



Proposed Auckland Unitary Plan

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For office use only:
Submission No:

Receipt Date:

Submission of Civic Trust Auckland

Submitter details

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Contact Person (Audrey van Ryn, Secretary)

We wish to be heard in support of our submission.

If others make a similar submission, we will not consider presenting a joint case with them at a hearing.

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

Our submission relates to all Local Board areas. We provided feedback on the Draft Unitary Plan on 31 May 2013.

Our submission refers to the Proposed Auckland Unitary Plan as PAUP, the draft Auckland Unitary Plan as DAUP and the Unitary Plan as UP. Quotes from the PAUP are in *blue italics*.

Scope of submission

This is a submission to: Proposed Auckland Unitary Plan

Civic Trust Auckland (CTA) is a regional organisation covering the extent of Auckland City and our membership is drawn from this area. The aims of the Trust include:

- Protection of natural landforms
- Preservation of heritage, in all its aspects
- Encouragement of good planning.

The specific provisions that our submission relates to are:

A.1.7 Our heritage

We **support** the specific provisions identified above and wish to have them amended.

The reasons for our views are:

- Information should be added to further the description.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Auckland's historic development has resulted in layers of natural and built features, which contribute to its unique identity and character. The volcanic field, on which much of Auckland is built, is recognisable by scoria cones, explosion craters, tuff rings, lava fields and caves. This natural landscape has shaped Auckland's development and growth. The cones are the most visible elements of the volcanic field and are outstanding natural features, as well as cultural heritage icons. Many of the explosion craters come into a similar category and the sites of demolished volcanic features are worth at least recording as precincts and, for some, providing for possible future restoration. There are geological landforms of local, national and international significance.

Urban and rural areas contain second growth and some remnants of the bush that once covered much of the region. The Wāitakere Ranges are a defining landform and native forest area in Auckland. They are also a heritage area of national, regional and local significance. The Ranges have a significant role as a buffer between Auckland's urban centre and the west coast, and contain an extensive area of public open space. The Wāitakere Ranges regional park includes outstanding natural landscapes and features, indigenous ecological systems and native vegetation, which provide important habitats for rare and endangered species. Some remnant bush areas are cultural markers, and have important associations to Mana Whenua local histories.

Our historic heritage sites illustrate many centuries of human activity, and, since the founding of Auckland in 1841, about 150 years of urban development. There are wāhi tapu and other sites of significance to Mana Whenua and informed non Maori. There are iconic buildings and structures and sites of those which have been demolished or destroyed that represent architectural innovation, locations and people of historic importance.

Auckland values its natural and physical resources, and we Auckland Council has have a responsibility to protect these places for future generations. The Unitary Plan provides direction for growth and development to help ensure these natural and historic heritage places remain intact for use and enjoyment.

Heritage can take the form of objects removed from their original contexts, histories, stories and art works, some of which are available to the public in libraries, museums, art galleries and archives. It is the responsibility of councils (sometimes with government and public sector assistance) to maintain and enlarge existing facilities and encourage future government and private sector involvement in this most important area of heritage recording and protection.

The specific provisions that our submission relates to are:

A.2.2. The Treaty of Waitangi

We **support** the specific provisions identified above and wish to have them amended.

The reasons for our views are:

- The description needs correcting.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

The Treaty of Waitangi is a foundation legal document for New Zealand. The Crown is ~~the primary~~ an equal Treaty partner responsible together with Maori for the Treaty relationship between the two parties. However In delegating responsibilities to the council, Parliament acknowledges the need to ensure local authorities give appropriate consideration to the principles of the Treaty as part of their statutory ~~Maori~~ obligations to Māori. The RMA provides a clear direction on council's responsibilities in terms of the Treaty of Waitangi/Te Tiriti o Waitangi.

The specific provisions that our submission relates to are:

A.3.4 Quality compact Auckland

We wish to have the provisions identified above amended.

The reasons for our views are:

- Information should be added to further the description.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Since its first settlement, Auckland's growth has responded to its natural terrain and demand for its resources. Pre contact development occurred first around the harbours and volcanic cones, with movement by foot and canoe.

~~Later~~, From 1841 urban Auckland expanded out along ferry, tram and railway stops. With the introduction of the car, Auckland expanded rapidly outwards, mainly in the form of lower density suburbs.

