



## **Feedback of Civic Trust Auckland**

### **The draft Auckland Unitary Plan**

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### **Civic Trust Auckland**

Civic Trust Auckland (CTA) is a non-profit public interest group, incorporated in 1968, with activities and interests throughout the greater Auckland region.

The aims of the Trust include:

- Protection of natural landforms
- Preservation of heritage, in all its aspects
- Encouragement of good planning for the city and region.

Over the 45 years of its existence CTA has had ongoing engagement with Council, which has included making submissions on a range of plans within the Trust's areas of activity. Recent submissions by CTA include:

- Auckland Council Draft Annual Plan (2013)
- Draft Auckland Regional Public Transport Plan (2012)
- Draft Long-Term Plan (2012)
- Draft Long-Term Plan - Regional Land Transport Plan (2012)
- Draft Auckland Waste Management & Minimisation Plan
- Auckland (Spatial) Plan
- Draft Local Board Plans (for all the Auckland local boards)
- City Centre Masterplan.

We collaborated with Council for an Auckland Conversation this year when we brought Malcolm Middleton, Queensland Government Architect, to Auckland to present on 12 March. We have organised a variety of events in annual Auckland Heritage Festivals.

CTA is a regional organisation covering the whole of Auckland City and our membership is drawn from the extent of this area.

We have associations with a number of Auckland groups as well as those from other parts of the country including: the Environmental Defence Society, the Tree Council, Friends of Maungawhau, the Volcanic Cones Society, Save Our St Heliers, the Character Coalition, the Campaign for Better Transport, Forest and Bird, ECO the Wellington Civic Trust and the Christchurch Civic Trust.

### **Feedback from Civic Trust Auckland**

Our feedback relates to all local board areas and a number of provisions, under the subjects listed below.

#### General

1. Heritage and Historic Character
2. Treaty of Waitangi
3. Natural Environment
4. Residential
5. Map Changes
6. Landscape Features/Areas
7. Parks and Community
8. Coastal
9. Transport
10. Growth
11. Infrastructure
12. Natural Resources
13. Rural Urban Boundary
14. Affordable Neighbourhoods
15. Definitions
16. Plan, Website (ePlan)

Quotes from the UP are given in *blue italics*.

- CTA's suggestions are generally as bulleted.

### **GENERAL**

Council's slide presentations during this "enhanced engagement process" affirmed that the Unitary Plan (UP) is "Not just Auckland Council's plan. It will be delivered by all Aucklanders".

CTA believes that community buy-in is necessary for people to feel a sense of ownership and pride in their city, and urges that the values that are important to communities are properly recognised and provided for in the Unitary Plan. This requires constructive engagement and consultation, and, to that end, CTA members have participated in a range of draft UP events since mid-2012. CTA endorses the sentiment of Penny Pirrit's presentation to the Resource Management Law Association on 27 June 2012 where she said, "We are really keen to get the best unitary plan that we can for Auckland".

CTA members who attended the EDS seminar on 20 April noted Penny Hulse's comment that, "We want it to be a city where the environment matters. ... Your views are taken very seriously".

Aside from Aucklanders, CTA considers that our city's neighbours in Waikato and Northland should also have the opportunity to give feedback, and, ultimately, those further afield, if Auckland's Unitary Plan is to be the first of its type in New Zealand and standardization in planning matters is sought throughout the country. Northland is economically depressed and would presumably welcome some of the growth proposed for Auckland. We note that the RPS on page 4 says, "*Decisions we make on physical infrastructure will have significant impacts, not just on Auckland but also on the well-being of neighbouring regions and on the country as a whole*".

CTA expects that as a result of feedback provided during the 15 March - 31 May period amendments will be made to the draft plan. We are aware that some changes have already been made as a response to feedback and to correct errors in the documentation.

As part of the plan review process CTA would consider it helpful to see the differences between the draft plan as released *and* as proposed subsequent to feedback received.

- CTA requests that a tracked changed version of the plan be provided online on [shapeauckland.co.nz](http://shapeauckland.co.nz) with changes showing **underlined words for added text** and **struck through words for removed text** (as legacy council plan changes used to) but also using a two-colour background as above to clarify what is IN or OUT. This would make visible / transparent the changes made in response to feedback

CTA has maintained an ongoing engagement throughout this process but understands there has been concern at the short timeframes for public engagement and that some groups and individuals have struggled with time and resources to be able to identify and provide feedback about their concerns. Council's Auckland Plan Committee has indicated its intention to set up "collaborative workshops" with interested parties to try to resolve issues after submissions close.

- Having engaged constructively throughout this process, CTA would welcome participation in these.

## **1. HERITAGE AND HISTORIC CHARACTER**

Historic heritage is fundamentally a mature part of any liveable city. Regrettably there is little evidence of its successful integration within the evolving urban design of Auckland.

The RMA, as currently enacted, states that, "*The protection of historic heritage from inappropriate subdivision, use, and development*" is a matter of national importance which must be recognised and provided for by decision makers (section 6(f)). The Auckland Plan says, "*We will develop strong robust and transparent mechanisms to identify, protect, manage and conserve our significant heritage places*" (316, p 126).

In spite of what the RMA and Auckland Plan say, however, heritage losses in Auckland continue, like the removal of character houses in historic character suburbs, and consequently the integrity of the collective value of the city's heritage is undermined. The value of historic heritage as a physical resource is not only aesthetic, spiritual, cultural, social and educational. It also holds a store of economic benefits to be derived through such avenues as heritage tourism.

*"The historic environment is an irreplaceable asset representing the investment of centuries of skills and resources. It gives places a unique competitive advantage. It generates jobs. It attracts people to live in an area, businesses to invest and tourists to visit. Most of it is in everyday use; it is capable of an economic future; it is an asset we squander or degrade at our peril."*<sup>1</sup>

CTA considers that the protection of historic heritage remains inadequate in Auckland. CTA strongly supports a higher level of protection for historic heritage and historic character than has been the case in the past.

### **1.1 Intensification**

CTA has concerns with regard to the adverse effects of intensification on the current built environment. *Before* any planning for intensification is provided for, historic heritage needs to be comprehensively identified. Currently there appears little formal identification of historic heritage beyond the amalgamation of pre-existing heritage schedules inherited from the seven legacy Councils. These are not considered to be complete.

- **In and around town centres** there is considerable potential for conflict between heritage and intensification, particularly impacts on heritage places where terraced housing and apartment zones abut.
- **Along early transport corridors** intensification presents a particular threat to early one and two-storey unreinforced brick masonry buildings along what became tram routes, e.g. Kingsland, Upper Symonds St, along Mt Eden and Dominion Roads. These are at particular risk from the proposed earthquake strengthening requirements under the Building Act.
- **Some of Auckland's early residential suburbs** contain distinctive timber housing such as cottages, villas and bungalows. Often referred to as *character* suburbs, collectively the houses in those suburbs and those suburbs together now constitute an integral part of the city's valued historic heritage. The Unitary Plan proposes undermining the integrity of the historic character suburbs by applying mixed use zoning across the city. This would result in homogenising a large section of Auckland, thus reducing housing choice (in terms of being able to live where character houses prevail as the dominant housing form).

Planning for intensification and the assessment of historic heritage needs to be considered in an integrated manner. Heritage and historic character provisions should be integrated throughout the UP, as reflected in the Regional Policy Statement:

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<sup>1</sup> "Power of Place", English Heritage (2000)

## Objectives

1. Auckland's significant historic heritage places are identified and protected.
2. Significant historic heritage places are used appropriately and owners and the community are encouraged to actively protect and conserve these places.

