E38.8.2.6.1 Special Character Areas Overlay – Residential and Business subdivision controls ~~take precedence over~~ replace those within Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare.

27. Other Changes

- 28. Any alternative and additional changes to PC26 that would provide for the matters set out in this submission. | 96.9

- 29. Any other consequential or alternative amendments arising from these changes. | 96.10

- 30. Subject to the above changes the plan change is supported and should not be changed.

- 31. It is submitted that the Special Character Overlay effectively is a de-facto zone in its own right. It is submitted that the Council give consideration to inserting the overlay as a new zone rather than continuing with the zone and overlay combination, especially in respect of properties currently zoned residential. | 96.11

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter Ng

Organisation name:

Agent's full name: David Wren

Email address: david@davidwren.co.nz

Contact phone number: 098150543

Postal address:

Submission details

This is a submission to:

Plan modification number: PC 26

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

My submission relates to

Rule or rules:
The entire plan change

Property address:

Map or maps:

Other provisions:
See attached sheet

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

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

The reason for my or our views are:
See attached document

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

| 97.1

Details of amendments: See attached document

Submission date: 25 June 2019

Supporting documents
Submission PC26 Peter Ng.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Proposed Plan Change 26 - Submission

1. This document supports the submission from Peter Ng on Proposed Plan Change 26 (**PC26**) to the Auckland Unitary Plan.

Provisions Subject to this Submission.

2. This submission concerns the entire PC26 and specifically the following provisions
 - D18.4 Activity Table
 - D18.6.1 Standards for buildings in the Special Character Areas Overlay - Residential and in the Special Character Areas Overlay – General (with a residential zoning)
 - D18.6.1.2. Height in relation to boundary
 - D18.6.1.3. Yards
 - D18.8.1. Matters of discretion
 - E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business

Reasons for Submission

3. Introduction

4. Overall the direction the direction of PC26 is supported as it provides a solution to the complicated situation currently facing applicants dealing with proposals that are subject to the Special Character Area overlay. To the extent that PC 26 resolves the current cumbersome requirements, the plan change is supported subject to the changes outlined below and in the alternative relief sought in paragraph 31.
5. It is submitted that subject to the changes outlined below PC26 will be in accordance with the purpose and principle of the Resource Management Act 1991.

6. D18.4 Activity Table

7. The changes proposed to the introduction to the activity table state that where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 takes precedence over the activity status in the underlying zone.
8. The use of the term 'take precedence' in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This

therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion as to which activity rules apply.

97.2

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

10. The changes proposed to paragraph (a) are unusual in that they will create the situation where activities that are fully discretionary or non-complying will be subject to the development standards in D18.6.1. This is inconsistent with the approach taken elsewhere in the Unitary Plan. It is submitted that this clause should be amended to relate to only permitted, controlled and restricted discretionary activities.

97.3

11. D18.6.1.2. Height in relation to boundary

12. The introduction of different height in relation to boundary rules for sites of less than 15m wide and those of 15m wide or greater is inappropriate and will result in anomalies. Firstly in many areas there is no difference in the style and shape of buildings based on the width of the site. Most corner sites, no matter where they are located will be detrimentally affected for no planning reason other than they are corner sites.

13. The use of a 15m cut off point for the imposition of the rule is arbitrary and ignores the fact that even on larger sites the stud height of older houses is higher than most modern houses and that makes the 3m and 45 degree height to boundary standard appropriate. The location of existing buildings on site is more of a determinant of ability to comply with the height to boundary standards than the width of the site.

14. It is submitted that this distinction should be removed.

97.4

15. D18.6.1.3. Yards

16. The removal of the rear yard rule is supported.

17. It is submitted that the side yard should be removed also. In most cases the actual side yard in areas subject to the Special Character Overlay will have small side yards, in many cases less than 1m (which is the main underlying standard). Imposing a 1.2m yard is inconsistent with the new stated purpose of the rule and has nothing to do with streetscape. A standard side yard approach as per the underlying zone is adequate for most situations and this will not

97.5

impact on streetscape.

18. D18.6.1.7. Fences and walls and other structures

19. The changes proposed to the fencing rules are generally supported however the rule does not sufficiently allow for corner sites where there were typically higher fences along the long front boundary. It is submitted that the rule be amended to allow a 2m high fence along the longerfront boundary of corner sites. This will enable fencing to match the traditional type of fencing provided in the older areas of Auckland and for residents to obtain privacy in their rear yards.