The specific provisions that our submission relates to are:

A.3.4 Quality compact Auckland

We **support in part** the specific provisions identified above.

We wish to have the provisions identified above amended.

The reasons for our views are:

- “The Overview of Proposed Auckland Unitary Plan” stated under (pg 8):
“What we value: looking after our environment, heritage and character

Auckland is already a beautiful place to live, with an incredible landscape and rich heritage. These things help make Auckland special, and the unitary plan has an essential role in protecting what we value, alongside strengthening our centres and creating the jobs, economic growth and choice of homes that Auckland needs.

The plan needs to get that balance right. That includes ensuring that growth happens where it's best suited, while maintaining our coastal areas, improving the health of our rivers, streams and harbours and keeping our rural land productive. Development also needs to be the right quality – enhancing our historic character areas rather than detracting from them.”

- It is stated in the strategic framework that, “*not all neighbourhoods will have the same level of growth and change. The quality compact city model that the Unitary Plan adopts provides for lower levels of growth in neighbourhoods with recognised character, identity and heritage*”. As a lower level of growth is to be provided for such areas, it follows that the recognition of such areas is a necessary precursor to planning for growth. Otherwise neighbourhoods with character, identity and heritage are at risk.
- There is a need for flexibility in planning as growth projections may not be realised, for example, density in some areas is currently more than was estimated, so growth there should be at a lower level than elsewhere.
- The 2013 census figures indicate that growth in Auckland will not reach the predictions provided for in the Unitary Plan.
- 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.¹
- Staged intensification would provide time for built form, landscape, ecological and agricultural values to be identified.
- B.2.3 Objective 4 states that “*Development of land zoned future urban within the RUB occurs in an orderly, timely and planned manner*”. This suggests staging of growth, providing for it at the time when it is needed - not too late and not too soon - and that reviewing the situation is a necessary part of the process.
- Currently there appears little formal identification of historic heritage beyond the amalgamation of pre-existing heritage schedules inherited from the seven legacy Councils, which are not complete.
- 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 concentration of heritage values.
- 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.
- 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.²

¹ Local Government (Auckland Council) Act 2009, s.79(4)(b) The spatial plan must– visually illustrate how Auckland may develop in the future, including how growth may be sequenced.

² 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.

- The UP should identify areas *without* heritage, character and landscape values and provide for intensification there first. For example, New Windsor and Blockhouse Bay are currently single house zones and already have quite a lot of mixed housing. These areas could be upzoned to mixed housing without being compromised, whereas parts of, for example, Mt Eden should remain single house zone in order to protect historic heritage and historic character areas.
- Improvements to areas without heritage, character and landscape values which include current poor developments should be prioritised. In areas where
- The purpose of the RMA 5(2) requires the sustainable development of physical resources in a way that enables people and communities to provide for their wellbeing (including the provision of housing, and the retention of heritage) while avoiding, remedying or mitigating any adverse effects. Since those adverse effects include past adverse and cumulative effects, it would kill two birds with one stone to provide for development in areas of historic character (such as Mt Eden) by leaving intact existing character buildings and concentrating new development on sites within that area that in the past have been redeveloped in a way that detracts from the surrounding heritage amenity.
- 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 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 requirements under the Building Act constitutes a threat to this heritage.
- Some of Auckland's early residential suburbs that evolved closest to the original colonial town of Auckland contain distinctive timber housing such as cottages, villas and bungalows. Collectively the houses in these character suburbs constitute an integral part of the city's valued historic heritage. The Unitary Plan will potentially undermine 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). some of the early residential and now known as historic character suburbs
- Heritage and historic character provisions should be integrated throughout the UP, as reflected in the Regional Policy Statement.
- Past failure to recognise and protect heritage should not be further compounded by failure to recognise and protect heritage in this current phase of planning.
- Intensification needs to be managed so that heritage elements as yet unidentified survive, in order to reflect the importance of heritage in RMA section 6.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

As Auckland's population heads towards two million, most neighbourhoods will continue to experience growth. However, not all neighbourhoods will have the same level of growth and change. The quality compact city model that the Unitary Plan adopts provides for lower levels of growth in neighbourhoods with recognised character, identity and heritage. Areas around centres and business areas, with well-connected street

networks, and which offer good access to high-frequency public transport, community facilities and open space, are targeted for higher density living over time.