Reflecting the importance of heritage in RMA section 6, intensification needs to be managed in a more refined way so that heritage elements as yet unidentified survive. Intensification should be sequenced so as not to inappropriately affect physical resources that may be un-assessed but which present *prima facie* evidence of significant heritage value.

Such an approach would provide the opportunity for the necessary identification to be undertaken and local precinct plans providing for intensification to be developed with input from both property owners and local community interests.

CTA proposes that:

- intensification be provided for in areas where there will not be an adverse effect on areas of regional heritage significance.
- collaborative planning be used in a staged approach in each local board area to implement the re-zoning components of the Unitary Plan. The changes should be introduced in conjunction with community groups and the Local Board as part of the implementation of a local area plan.

## **1.2 Assessments of Areas**

The Regional Policy Statement identifies as one of eight issues of regional significance: "*protecting our historic heritage, historic character and natural heritage.*"

It notes that, "*Further growth places pressure on our ability to protect and conserve historic heritage.*" and then states that, "*Lack of knowledge on places also limits our efforts to conserve our historic heritage*".

The draft Unitary Plan's recognition of Auckland's heritage comprises the amalgamated schedules of heritage places from the legacy councils. Another approximately 60 places are to be added, which is a positive move, but also to be expected is feedback from building owners who may seek their buildings be removed from the heritage schedules.

As far as "areas" of heritage significance are concerned, the Auckland Plan, the city's 30-year vision articulated as a spatial plan, was required to *identify nationally and regionally significant areas of historic heritage value*<sup>2</sup>, but with the exception of parts of the Waitakeres, has not done so.

"Area Plans" have been done for a few areas like Hibiscus Bays, and Mangare/Otahuhu, but these cover only a small part of the city, and, furthermore, they carry no statutory weight for the purposes of heritage recognition or protection in the Unitary Plan.

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<sup>2</sup> LGA s.80(3) The Auckland Council may amend the spatial plan at any time.

With no area assessments yet complete that provide any formal recognition and protection in the Unitary Plan, CTA considers that if the destruction of part of the city's heritage is to be avoided, Auckland Council should prudently adopt a precautionary approach, and stage the intensification proposed for the city.

CTA recognises that resources and timing are issues for identification of heritage and historic character and suggests:

- thematic studies be used as a methodology to identify areas.
- heritage assessments inherited from legacy Councils, including the Auckland Regional Council's Cultural Heritage Inventory, are easily digitised and should be made accessible online to users of the UP.
- extending public consultation, which could provide valuable information about what makes various places special and would provide the opportunity to appropriately provide for their protection.
- that local boards are in a good position to provide this information, and in some cases to fund such assessments.

Some of the areas that CTA consider are at particular risk are:

- some of the early residential suburbs that evolved closest to the original colonial town of Auckland and now known as historic character suburbs
- local commercial strips and villages along transport routes (former tram routes) e.g. Dominion Rd, Ponsonby Rd and Kingsland. These repositories of one and two-storey Victorian and Edwardian development are under threat as the newly proposed densities are mostly for three - four storeys, depending on the heritage overlays. The UP zoning for these areas, along with the proposed seismic upgrade rules constitutes a threat to this heritage.
- Karangahape Road, an example of a nationally recognised area (as per the City Centre Masterplan) not afforded any statutory protection in the UP beyond the eight places identified in the legacy District Plan.

CTA proposes Auckland Council approach intensification in a staged manner:

- adopting a consistent methodology criteria for assessing areas across the region
- prioritising of areas for investigation
- completing proper assessments of areas including town centre and precincts before intensification takes place
- providing appropriate funding for heritage identification and assessment.

### **1.3 Schedules**

CTA supports the rolling over of existing schedules. However, these schedules are all probably deficient to some degree as the quantum of Council heritage budget has meant that meaningful research has been limited.

It is expected that the public will nominate areas and places of heritage significance as part of the feedback and process.

We support the qualitative system of assessment for scheduling and its alignment with the NZHPT system for registration.

We seek that:

- all the current NZHPT registrations be incorporated into the heritage schedules of the UP
- UP criteria remain aligned with those of the NZHPT following the passage of the Heritage New Zealand Pouhere Taonga Bill currently before parliament
- if a place is of significance to Mana Whenua then this criterion on its own be sufficient to meet the threshold for scheduling.
- heritage provisions proposed in the UP be given legal effect upon notification in order to provide interim protection until the necessary heritage assessments are completed.

CTA opposes the change to the Historic Heritage Schedule which has categorised all North Shore City A Schedule buildings as category A^.

- We seek that categories A^ and A\* become A and placed in Schedule A and be referenced as such in the UP maps and overlays.  
This change would result in buildings being equal on the schedule and being subject to the same provisions.

Council should provide a list of nominations online as they are made, along with the information provided with the nomination, so that information about items nominated can be added over time. This would be in line with the RPS of communities protecting heritage and the Implementation Addendum to Auckland Plan: *“Provide a comprehensive and co-ordinated information service for Auckland’s historic heritage”* (page 2015).

In future, the assessment work of Council and the NZHPT could be “streamlined”. This would avoid duplication and lead to faster processing of nominations. Local Boards could also be involved in this process, drawing on heritage knowledge from groups and individuals in their local area.

Furthermore, if the scheduling criteria are the same, subsequently there can be nationwide consistency with other unitary plans throughout the country. This is in accordance with the intent of RMA s.6(f).

#### **1.4 Pre-1944 Demolition Control Overlay**

We strongly support the pre-1944 demolition control overlay as a necessary precautionary approach until it is replaced by historic heritage overlays. We acknowledge the success of this type of control in Brisbane. "Queensland Government architect Malcolm Middleton said the blanket provision was largely accepted and worked for the amenity and value of the character suburbs". (Herald 16 March)

Policy 9 of the RPS 2.4.1 Historic Heritage (p.37) states: "*Adopt a precautionary approach to subdivision, use or development: a) in areas that may have unidentified significant historic heritage places, b) when it is of a scale that may result in adverse effects...,c) where there is insufficient information available to fully understand the extent and the significance of historic heritage values and the effects on those values.*"

- We propose that consideration be given to providing some kind of protection to how individual buildings which are not located in a predominantly pre-1944 area will be protected, such as buildings in rural and outlying areas. We note that some rural areas are areas of early settlement and that there are other concentrations of pre-1944 settlement (such as along the Great South Road).
- We propose that the pre-1944 demolition control overlay be given legal effect on notification.
- We oppose the prohibition on notification for this overlay and seek notification for all resource consents for demolition of pre-1944 buildings (as per the Brisbane model).

We propose that there be capacity within the pre-1944 zone to remove a villa and replace it with a modern house, provided the villa can be relocated within the zone, in order to retain Auckland's stock of villas.

In conjunction with a requirement for a resource consent to remove / demolish pre-1944 houses, criteria need to be provided for the reasonable removal of poorly designed or dilapidated dwellings.

Consideration should also be given to rules that ensure that the only signs allowed on heritage buildings are those that respect the heritage values of pre-1944 and heritage buildings.

As a postscript we are also concerned about adequate protection for heritage for post-1944 heritage, particularly early modernist buildings from 1945 - 1960.