97.6

20. D18.8.1. Matters of discretion

21. PC 26 introduces a cross reference in respect of matters for discretion to the matters of discretion for the standard (or equivalent standard) in the underlying zone. It is submitted that these matters should be self contained within the overlay as the rules replace the rules in the underlying zone. Referencing back to the underlying zone where there are different rules will cause confusion especially where the purposes of the rules are different.

97.7

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

23. PC 26 introduces a new clause (3) which states that the subdivision net site area controls in Table E38.8.2.6.1 take precedence over those in Table E38.2.3.1.

24. The use of the term 'take precedence' in this clause is unclear and will lead to further confusion and interpretative difficulties. Precedence puts one thing ahead of another. This therefore does not mean that the underlying activities rules will cease to apply, but simply that the SCA activity rules take precedence. It is submitted that the clause 'take precedence' in this rule should be amended by inserting the word 'replace' instead of 'take precedence'. This will ensure that there is no further confusion.

97.8

25. Changes Requested.

26. I seek the following changes to PC26 (Additions underlined and deletions struck through). These changes seek to clarify how the proposed changes to the rules should work and to give effect to this submission.

D18.4. Activity table

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

Where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 ~~takes precedence over~~ replaces the activity status in the underlying zone (whether or not that activity status is more restrictive).

Where an activity is not provided for in Table D18.4.1, the activity will have the activity status provided in the underlying zone. All other relevant overlay, precinct, Auckland- wide and general rules apply.....

D18.6. Standards

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

a) All activities that are listed as permitted, controlled or restricted discretionary activities – undertaken within the Special Character Areas Overlay – Residential or Special Character Areas Overlay – General (with a residential zoning), whether they are listed in Table D18.4.1 or in the underlying zone, must comply with the following development standards.

D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

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

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

~~(a) The site has a frontage length of less than 15m~~

~~(i) For corner sites, standard D18.6.1.2 (1) applies from each frontage, where that frontage has a length of less than 15m.~~

~~(2) The underlying zone height in relation to boundary standard applies where: (a) The site has a frontage length of 15m or greater; or~~

~~(b) The site is a rear site.~~

.....

Table D18.6.1.3.1 Yards

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

D18.6.1.7. Fences and walls and other structures

Purpose:

- To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape.

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

(a) On the front boundary or between the front façade of the house and the front boundary, 1.2m in height. (except that on corner sites this rule shall apply only on the shorter frontage)

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

(c) For the purposes of this standard, the front façade of the house means the front wall of the main portion of the house facing a street, and shall exclude bay windows, verandahs, stairs, attached garages and similar projecting features. The front facade Houses on corner sites ~~have two front facades~~ is the front facade facing the shorter frontage of the site.

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

D18.8.1. Matters of discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary resource consent application.

D18.8.1.1. Special Character Areas Overlay - Residential

.....

(3) For an infringement of the any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:

(a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement; and

Note 1

Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

(b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.

~~(c) the matters of discretion for the standard (or equivalent standard) in the underlying zone.~~

(c) any policy which is relevant to the standard;

(d) the purpose of the standard;

(e) the effects of the infringement of the standard;

(f) the effects on the amenity of neighbouring sites;

(g) the effects of any special or unusual characteristic of the site which is relevant to the standard;

(h) the characteristics of the development;

(i) any other matters specifically listed for the standard; and

(j) where more than one standard will be infringed, the effects of all infringements.

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

(1) Proposed sites identified in the Special Character Areas Overlay – Residential and Business must comply with the minimum net site area in Table E38.8.2.6.1 Special Character Overlay – Residential and Business subdivision controls.

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

(3) The minimum net site area controls within Table E38.8.2.6.1 Special Character Areas Overlay – Residential and Business subdivision controls ~~take precedence over~~ replace those within Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare.

27. Other Changes

- 28. Any alternative and additional changes to PC26 that would provide for the matters set out in this submission. | 97.9

- 29. Any other consequential or alternative amendments arising from these changes. | 97.10

- 30. Subject to the above changes the plan change is supported and should not be changed.