Areas will be assessed prior to any planning for intensification. Intensification will be staged, providing for the required capacity now and more when it is needed. Such a staged approach to intensification will provide the opportunity for the necessary identification of historic heritage, historic character and landscape values to be undertaken and local precinct plans providing for intensification to be developed with input from both property owners and local community interests.

A review of intensification will take place at ten-year intervals. Staging of intensification will allow gradual and progressive change that is aligned with population growth and will also allow the consequences of intensification to be reviewed. It will avoid adverse effects on areas of historic heritage, historic character, and landscape values . Developments of existing brownfields will be prioritised over greenfields development.

The specific provision that our submission relates to are:

A.3.4 Quality Compact Auckland

We wish to have the provisions identified above amended.

The reasons for our views are:

- Universal Design principles need to be incorporated into new builds and modifications of existing residential buildings in order to cater not only for people with disabilities but others who can benefit from improved access, including the ageing population, those using pushchairs, moving house or office, injured people and people carrying loads. This will ensure access to housing, jobs, public transport, businesses, community and recreational facilities throughout Auckland for all Aucklanders and increase the choice of where people can live, work and play.
- Incorporation of Universal Design principles will improve the quality of life for people who currently face significant barriers in terms of physical access. The economic benefit is that such people will be able to live in independent accommodation and those of working age will have more opportunity to work and thus support themselves and contribute more to the economy. These barriers include stairs and showers with lips. PAUP has these words: (?) *“a range of well-designed housing choices that are appropriate for the diversity of the population”*.
- Solutions to these barriers include open plan houses with open plan bathrooms with wet shower areas, limited stairs, hand rails. A percentage of new housing stock should cater for these needs. This would open up options in the private rental market, taking away the current reliance on Housing New Zealand houses and enable people with access barriers to buy or rent houses without the need for extensive and costly modifications. This is PAUP(?) (support it) that People should *“be able to stay in their communities as their housing needs change through different stages of their life”*. 2.2.2 policy number 4: It is not enough to *“encourage buildings to be designed to be accessible for people of all ages and physical abilities”*. Council needs to ensure this happens by including some requirement in policy and rules for the creation of accessible housing.

- The Auckland Plan states on page 70, “One in five Aucklanders has a disability, and this figure will increase with an ageing population. There is unrealised potential for Aucklanders with disabilities to contribute socially and economically. Barriers that prevent this, such as attitudes and physical access, must be addressed”.
- On page 74 The Auckland Plan states, “Other communities and groups, such as ethnic communities and those with disabilities, also face barriers. Removing structural or institutional barriers so that all Aucklanders are viewed and treated equally is fundamental to improving the well-being of all, and realising the full potential of our diverse populations.”

We seek the following decision from Auckland Council:

That provisions be made for Universal Design principles be incorporated into new builds and modifications of existing residential buildings.

The specific provision that our submission relates to is:

B.1.3 Protecting our historic heritage, historic character and natural heritage

We wish to have the provision identified above amended.

The reasons for our views are:

- The wording should be aligned with national standards as per the Resource Management Act (RMA).
- Our feedback, which included the first two changes sought below (as asterisked), was annotated as “amended” for this provision but these changes were not made to the PAUP.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

*Historic heritage can range in size from individual ~~structures to large sites with multiple features~~ places to wider areas *. Auckland’s historic heritage includes:*

- Areas *
- *buildings and structures*
- *archaeological sites*
- *wāhi tapu, wāhi tūpuna and sites and places of significance to Mana Whenua*
- *cultural landscapes*
- *landscapes and features, such as gardens*
- *trees and vegetation*
- *maunga / volcanoes / volcanic landforms.*

The specific provisions that our submission relates to are:

B.1.3 Protecting our historic heritage, historic character and natural heritage

B.4 Protecting our historic heritage, special character and natural heritage

We wish to have the provisions identified above amended as well as all other provisions where the words “special character” appear.

The reasons for our views are:

- There is inconsistency with use of this terminology throughout the plan.
- The word “special” is nebulous. “Special character” is not as specific as “historic character” e.g. it could apply to landscapes not the built environment

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Wherever “special character” appears in the PAUP to change these words to “historic character”.