#### **1.5 Resource Consents**

It is of concern that resource consents are non-notified despite possible or even likely public interest. The UP proposes that there will be a low level of publicly notified resource consent applications.

The public are not considered to be affected parties unless they are immediate adjacent occupants or neighbours. CTA seeks a broader definition of "affected person" that reflects the reality that a wider community than just neighbours are potentially affected by an activity.



There needs to be a review of the criteria for notification of resource consent. Cost should not be given so much weight. (See also our section: Rules - Changes Sought)

All applications for demolition of heritage or character buildings should be notified.

Some resource consent applications are incomplete, with either no heritage assessment or with an incomplete heritage assessment. Notwithstanding that applications need to complete (in accordance with RMA section 88) Council should make the requirement explicit in the UP.

We would like consideration be given to require every resource consent application to include a heritage assessment.

Heritage impact assessments carried out by the applicant's expert should be reviewed independently within Council.

We are of the view that processing of non-notified applications should not be processed by an individual planner. Instead, planning staff should consult widely: with the Local Board and relevant parties from the local areas, such as affected neighbours, historic families and community and national heritage groups. This would produce a clear transparent process, as directed in the Auckland Plan.

Alongside more inclusive consultation, as part of a clear transparent process, we seek more reporting with regard to objections and concerns expressed by the community about planning decisions. This information could be automatically generated by Council's electronic system on a monthly basis and be made publicly available. It would provide data about the effectiveness of operational processes and monitoring as well as trends in applications, approvals and public responses. Such reporting will provide reassurance to the public that the system is fair and transparent.

Furthermore, all public agendas, minutes and documents should be made easily accessible by electronic means. The public should be able to subscribe by topics of interest to receive new documents or reports, in order to be made aware of issues which may affect them.

The UP is an opportunity to enable faster, cheaper and more manageable application processing as well as a greater degree of public awareness.

## **1.6 Incentives**

The Auckland Plan notes in Managing Heritage "*techniques available through a unitary plan approach include scheduling, zoning, and overlays, design guidelines and incentives*" (Directive 4.2, p128).

We note that in Roger Blakely's presentation to the Environmental Defence Society on 20 April this year (UP Civic Forums - slide 24), "greater incentives for protecting historic heritage" were said to be in the plan. However, the UP is devoid of incentives. These need to be included and should be easily located with a search on "incentives" and placed within the methods section of the Regional Policy Statement or the sections on

Historic Heritage and Historic Heritage, whichever is more appropriate. These could include:

- Conservation areas
- Waivers of zone provisions
- Specified permitted uses
- Plot ratios or site intensity zonings
- Transferable Development Rights
- Contributions (development and financial)
- Measures relating to the Building Act 2004
- Private-public partnerships
- Heritage grants and loans, e.g. for repairs
- Rates relief
- Tax relief
- Interest-free loans
- GST exemptions
- Public purchase and revolving acquisitions and funds
- Insurance rebates
- Consent fee waivers and discounts
- Heritage floor space bonuses
- Earthquake assistance, e.g. technical advice.

Some of the above list can be provided by Council whilst others are dependent on central government involvement and /or public / private partnership.

Incentives for heritage protection should be stronger and more attractive than other development incentives. Work done by the former Auckland City Council (including the section 32 report) as part of plan modification 42 - bonus provisions, provides relevant information on this matter.

Recognising that inappropriate additions have led to the degradation of heritage buildings, CTA sees the need for a policy that incentivises removal or replacement of such additions. This would fulfil Council's duty under RMA section 5(2)(c) to remedy or mitigate adverse effects.

In any review of Council's long-term plan CTA would support an increase in the heritage acquisition fund, currently at \$10.3 million, the purpose of which is to enable the acquisition of buildings under threat for restoration, protection and on-selling.

### **1.7 Demolition by Neglect**

Rules to address demolition by neglect need to be included in the UP. The only reference to this seems to be in the Definitions under "Heritage Maintenance": *“Regular and on-going protective care of a historic heritage place to prevent deterioration and to retain its historic heritage value”*.

There should be provision for inspections and reports to monitor these requirements and consideration given to appropriate penalties and the option for Council to purchase a building if the requirements are not met. Cities in other parts of the world have such

rules and enforce them. The closest we have in this country seems to be the unsafe and unsanitary rule under the Building Act but this requirement does not relate to uninhabited buildings.

- CTA would like to see rules which require waterproofing and maintaining the structural integrity of buildings in order to prevent further deterioration. .

## **1.8 Sustainability**

When a heritage building is demolished we destroy not only its heritage values but also dispose of its solid waste, which is increasingly expensive both in dollars and in environmental impacts and also the total expenditure of energy involved in the creation of the building and its constituent materials.

It is unsustainable to ignore all the energy embodied in the *existing* built environment and this should be factored into the green building calculations.

## **1.9 Rules - Changes Sought**

2.4. 1 Regional Policy Statement:

*2. Identify a place to have historic heritage value if it has some or all of the following historic heritage values*

- This should become:  
2. Identify a place to have historic heritage value if it has one or more of the following historic heritage values.

2.1.3 Regional Policy Statement page 6 “Building and structures” reads:

*Historic heritage can range in size from individual structures to large sites with multiple features.*

- This should become:  
Historic heritage can range in size from individual places to larger areas.
- “Areas” should be added to the top of the list on page 6 which is preceded by, *“Auckland’s historic heritage includes ...”*.

4.4.2

Activity table 1 - Historic Heritage Overlay (page 561) reads:

*Modifications to buildings or structures, and/or their interiors, where:*

- *the building, and/or its interior, is identified in the exclusions column in the schedule of historic heritage places*
- *where the modifications do not result in any change to the footprint, height or volume of the Building*

- Such modifications should only be permitted where the modifications do not detract from the heritage significance of the place to an inappropriate degree. Otherwise such modifications should be discretionary.

#### 4.4.2

Heritage policy documents (page 565) reads:

*4. Where an application for resource consent or subdivision consent involves significant works or alteration to a scheduled historic heritage place, it must be accompanied by a conservation plan or conservation policy. The following triggers will be used to determine where a proposal constitutes significant work:*

*a. the proposal involves the substantial or total demolition of any feature(s) within a scheduled historic heritage place, excluding any features within scheduled historic heritage places identified in the exclusions column in the Schedule of Historic Heritage Places*

*b. the proposal involves modifications to a significant historic heritage place that affect more than 40 per cent of the place*

*c. the proposal is for the subdivision of a scheduled historic heritage place.*

- Rule b. is not clear and should be:  
b. the proposal involves modifications to a significant historic heritage place that would involve crossing the threshold for substantial demolition.

Any modification of a scheduled historic heritage place (that would result in destruction of enough heritage fabric of considerable significance to constitute substantial demolition) should trigger the need for a conservation plan or policy to be prepared.

The following changes are sought because (i) would seem to be contradictory and (v) would seem to be the leading factor.

- We seek changes to section 4.4.3. 2(b) (page 571) Assessment criteria, "Additions and alterations, and new buildings":
  - delete as per the strike-through in the following:  
*In the case of character-defining buildings, alterations and additions should:*  
*(i). at the street elevation of the building ~~avoid or~~ maintain an appearance similar to the original*
  - move the following section (v) to the top of the list to become (i) and change the struck out word to "fabric":  
*(v) retain as much of the existing building ~~facade~~ as practicable by refurbishing, restoring and adapting parts of the existing building rather than replacing them*

In making a decision on demolition, one of the factors for consideration is the cost to restore or renovate versus the cost of a new building. The cost factor should be deleted from the list of factors, otherwise it has the potential to override the other factors.