- 31. It is submitted that the Special Character Overlay effectively is a de-facto zone in its own right. It is submitted that the Council give consideration to inserting the overlay as a new zone rather than continuing with the zone and overlay combination, especially in respect of properties currently zoned residential. | 97.11

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

MARY HELEN HARE

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

Address for service of Submitter

51 MAUNGAWHAU ROAD EPSOM AUCKLAND 1023
+ SIA

Telephone:

09.5203336

Fax/Email:

09.522.2596

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

PC 26

Or

Property Address

51 MAUNGAWHAU RD EPSOM + SIA

Or

Map

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:


(continue on a separate sheet if necessary)

I seek the following decision by Council:

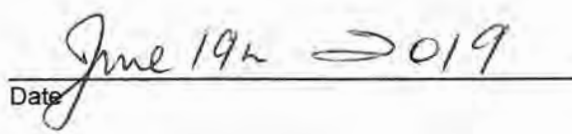
- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

| 98.1

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



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



 Date

Notes to person making submission:
 If you are making a submission to the Environmental Protection Authority, you should use Form 16B.
 Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.
 If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
 I could /could not gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete the following:
 I am / am not directly affected by an effect of the subject matter of the submission that:
 (a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition.

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

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



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

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)

Isabella Huihana Tedcastle.

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

Address for service of Submitter

114 Long Drive St. Heliers Auckland 1071

Telephone:

09 5755 323

Fax/Email:

i2o.ted@xtra.co.nz

Contact Person: (Name and designation, if applicable)

(I only take messages off or push reply)

Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

[Empty box]

Or

Property Address

114 Long Drive St. Heliers.

Or

Map

[Empty box]

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are: I attended a meeting earlier on the unitary plan which had restrictions on my property, I find the proposal difficult to understand and that further restrictions are to be imposed in what seems a 'blanket' implication. Too short a time given to follow up. (continue on a separate sheet if necessary)

I seek the following decision by Council:

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

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

J.H. Ledcalle M.N.Z.M.
Signature of Submitter
(or person authorised to sign on behalf of submitter)

14. 06. 19
Date

Notes to person making submission:

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

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

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

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

I had a person print this off for me. Your letter was dated 30th May & submission were 30 May - 28th June. I received. 8th. June and then out of town. so difficult to seek further information as I am not a computer user. Posting today the 14th. Thankyou.

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

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



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For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms/Full Name) Full

Xiaoli Jing

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

Address for service of Submitter

P O Box 15799, New Lynn, Auckland

Telephone:

021-2395277

Fax/Email:

dragon9988@gmail.com

Contact Person: (Name and designation, if applicable)

George WANG 021-1591367

Scope of submission

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

Plan Change/Variation Number

PC 26

Plan Change/Variation Name

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

The specific provisions that my submission relates to are:

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

Plan provision(s)

Or

Property Address

130 Balmoral Rd, Mt Eden, Auckland

Or

Map

Or

Other (specify)

Submission

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

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

The reasons for my views are:

See Attachment 1

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

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

Decline the proposed plan change / variation

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

Some properties are not affected by the change, which include 130 Balmoral Rd, Mt Eden, Auckland

100.1

I wish to be heard in support of my submission

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

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

[Handwritten Signature]

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

22/6/2019

Date

Notes to person making submission:

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

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

(a) adversely affects the environment; and

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

Attachment 1

I am one the owners of 130 Balmoral Rd, Mt Eden, Auckland.

When I purchased this property in 2013, the property is zoned 6b. Later the Auckland Unitary Plan changed it to single house zone. At that time I did not have too much knowledge about the zoning information so I did not make any submission.

Changing the zone from 6b zone to single house zone means the property is not able to be subdivided in the future. Given the general purpose of the Unitary Plan is to release more lands and to increase density, changing the property from 6b zone to single house zone is unusual unless it serves more important purposes.

First, our property is near to the main road, namely Balmoral Rd. Normally the properties near to main road are designed to have high density.

Secondly, our property is situated in a relatively separated neighbourhood which can only be accessed through a long driveway. The properties which can be accessed through the long driveway includes 128A, 128B, 128C, 130, 130A and 130B. 128A, 128B and 128C are all newly built properties with a land area around 300m² each. 130A and 130B includes 22 units. Only our property at 130 is a single house with a land area of 909m². Then I would ask, for what good purpose shall our property be changed from 6b zone to single house zone, as it is surrounded by high density units and small land new dwellings. This change is quite arbitrary and against common sense.

Now I again receive your notice that my property is under special character areas overlay and more restrictive rules will apply to it. I do not understand why my property should be under special character areas overlay, because my neighbourhood does not have special character, they are all high density units and small land new dwellings.

I submit to change my property to mixed urban zone, and that it should not be under special character areas overlay. I am also against the idea that the rules under special character areas overlay shall prevail over the rules of underlying residential zone, at least this change should not apply to my property.

100.2