We note that in B.4.2 There is a spelling error: *Charater area statements for special character areas are contained in Appendix 10.*

The specific provisions that our submission relates to are:

B.2.4 Methods, Non-Regulatory

We wish to have the provisions identified above amended.

The reasons for our views are:

- Although we recognise that housing affordability is an issue in Auckland and that sufficient and appropriate infrastructure will be provided for special housing areas, we have concern regarding the more permissive resource consent powers proposed for the Housing Accords and Special Housing Areas Bill: 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.
- 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. Heritage remains a matter of national importance.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below.

- Council to avail itself of information about underlying values before development approval is granted.

- As a minimum, the NZHPT, being central government's heritage agency, should be notified in this instance.
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B.3.3. Transport

We **support** the specific provisions identified above, particularly those relating to public transport (especially ferries, rail and trams) and the active modes of transport such as walking and cycling.

We support policy 4(a) in relation to rail rather than roading. We support cycle networks where cyclists are separated from vehicular traffic.

The reasons for our views are:

- Public transport and the active modes of transport need more investment than provisions for private transport as they are more sustainable.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below (i.e. the addition of the words "and built" in Objective 3:

3. A well developed, operated and maintained transport system that manages potential adverse effects on the natural and built environment and the health, safety and amenity of people and communities.

The specific provision that our submission relates to is:

B.4.1 Regional Policy Statement, Historic Heritage

We wish to have the provision identified above amended.

The reasons for our views are:

- The community has a great store of knowledge about historic heritage and this should be added to the database of information on this subject.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Under "Non-Regulatory Methods" in the "Monitoring and information gathering" provision after "Thematic research framework" add "Consultation with local groups with a demonstrable interest in heritage matters".

The specific provision that our submission relates to is:

B.4.1 Historic Heritage Policy 2

We **support** the specific provision identified above.

The reasons for our views are:

- In the DAUP the Regional Policy Statement for Historic Heritage stated:
Identify a place to have historic heritage value if it has some or all of the following historic heritage values
In the PAUP the Regional Policy Statement for Historic Heritage states:
Identify a place to have historic heritage value if it has one or more of the following historic heritage values
- This change to the PAUP (which CTA requested in its feedback) ensures that a place with only one value can be identified as having historic heritage value. If the wording remained as in the DAUP, then a place with only one value, e.g. being held in high esteem by Mana Whenua, would not meet the criteria for identification and protection.
- This change means that the criteria for scheduling will be more aligned with that of the New Zealand Historic Places Trust (NZHPT) for registration. Such alignment would enable heritage assessment by local government to be streamlined with assessment undertaken by central government. This will avoid duplication and lead to more efficient and consistent processing of nominations by Auckland Council and NZHPT, both of which are constrained by limited resources.
- Whilst this is a change affecting only a few words (as stated in the section 32 evaluation below) this change would have a material and positive effect.
“A minor change to the wording to allow a place that was significant in relation to a single criterion to be scheduled was also made in response to submissions by the NZ Historic Places Trust and Heritage Advisory Panel.” (from 2.13 Historic heritage – section 32 evaluation for the Proposed Auckland Unitary Plan).
- We support the qualitative system of assessment for scheduling and its alignment with the NZHPT system for registration. This would advance nationwide consistency with other unitary plans throughout the country and be in line with recent legislative changes promoting the streamlining and simplifying of the RMA.

We seek the following decision from Auckland Council:

That the above provision is retained.

**The specific provision that our submission relates to is:
B.4.1 Regional Policy Statement, Historic Heritage, Policy 5**

We wish to have the provisions identified above amended.

The reasons for our views are:

- The importance of historic heritage is recognized in RMA section 6 and the word “significant” implies a threshold of importance. “Exceptional” and “considerable” as the qualitative thresholds for Category A and Category B are a step too high and could result in inadequate protection.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- That the threshold for Category A be “considerable significance” and the threshold for Category B be “significance”.
- That the above replacement of terms be made anywhere else the terms in question are used in the PAUP.

**The specific provisions\ that our submission relates to is:
B.4.1 Regional Policy Statement, Historic Heritage, Policy 6**

We wish to have the provisions identified above amended.