- We seek removal of the following in the assessment criteria:

#### 4.4.3

##### 4.1.2.1

*g Whether the costs of restoration are excessive in comparison to the costs of a new building of similar size. (page 571)*

#### 4.4.3

##### 4.1.2 Historic Character Helensville

*4g the practicability and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act*". (page 588)

#### 5.1.2

1. Substantial demolition of a building constructed prior to 1940, Isthmus A, B, and C  
*f. Whether the structural or* (page 601)

5.1.2.4 (m) restricted discretionary same as 5.1.2.5 (h) re demolition of less than 30% plus what remains.

#### 4.4.3

##### 5.1.2.3

- *Retention of historic site elements* (page 632)  
*a. Any proposed additions/alterations to buildings built before 1940 should retain the architectural and historic form, including the original roof form ....*  
In the above, the struck-out word should be "fabric".

##### 4.4.3.1 Historic character business

- Activity table 1  
Take out of first block:  
*"Alterations to the rear where the works use a similar design and materials to the existing building".*  
Take out of second block  
*"alterations not provided for above".*

#### 5. Special information requirements (page 571)

1. *Alterations and additions to existing buildings and new buildings in the Historic Character Business overlay must have regard to the relevant statement of significance.*
2. *Additions and alterations, and new buildings*
  - a. *Buildings should:*
    - i. *reflect and give regard to the statement of significance for the historic character area*

##### Helensville (page 565)

*b. the proposal involves modifications to a significant historic heritage place that affect more than 40 per cent of the place*

- wording needs to be provided to reflect having adverse effects on the heritage significance.

The UP is incomplete as there seem to be no "statements of significance" for the residential overlay area. If rules refer users to a statement of significance, there must be a statement of significance to refer to. There are the historic character statements provided in appendix 10. These list key characteristics (and the existence of other unlisted ones is noted) and note the period which identifies the period of significance of the key characteristics listed. These statements only list the key characteristics but do not provide a statement of significance, such as is necessarily referred to by the rules.

There are circumstances in which historic character areas have historic character value, for example, in the Ponsonby historic character area the area had significance as an early residential suburb and remnants of these key characteristics still remain.

We observe that key characteristics are missing from the character statements and these omissions need to be addressed.

If not part of the UP in a statutory sense, the documents referenced at the end of part 6 appendix 10 Historic Character Statements could usefully be made accessible by e-link.

## **2. TREATY OF WAITANGI**

CTA has concerns that places of significance to Maori are not sufficiently represented in the schedules.

We note that: *“The relationship of Maori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, and other taonga”* is a matter of national importance which must be recognised and provided for by decision makers (RMA 6(e)). Also that, *“The protection of historic heritage”* which includes *“sites of significance to Māori, including wāhi tapu”* from inappropriate subdivision, use, and development is a matter of national importance which must be recognised and provided for by decision makers (RMA 6(f)).

As per our point in the Heritage and Historic Character section above we seek that:

- if a place is of significance to Mana Whenua then this criterion on its own be sufficient to meet the threshold for scheduling. (Reference could also be made to Wahi Tupuna, which is a new category of significance proposed in a SOP to the Heritage New Zealand Pouhere Taonga Bill meaning *“a place important to Maori for its ancestral significance and associated cultural and traditional values”*.)

## **3. NATURAL ENVIRONMENT**

CTA notes that there are no objectives and policies included in section 3 of the UP in relation to ONLs, ONCs and HNCs. Policy direction is needed for these areas as many activities proposed here will require resource consent.

Few areas have been identified as ONCs.

There is inadequate recognition and protection of valued landscapes that are not ONLs and inadequate non-regulatory methods to encourage the protection of these landscapes.

The protection of the landscape values of all rural zones needs to be clearly identified in the objectives and policies for each zone.

## **4. RESIDENTIAL**

CTA supports a range of housing opportunities and choices. We support the building of healthy and resource efficient dwellings that are dry, warm, soundproofed, energy efficient and appropriately solar oriented. Outlook and sunlight are important for residential spaces.

- We seek that new developments be required to pass “Warrant of Fitness for rentals” to ensure that all rental accommodation in New Zealand meets basic standards to make them healthy and safe for families to live in,
- We seek that the UP develop consistent standards of energy and water efficiency for all developments. (The plan currently only requires these high standards in large developments.)
- We seek provision of some “good design” templates to assist with producing good quality developments at low cost.

The three types of urban dwellings described in the plan do not seem to provide sufficient definition.

- We propose that “terraced housing and apartment buildings” be divided into two separate types of dwelling.

We oppose the minimum dwelling unit size of 30m<sup>2</sup> residential units occupying up to 70% of a conjoined site, which has the propensity to degrade existing suburban areas and destroy social cohesion by introducing transient tenants who may have no particular relationship with the community and area.

The proposed rules regarding garaging and fences will help make neighbourhoods more attractive. However, in single house zones there is a requirement that the front of the dwelling be parallel to the street, the limit on solid fences is 1.2m to 1.8m and the front door must face the road. These design rules may be appropriate in certain character areas but in general areas they are too prescriptive and limiting.

### **4.1 High-rise Apartments**

The location of high-rise dwellings in terms of proximity to areas of open space amenity needs to be carefully considered.

High rise apartments need to be well designed and have a reasonable minimum floor space. 30 sqm would seem to be too small.

- We seek that the 30 sqm minimum be replaced with a 50 sqm minimum.

New apartments can be good adaptations of already existing buildings.

Apartments should have sustainability provisions on site, e.g. some electricity generated on site and some water collected on site.

There is a need to cater for different lifestyles and diversity of people within apartments: singles, couples, families and older people. If, for example, one-bedroom apartments

were the most profitable apartments for developers to provide, the result might tend towards there being no provision for families with children to live in the inner city. The construction of three-bedroom apartments should be encouraged to enable larger families to live in this area

Community spaces within apartments are needed to enable residents to make social connections with each other such as a common deck space or a meeting room, and should, where possible, incorporate roof gardens, solar power and a place to hang washing that is open to the wind, protected from the rain and not visible from the street.

High-rise apartments are one option for accommodating population projections but need to be more sensitively placed, addressing the concerns of affected communities.

The UP should provide for a gradual increase in building height between zones, generally with up to one and a half storey multiples but depending on each location, environment, and community. In some areas there needs to be height limits of two storeys. This will be reflected in the feedback from the communities in these areas.

We also note that high-rise is relatively expensive, as per a NZ Herald article of 16 March: "High-rise not the only way to go, say developers". Evan Davies, chief executive of Todd Properties was quoted as saying, "... *more intensive construction can be significantly more expensive to build. It requires more infrastructure and a different type of construction*". The article went on to say that, "*Others in the property sector say high-rise intensive housing developers take the highest degree of risk, and they cite bankruptcies of Nigel McKenna, Andrew Krukziener, Patrick Fontein and David Henderson as examples*".

#### **4.2 High-density low-rise solutions**

We note that in places such as Malmo, in Sweden, high densities are achieved within a low-rise building height of 3-6 storeys. A residential density of 75 dwellings per hectare can be achieved by an 18-storey apartment high-rise building or a street layout with two-three storey houses or an urban perimeter block containing a cluster with various building heights from four to six storeys arranged around a landscaped open space. In the latter, commercial and public facilities can be distributed along the ground floor, maintaining an active street frontage. The open space in the middle is available for use as gardens or a communal area and provides adequate sunlight access, good visual amenity and opportunities for social interactions.

An example of a good quality two-storey intensive development in Auckland is in Springwood and Balmer Streets in Balmoral. This type of development should be encouraged.

Designing by components can work well to produce attractive affordable housing.

#### **4.3 Affected Persons**

The neighbourhood and landscape around proposed apartment buildings and terraced housing also needs to be considered. There will be considerable loss of amenity



particularly for owners of single lot dwellings if high rise apartments are placed immediately adjacent. Affected persons need to be made aware of proposed changes.

CTA seeks that:

- provision to be made for new housing designs to be reviewed by the people who are affected by them i.e. those who will inhabit them, and neighbours and those who work and visit the area.
- all resource consents for buildings higher than three storeys to be built next to mixed use or single lot dwellings be subject to limited notification.
- notification of applications for resource consents to adjacent and opposite landowners be mandatory.
- owners whose property will have a proposed zoning change in the notified version of the UP be advised by council by letter.

CTA is of the view that the definition of “affected persons” should encompass more than merely just the people next door. The opposite neighbour is sometimes just as much affected or even more than the adjacent neighbour, as it is the view of the opposite neighbour that will change. Furthermore, the wider community is potentially affected by change in their neighbourhood.

There should be the ability to place signs on sites when there are works proposed inviting the people affected (those who live or work in or visit the area) to make their comments on the proposals to the planning authority as is common in Sydney and other comparable cities.

#### **4.4 Urban Design**

Robust criteria for design are needed to create a quality city of distinctive and attractive places. The quality of urban design has long-term effects on not only the users of buildings but the wider community. Design criteria should be drawn from best practice and current local and overseas examples that work well. We envision that the Auckland Design Manual will help provide this direction.

Mixed housing zones lack design controls which are necessary to achieve good design.

CTA seeks that:

- consideration of the Auckland Design Manual principles be required for every new development.
- applicants be required to submit a design for a new development at the time of assessing a demolition consent, based on the Auckland Design Manual.
- the draft of the Auckland Design Manual be made available for public feedback.

Aside from enabling quality design, these requirements should help to ensure that unique urban character is identified, recognised, maintained and protected. Requiring designs for new developments would enable the effects of the proposed replacement to be assessed and would be consistent with the rules proposed for the Historic Character Isthmus A category. Council’s heritage team should be involved in all parts of this process.

A city architect responsible for overseeing new projects would assist in achieving high quality development.

There is a need for rules controlling the transition between low rise and high rise to avoid building dominance, new builds that are out of character for the area, loss of privacy, loss of sunlight and loss of views.

Street levels should have a people focussed function that encourages people to be there, with active frontage with trees, active spaces for people and carefully designed details. Gardens and public spaces need to be a core part of the initial design rather than left to the end of the process.

Good design includes not just the structure but the landscaping and the interface with the street and nearby buildings and amenities, with consideration of provision of parkland and green belts, open space with colour and flowers. Good design can be seen as adding to the amenity of a neighbourhood, not taking away from it.

#### **4.5 Central Business District**

Many thousands of people live in the CBD “business” zone and more are being encouraged to live there. These residents in the city centre have noise issues at night including: road works, street cleaning machines, leaf blowers and, drunk and disorderly behaviour in CBD streets. Requirements for buildings in city and town centres such as double door entry baffling and double glazing would go some way to addressing these issues.

### **5. MAP CHANGES**

CTA is aware that many communities are proposing a number of map changes and we recognise the necessity for their concerns to be addressed. Concerns include the zoning of schools as residential and where the zonings seem random, such as different zonings across the road from each other. We also recognise that there has been disregard for planning provisions in some communities that were a result of considerable effort by local groups.

The following are a number of map changes that CTA supports.

#### **Devonport**

We endorse the feedback of Devonport Heritage which opposes the classification of Devonport as a Town Centre, being inconsistent with the recognition as Devonport as a place of significant heritage value.

- We seek that Devonport be given a special zoning called Devonport Centre Conservation Area, to be applicable to all the commercial areas of Devonport and to include the objectives, policies and rules of proposed Plan Change 33. This would serve to protect the heritage commercial areas of Devonport and ensure that future development is in keeping with Devonport’s heritage values.

### **St Heliers**

We recognise the concerns expressed by Save Our St Heliers in their feedback. We see that it is important that any future development proposed here is informed by the St Heliers Character Statement in the UP, Appendix 12.1.

- We seek that an individual plan be developed for St Heliers under the “special character” zone.

This plan could be developed through the Orakei Local Board.

### **Orewa and Browns Bay**

These communities have identified that apartments on the beachfronts in their area would have a significant effect on the amenity.

### **Peel St, Grey Lynn**

The western side of this street in a historic character neighbourhood is proposed to be zoned for apartments, which would block out the views to Cox’s Bay of the eastern side. This small area of high density surrounded by low density seems arbitrary and not cognisant of the historic character of the neighbourhood. Residents of this street are opposed to this zoning.

- We seek removal of this zoning for the western part of Peel St.

### **Marsden and Kensington Aves, Balmoral**

The significant amount of apartment / terrace zoning running from Dominion Rd in this area of high visual amenity is incongruent with the mainly mixed use zoning of the surrounding streets. Marsden Ave includes dwellings with historic designations.

- We seek removal of this zoning for these streets.

### **Ashton Rd, Mt Eden**

Zoning this street mixed use will mean the loss of visual amenity from character buildings in this popular through street.

- We seek that this street be zoned single lot, in keeping with its western neighbours.

### **165 Jervois Rd, Herne Bay**

This grand Edwardian villa is an exceptionable example, with the grand interior mostly intact. It has been rezoned to “local centre” and therefore under threat of being demolished.

- We seek that this property be zoned single lot.  
This zoning would preserve the building’s heritage qualities, street presence and visual amenity to the historic neighbourhood.

### **Douglas St, Ruapehu St, Bank St, Plunket Rd, Mt Eden**

These streets of almost exclusively large bungalows and villas of high quality and high value have a proposed mixed use zoning.

- We seek that these streets be rezoned single lot.  
This zoning would preserve the amenity of the area.

### **Royal Oak to Onehunga**

This area has a proposed zoning of terraced housing / apartments which is a much larger concentration than anywhere else in Auckland. Higher dwellings in some of these streets would compromise views of One Tree Hill from the south, for example, the

proposed block of Raurenga Ave, Tiwai Rd, Turama Rd and Campbell Rd on the edge of the One Tree Hill domain.

- We seek that some of this area be zoned single lot, particularly the block bounded by Trafalgar St, Normans Hill Rd and Forbes St.  
This will serve to retain large good quality houses on a ridgeline, similar to the single lot zoning to the south.

### **Long Bay Regional Park**

The Long Bay Regional Park has outstanding natural landscape, a marine reserve, a unique historic and heritage landscape, rare ecologies, and is one of the most popular regional parks in New Zealand.

- We request that the UP maps be amended to include areas and overlays of the Long Bay Structure Plan.

### **Rodney - Plan Change 132**

This plan change recognised the special character of the West Coast Rural Policy Area and the significant risks posed by development pressure. Appropriate measures were developed to ensure that the values of the area would be protected.

- We seek that the rules reflected in Rodney District Plan Change 132 (April 2013) be carried into the UP in the form of an overlay or precinct.