The reasons for our views are:

- The protection of historic heritage is a matter of national importance and therefore *any* adverse effects should be avoided.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Remove the word “significant” in Policy 6 i.e.

Avoid ~~significant~~ adverse effects to significant historic heritage places.

**The specific provisions that our submission relates to are:
B.4.1 Protecting our historic heritage, special character and natural heritage, Identification and Protection, Policies 6 & 7**

We wish to have the inclusion of rules that give effect to the provisions identified above.

The reasons for our views are:

- Some owners of scheduled items do not maintain such properties to a sufficient level to protect their historic heritage value. This gives rise to a condition commonly referred to as “demolition by neglect”.
- Cities in other parts of the world have such rules regarding maintenance and in some cases penalties for non-compliance. The closest we have in New Zealand seems to be the unsafe and unsanitary rule under the Building Act but this requirement does not relate to uninhabited buildings.
- Inappropriate additions have led to the degradation of heritage buildings. Council has a duty under RMA section 5(2)(c) to remedy or mitigate adverse effects.
- Rules requiring maintenance would give effect, in particular to the following parts of Policy 6:
Avoid significant adverse effects to significant historic heritage places [which] ... include:
 - a. the loss, destruction or substantial reduction of historic heritage values through ...*
 - vi. a lack of conservation and appropriate maintenance*
 - v. inappropriate modifications, additions or alterations, and new development such as structures*
- Rules requiring maintenance would give effect to the following parts of Policy 7:

Encourage and support the community and owners of significant historic heritage places to protect, conserve, and maintain the place through mechanisms such as:

- a. covenants*
- b. applying for funding or heritage grants*
- c. obtaining expert advice on the conservation of historic heritage places.*

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- Include a requirement for owners to provide regular and on-going protective care of a historic heritage place to prevent deterioration and to retain its historic heritage value.
- Provide for inspections and reports to monitor these requirements with appropriate penalties if they are not met and the option for Council to purchase a building if the requirements are not met.
- Include as a minimum requirement rules which require waterproofing and maintaining the structural integrity of buildings in order to prevent further deterioration.
- Include a policy that incentivises removal or replacement of inappropriate additions.
- Development and inclusion in the plan for penalties for non-compliance including temporary moratoriums seeking consent for development in the case of wilful demolition.

The specific provisions that our submission relates to are:

B.4.1 Historic Heritage, Methods, Non-Regulatory

B.4.2. Special Character, Methods, Non-Regulatory

D.3.2. City Centre Zone, Policies 13 & 14

E.2 Policy 4

E.5.1. Sites and Places of Significance to Mana Whenua, Policy 7

We **support** the specific provisions identified above and seek to have them amended to include more information with regard to incentives.

The reasons for our views are:

- B.4.1 Historic Heritage Policy 2, states, *Our historic heritage is unique to Auckland; it cannot be duplicated or replaced.*
- *The Auckland Plan says, “Conservation is the process of managing change to significant places (and their setting) in ways that best sustain their historic heritage values, while recognising opportunities to reveal or reinforce those values for present and future generations. Regulatory control is just one means of achieving this. Regulatory control measures include legal instruments such as heritage orders and covenants as well as unitary plan rules. Techniques available through a unitary plan approach include scheduling, zoning and overlays, design guidelines, and incentives. Non-regulatory control measures include public education and advocacy, financial incentives or disincentives, and non-statutory guidelines which can be included in the unitary plan or stand outside it as a standalone document.” (Directive 4.2, p128).*