### **Swanson Structure Plan**

This Plan provides for strict controls on the location of buildings on specified sites, with clear aerial photographs of the relevant sections and permitted building areas. The Draft Plan includes only a low resolution version of the Swanson Structure Plan map and text describing "site specific matters of control".

- We seek that the photographs be included in the UP to ensure that the Swanson Structure Plan is adequately represented.

## **6. LANDSCAPE FEATURES / AREAS**

We note that landscape has no objectives, policies and rules in the UP.

The separation of natural and cultural landscapes in the UP is not helpful. They need to be treated in integrated way.

There needs to be more assessment of landscape character. Special places are recognised but other valued landscapes need to be recognised and protected as well.

There also needs to be protection of streetscape character at the level of fences.

### **6.1 Viewshafts / Sightlines**

There are many valued viewshafts, including of volcanoes, the harbour and buildings throughout the city, and all of these have faced cumulative loss. Some viewshafts in the plan currently do not operate as intended, e.g. buildings have encroached into them. Viewshafts need more protection and should not be put at unnecessary risk with discretionary activities. Viewshaft rules should become more stringent, not less.

- A visual tool should be developed for incorporation into the ePlan to signal the presence of viewshafts.

This would assist with design of development to avoid inappropriate encroachment within identified viewshafts.

CTA seeks that:

- the viewshafts of volcanic cones and other landscape features / areas currently in the legacy plans be retained
- all viewshafts be reviewed and further viewshafts be considered for inclusion in the plan, including viewshafts to the sea
- viewshafts in the UP would usefully be accompanied by photos in appendix 7.1.

All the volcanic cones should have 3B zoning (as proposed by the Volcanic Cones Society). This is because all the cones have the same values, especially landscape.

CTA supports the rules in the volcanic view shafts and height-sensitive areas overlay (4.4.6.3) that protect the views of volcanoes. It is important to stop further visual encroachment on the volcanic cones, which are highly valued and unique.

Provision should be made for buildings which have encroached onto volcanic cones to be removed at some time in the future.

CTA considers that more viewshafts to heritage buildings need to be included in the UP.

Furthermore, as heritage buildings can be compromised by unsympathetic adjacent development, there should be constraints on adjacent developments as regards views to the heritage building.

## **6.2 Significant Ecological Areas (SEAs)**

CTA notes that there are no objectives and policies in section 3 of the UP for SEAs. Many activities in these areas will require resource consent.

- We seek policy direction for SEAs.
- We seek that mineral prospecting, exploration and extraction should be prohibited activity in all SEAs.
- CTA endorses the feedback from Friends of Maungawhau and its request for changes on the SEA map and alignment with their ecological work to include the whole area FOM have been working on and restoring for 15 years.

## **7. PARKS AND COMMUNITY**

We acknowledge the dependence of an intensified city on its grand and its pocket parks to satisfy the open space requirements of the urban community. Many overseas examples show the benefits of forward thinking in the provision of large parks, squares, and pocket parks to give breathing space or “lungs” to the city, and allow the dwellers on upper floors of apartment buildings adequate natural environment to satisfy wellbeing.

We do not see adequate provision for these parks in the UP, only an intention to satisfy those objectives. We support the provision of a defined area of parks matched to the intended long-term density proposed for each community and “urban village”. Areas of currently disused land could be developed as pocket parks.

Zoning of regional parks as public open space - conservation or informal recreation zones - with a precinct overlay with specific rules for regional parks and additional overlays to manage aspects such as heritage areas should provide a good basic structure within which management plans for parks can be developed.

We support the Regional Parks Management Plan 2010 as the key document for the management of parks.

There needs to be provision for open space for a growing population, particularly for people living in apartments and terraced housing. Neighbourhood parks need to be provided close to new developments and these should be designated at the same time as the housing.

- The UP should state that, “A pocket part or larger park will be within ten minutes’ walk of every dwelling in Auckland”.
- The RPS needs to include methods for how open space is to be secured before rezoning.

CTA advocates for smokefree parks and public open spaces, as per previous submissions, including our submission dated 31 May 2011 on the Auckland Plan. Communities being smokefree contributes to liveability on many levels, the most crucial one being survival itself. We acknowledge that groups in the health community are working towards a Smokefree Aotearoa by 2025, within the time period of the UP.

- We propose that all existing and future parks in Auckland be designated smokefree.

CTA endorses the UP feedback of Friends of Regional Parks, in particular its recommendation of a series of working sessions with FORParks to make further progress on aspects of the Unitary Plan requiring refinement, including zoning for individual parks.

Our regional parks are highly valued amenities for the city and their preservation and enhancement makes a strong contribution to the liveability of the region.

The Long Bay Regional Park has outstanding natural landscape, a marine reserve, a unique historic and heritage landscape, rare ecologies, and is one of the most popular regional parks in New Zealand.

- We request that existing The Long Bay Structure Plan from the North Shore City District Plan (as approved by the Environment Court) be incorporated into the UP to replace the Long Bay Precinct Plan (section 4.5.10.4 Long Bay).

The Long Bay Structure Plan combines intensification with the protection necessary for the unique features of the area.

- We request that the provisions of the Environment Court decision of 2003 on Okura be observed. The Okura Estuary is ecologically sensitive and vital to the Long Bay - Okura Marine Reserve. The decision limited the lot size to 4 ha over much of the Okura area to protect the estuary and this should be reflected in the UP.

Vellenoweth Green in St Heliers is a neighbourhood park for this area as well as an amenity used and enjoyed by many visitors, notably for the annual Round the Bays event. It is a defining feature of St Heliers (Character Statement, page 2).

- We request that the commercial zoning for Vellenoweth Green be removed. The zoning should reflect the nature, use and value of the Green.

## **8. COASTAL**

Auckland's marine area is vast: larger than the land area. Much of Auckland's coastline is already developed and the remaining undeveloped areas are highly valued and need to be strongly protected. We support the intention of the plan to avoid coastal subdivision and development outside of established settlements.

We note that the NZ Coastal Policy Statement requires Auckland Council to avoid adverse effects of activities on coastal areas with outstanding natural character and on outstanding natural features and landscapes in the coastal environment, as well as on important ecosystems and habitats, especially those of threatened or at risk species.

We consider that development in areas identified as having "outstanding natural character" should be strongly discouraged but it may be unreasonable to not provide for it at all. If an application is to be considered it should be only with full public notification and appropriate Council discretion as to relevant criteria.

Furthermore, only low impact development should be considered for adjoining areas of land, due to issues of sedimentation and pollution in the marine environment.

- Provisions relating to the marine area need to be improved for the benefit of critically threatened species including Maui's Dolphin and Bryde's Whale.
- The coastal environment should be clearly defined by maps and these should extend both out into the sea (for example, to include the habitat of Maui's Dolphin) and to areas of land adjoining the coastal environment which have landscape and amenity links to the coast.
- Views of coastal areas need to be incorporated into the maps.
- There should be coastal protection and inundation zones to take into account the impact of rising sea levels.

There needs to be more consideration in the UP as regards the effects of a tsunami on the coastal environment.

More protection needs to be put in place for endangered species for which the coast is their habitat.

In some cases the area specific objectives and policies are inadequate. There are no provisions in the plan to protect the five estuaries in the Whangateau - Waiwera area. There are no provisions for the protection of headlands. Developments on headlands dominate the view from nearby beaches and the surrounding coastline.

The UP does not include adequate provision for the management of sediment discharges into the marine environment. Areas which are particularly sensitive to sediment, thresholds and limits are not identified, and provisions for the consideration of the impact of activities on water bodies do not include the coastal environment.

There needs to be proper assessment made of Auckland's coastal heritage

## **9. TRANSPORT**

### **9.1 Walking and Cycling**

The Auckland Plan prioritises walking and cycling. CTA has had longstanding support for these active transport modes. We support Skypath and the Greenways Project.

The Regional Policy Statement on page 4 refers to, *“decades of underinvestment in public and active mode transport networks, such as buses, trains, ferries, cycling and walking”*.

Pedestrianism helps to develop lively, safe, sustainable and healthy cities. Good quality safe walking and cycling routes are needed in order to invite people to walk and cycle, as most of them have a “good” alternative in their cars. We note that investing in bicycle infrastructure is affordable in comparison with other types of traffic investment.

- Walking and cycling should be a priority for all new developments (to create walkable neighbourhoods) and for the maintenance of existing streets, providing a transition away from congested roads and ensuring that amenities provided within walking distance of dwellings.
- New offices and industrial buildings should include bicycle parking, changing rooms and showers for cyclists.
- We support the concept of greater intensification at locations along existing railway or motorway routes, with lesser intensification where bus transport is required to reach an efficient and regular public transport system.
- Parking, traffic and public transport needs assessments and plans should be completed and submitted for public scrutiny, prior to notification of the UP.



## **9.2 Vehicle Traffic**

The road corridor should not be a priority in local centres where there are more pedestrians than in other parts of the city. The traffic should therefore be slowed in these areas. This is for safety as well as to make it a pleasant space in which to spend time. Motor vehicles make the streets noisy, smelly, polluted, unsafe, stressful and ugly.

We recognise that an improved and adequate public transport system is necessary to support new areas of development. Many existing communities rely on the car for access to the workplace or travel to events, and any proposal to intensify those locations without adequate foreknowledge or provision of a satisfactory public transport system (buses at 5-10 minute intervals) is unsatisfactory. The inconvenience of waiting up to 40 minutes for public transport, often with two or three changes and more waiting time, coupled with an erosion of town centre values and increasingly congested streets, is frustrating to most people.

Parking should not dominate the streetscape in any part of the city. Parking areas are generally intrusive, have low amenity value and block views of landscape, facilities and attractive buildings. Their design often means that there is no human presence at ground level.

New developments should be encouraged to provide underground parking that could eventually take the place of current parking buildings and parking lots, freeing up this land for work and living space as well as public open space. Car parking underground should be not just for the users of the building in which it is provided but should also encourage other users as well, with the intention that gradually more parking moves underground.

CTA supports parking maximums. It also supports no minimum parking ratios where areas are well served by public transport, as an incentive for greater use of public transport. Alongside reduced parking in the centres, there needs to be a Council commitment to improving the reliability and regularity of public transport.

Parking in front of commercial buildings should be provided only for people with disabilities. If there is an entrance at the back from the carpark then there should be no parking at the front of buildings at all. Parking should always be available to people with disabilities.

To avoid the reduction of open space amenity it may be necessary in some cases to construct multi-storey parking garages. They would need to be in such places where they will not impede views and should, in general, be on the edges of town centres, as opposed to the centre of them. Parking should be cheaper at the edges of centres, compared to parking in the centre, and parking in the centre for single occupancy journeys should be more expensive than journeys with multiple occupancy.

Parking areas should be, where practicable, adjacent to public transport nodes.

Parking areas have been responsible for the destruction of useful and attractive buildings, including valued heritage buildings. Dispensation from parking requirements should be provided for in order to avoid the destruction of heritage buildings.

### **9.3 Ferries**

CTA strongly supports the use of ferries throughout Auckland and the extension of the current network. Water transport does not require extensive infrastructure, is free from congestion and has other benefits for the environment. Auckland is a harbour city, the harbour being one of our greatest strategic assets, currently undervalued as well as underutilised.

We support the evaluation of the transport outcomes of intensification with an environmental “impact effects” or “transport effects” study before adoption of the UP.

## **10. GROWTH**

CTA recognises the inevitable growth of Auckland and supports the objective of enabling a quality compact city, one of the key priorities of the Auckland Plan. It is envisioned that this urban form will improve transport efficiency and choice, and serve to protect the natural and built heritage environment in terms of air quality, water quality biodiversity and landscape values.

However, we are not convinced that the amount of growth need be as substantial as proposed in the UP.

CTA is of the view that the UP should be *indicative* about intensification rather than *prescriptive*.

For the UP to give effect to the Auckland Plan, the establishment of development capacity in the UP must recognise and provide for nationally and regionally significant areas of historic heritage value.<sup>3</sup>

We note that town centres and adjacent historic character suburbs are generally the places where people first settled and are therefore likely to be areas of the highest heritage value.

In considering the sequencing of Auckland’s growth, intensification anticipated by the UP should be sequenced so as not to inappropriately affect physical resources that may be un-assessed but which present *prima facie* evidence of significant heritage value.<sup>4</sup>

A staged approach to intensification could provide the opportunity for the necessary identification to be undertaken and local precinct plans providing for intensification to be developed with input from both property owners and local community interests.

- We propose that the UP identify areas *without* heritage and landscape values and provide for intensification there first.

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<sup>3</sup> Local Government (Auckland Council) Act 2009, s. 79(4)(e)(iv) The spatial plan must– identify nationally and regionally significant areas of historic heritage value.

<sup>4</sup> Ibid, s.79(4)(b) The spatial plan must– visually illustrate how Auckland may develop in the future, including how growth may be sequenced.

- Such areas should include current poor developments and thus allow for improvements to these areas.
- We support the staging of intensification: providing for the required capacity now, and more when it is needed.
- We support a review of intensification at ten-year intervals.

The above proposals would provide time for heritage and landscape values to be identified. Staging of intensification would allow gradual and progressive change that is aligned with population growth and would also allow the consequences of intensification to be reviewed. It would avoid adverse effects on areas of heritage and historic character.

We see there is a need for flexibility in planning as growth projections may not be realised.

- We seek that developments of existing brownfields land be prioritised over greenfields development, instead of giving them equal weight.

The growth that is absorbed in the existing urban environment should be implemented to add to the environment without detracting from its underlying amenity values.

### **10.1 Housing Accords and Special Housing Areas Bill**

We recognise that housing affordability is an issue in Auckland. We recognise that sufficient and appropriate infrastructure will be provided for special housing areas, as CTA seeks for all new housing areas.

However, we have concern regarding the more permissive resource consent powers proposed for these areas: the fast-track processing (within 60 working days) and no requirement for notification aside from limited notification to an adjoining landowner for whom the effect of the proposed activity is considered to be more than minor. We are also concerned that there is no right of appeal against any decision of an authorised agency on a resource consent application unless the proposed development is four or more storeys high.

Resource consents for Special Housing Areas should be consistent with the RMA and the UP.

The criteria for a development to be considered under the Housing Accord gives no regard to environmental sustainability or heritage values and could potentially lead to loss of unidentified heritage stock.

- While heritage remains a matter of national importance it would be prudent for Council to avail itself of information about underlying values before development approval is granted.

## **11. INFRASTRUCTURE**

We note that the RPS states at page 4, *“Our major utility services, such as wastewater and electricity transmission lines, and part of our transport network, are nearing capacity.” ... We need to make significant investment to upgrade these networks to meet expectations of service reliability and quality, to adequately manage any adverse environmental effects, or meet new standards.*”

We note that the Regional Policy Statement at 2.2 Enabling quality urban growth states, *“Transport and other infrastructure is to be integrated with growth ....”*

CTA therefore is of the view that infrastructure requirements should be planned for now even if the money is not currently available. Infrastructure requirements, including roads, sewer, storm water and potable water, schools and public transport, should be assessed and put in place in new areas before the dwellings are established, for example, a bus service from Devonport directly to the CBD to service the proposed intensification in Belmont. Infrastructure in some already established areas is only just adequate currently, so this also needs to be taken into consideration.

As a general comment, the small buildings along transport corridors such as Dominion Road, Ponsonby Road and parts of Mt Eden Road should be considered as the infrastructure of small business which make up a large part of the Auckland economy in the face of Building Act requirements to upgrade these premises.

## **12. NATURAL RESOURCES**

CTA supports the use of overlays to identify high value / highly threatened resources.

CTA considers that the UP does not adequately provide for outstanding freshwater bodies and wetlands.

Our waterways need protection, especially as the population of the city increases.

- We seek that the moving of streams no longer be a permitted activity.
- We seek that limits be put on the amount of nitrogen and phosphorus permitted to enter waterways from surrounding land.

Measures should be taken to reduce and treat storm water before it goes to the sea.

- We seek that low impact solutions, e.g. vegetated swales, permeable paving, rain gardens, tree pits and green roofs be promoted as part of new developments.

Currently too much green waste goes to landfill. Excessive waste of all kinds contributes to landfill and there is little or nothing in place for resource recovery.

The Wildlife Act 1953 prohibits the disturbance of protected species.

- CTA seeks that applications for resource consents include requirements that an assessment of environmental effects for protected species is undertaken.

Given the very serious potential adverse effects of seabed mining, objective 3.1.3.10 I Regional and District Objectives and Policies need to very clearly state to what extent mining is to be allowed in the Auckland region, and the level of environmental impact that is acceptable.

## **12.1 Tree Protection**

It is of concern that from 2015 there will be no general protection tree rules in Auckland, apart from those for scheduled trees. Auckland's character is in part due to the mass and variety the trees throughout the region, particularly in the urban areas. The value of trees in a city includes their visual amenity, provision of shade and support of biodiversity.

We seek that:

- the UP include a more extensive schedule of notable trees to includes trees in public places such as the grounds of schools and cemeteries
- a resource consent be required to remove any native tree over four metres tall
- Council develop an urban forest management plan.

Trees need to be considered collectively, with monitoring over time of the level of tree cover.

We note that trees are sometimes planted in the wrong place i.e. obscuring important views and too close to buildings or other structures and suggest that rules address these problems.

## **12.2 Genetic Engineering (GE)**

The Auckland region is generally GE free and we seek that the UP makes provision for Auckland to enhance its commitment to this environmental state.

## **13. RURAL URBAN BOUNDARY**

CTA supports the establishment of the rural urban boundary in order to maintain open space, farmland, natural beauty and critical environmental areas, and to prevent urban sprawl from encroaching on productive rural land. Productive land is an important natural resource which cannot easily be recovered and should be identified.

However, section 2.2.3 indicates that RUB extensions will be undertaken after sufficient investigations and *“where possible, urban development can avoid ... areas with significant environmental, heritage, natural character or landscape values, including areas identified in Appendix 3, Appendix 5, Appendix 6 and the Waitakere Ranges Heritage Area”*. The use of “where possible” does not provide certainty.

We also support the concept of satellite towns to alleviate congestion in cities and provide a further choice in lifestyle.

The RUB is not currently mapped in the RPS.

- We seek that the RUB is included in the RPS.

#### **14. AFFORDABLE NEIGHBOURHOODS**

We support the concept of affordable housing, though this will require the support of government agencies to subsidise the cost of land and building.

CTA supports inclusionary zoning in order that new developments include housing choices for those with low and moderate incomes.

#### **15. DEFINITIONS / REFERENCES**

The UP should provide clarity in order to facilitate better decision-making.

The definition of “Substantial Demolition” in the UP reads:

*“Demolition or removal of more than 30 per cent by volume of any building or structure”.*

- We propose that the definition of a percentage “volume” is clarified as to whether that is cubic volume or plan area coverage.
- We propose that the definition include the following detail from the Auckland District Plan Central Area 10.9.9 definition:  
“In this rule, the matters to be taken into account when considering whether proposed demolition constitutes “substantial demolition” includes but are not limited to):  
(a) *the size of the part of the item which is to be demolished*  
(b) *the relative proportion of the part of the item which is to be demolished, compared to the item as a whole*  
(c) *the significance of the part item which is to be demolished is identified in an approved Heritage inventory or conservation plan . Demolition or removal of elements of exceptional significance is prohibited*  
(d) *the effect that demolishing part of the item will have on the nature and character or the item as a whole.*  
(e) *Any proposal which would result in a category A item being reclassified below the Category A threshold is a prohibited activity.”*

Changing the definition of “substantial demolition” would have ramifications for the exclusions columns.

- Definitions are needed for:
  - Biodiversity
  - Character defining
  - Character supporting
  - Historic character
  - Historic heritage
  - Rural character.

The definition for “Character defining” could be taken from the Auckland District Plan Isthmus Section part 5C (Heritage): “Buildings selected as ‘*character defining*’ are seen as making a significant contribution to the ‘sense of place’ of each individual village.”

The definition for “Character” could also be taken from part 5C: “‘*Character-supporting buildings*’ play a lesser yet very recognisable contribution to that ‘sense of place’”.

The definition for “Historic Heritage” should be as defined in the RMA. It seems pragmatic to use this definition since that is the framework within which land use and development must occur.

Wherever “*should*” is used in the plan consideration should be giving to changing it to “shall” as otherwise rules are not prescriptive enough.

Either “shall” or “must” should be used throughout the UP in the interests of consistency.

“*Significant effects to be avoided*” should be changed to “adverse effects”.

Wherever the Regional Policy Statements refer to “*integrated management*” this should be changed to “sustainable management” being the purpose of the RMA.

The use of “*is supported*” throughout the UP does not provide clear direction.

## **16. PLAN, WEBSITE (ePLAN)**

We support the objective for shorter, simpler and integrated plan, elements of which can be applied throughout the region and subsequently throughout the country, with standard templates and standard terms and definitions.

We note that it is difficult to access the different overlays and understand what they mean. There needs to be more clarity about which overlay takes precedence over another when there is more than one overlay in a particular area. It would seem useful to have no orange zonings (intensification) where there is also a heritage overlay and / or volcanic viewshaft, in order to provide clarity that these are not suitable areas for development.

- We seek that facility be provided for the legend showing the different overlays to be accessible at the same time as the map is being viewed.

Some types of overlay are not differentiated in the maps, for example, ONCs and HNCs. It would be much more useful if it was possible to see from the maps which areas fall into which category.

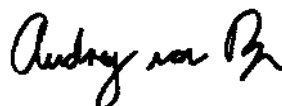
The electronic planning enquiry tool does not seem to work properly. Without all the relevant data included the results may be inaccurate.

## **END OF SUBMISSION**

Date: 31 May 2013



Signature



Secretary, Civic Trust Auckland