- There are few references to incentives in the PAUP and none of them seem to be certain. The sum total of them seems to be as follows:
Policy 4 Support use, maintenance and repair appropriate to scheduled historic heritage places through such measures as:
 - a. reducing or waiving of consent application costs*
 - b. consider granting consent to infringing development controls for underlying zones provided this does not result in significant adverse environmental effects*
 - c. the availability of funding, grants*
 - d. provision of expert advice to land owners.”**14(a) awarding transferable development rights where a special character building is protected in perpetuity and restored in accordance with an approved character plan”.*
- The retention of heritage and character buildings may involve costs, such as earthquake strengthening and limitations in development potential. These costs can be significant and arise for the purpose of providing a public benefit. In the context of the property values involved, incentives such as the waiving of consent fees and providing expert advice are immaterial and unlikely to be effective in achieving the RMA’s objective of protecting historic heritage from inappropriate subdivision, use and development. Furthermore, the UP needs to progress beyond the platitudes of previous decades and provide specificity around the eligibility and quantum of incentives such as TDRs, exemptions from development controls, bonus floor space and any other proposed incentives.
- Incentives encourage scheduled heritage buildings to be retained and conserved, and therefore support the objectives for Historic Heritage at B.4.1, namely:
 - 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.*
- Incentives for heritage protection should be stronger and more attractive than other development incentives, to assist in fulfilling the objectives for Historic Heritage at B.4.1. For example, incentives for heritage conservation should exceed those incentives available for providing accommodation (which are arguably no longer necessary).
- The section 32 analysis of the Historic Heritage section of the PAUP does not include anything about incentives.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Extend the incentives referenced in the plan - e.g. added to E.2.Policy 4.c - to include the following:

- Historic heritage areas
- Special character areas
- Waivers of zone provisions
- Specified permitted uses
- Plot ratios or site intensity zonings
- Contributions (development and financial)
- Measures relating to the Building Act 2004
- Private-public partnerships
- Heritage grants and loans, e.g. for repairs
- Rates relief

- Interest-free loans
- Public purchase and revolving acquisitions and funds
- Insurance rebates
- Consent fee waivers and discounts
- Heritage floor space bonuses
- Earthquake assistance, e.g. technical advice.

Reference all incentives in standalone documents outside the Unitary Plan through electronic links, e.g. in the way at B.2.2, A quality built environment, the words “Auckland Design Manual” are linked to the Auckland Design Manual itself. This should include the “Incentives for Historic Heritage Toolkit”:

https://www.google.co.nz/?gws_rd=cr&ei=ksYFU-DUK8qfkwXHj4CwDA#q=incentives+for+historic+heritage+toolkit

Develop a rule-based incentive for heritage protection incorporating an opportunity for the owner of any building affected by rules in J.2 or J.3 to actively apply for heritage enhancement credits/bonuses that can form a tradable right to offset the cost of restoration and long-term protection.

The specific provision that our submission relates to is:
B.4.1 Regional Policy Statement, Historic Heritage

We wish to have the provision identified above amended.

The reasons for our views are:

- The NZHPT Register is central government’s list of historic places, historic areas, wahi tapu and wahi tapu areas and its inclusion in the UP would promote the streamlining and simplifying of heritage identification. The veracity of the register is accepted for the purposes of notification and therefore it not be inconsistent or unjustifiable to rely on its veracity for the purposes of heritage assessment.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Under “Non-Regulatory Methods” in the “Advocacy, education and Information” provision, add “NZHPT Register” after “Cultural Heritage Inventory”.

The specific provision that our submission relates to is:
B.4.2 Special Character

We wish to have the provisions identified above amended.

The reasons for our views are:

- A further attribute that contributes to special character is a collection of different but compatible styles reflecting the area’s historical evolution over time.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Add into the list of attributes in the introduction and reflect within policy 2 the words, “A collection of different but compatible styles reflecting the area’s historical evolution over time”.

The specific provision that our submission relates to is:
B.4.3.2 Policy 7

We **support in part** the provisions identified above.
We wish to have the provisions identified above amended.

Require urban intensification to be consistent with the protection of volcanic features and viewshaft policies.

The reasons for our views are:

- There are many valued viewshafts, including of volcanoes, the harbour and buildings throughout the city, and all of these have been subject to cumulative and unmonitored losses over time.
- Some viewshafts in the plan currently do not operate as intended, e.g. buildings have encroached into them.
- Viewshafts need better recognition and more protection and should not be put at unnecessary risk with discretionary activities.
- Rules, zones and overlays are complex and viewshafts are not as apparent in the plan as they could be.
- The sightlines previously in appendix 5 of the Central Area Plan “Central Area Street Sightlines” and now contained in Appendix 7.1 “Sightlines” should be included in the UP with a set of rules and be extended to incorporate further streetscapes to enable Council to identify and protect elements of significance within those views. Recent analysis of this issue undertaken by English Heritage would provide a useful framework for Council to develop policy on this matter. See “Seeing the History in the View” <http://www.english-heritage.org.uk/publications/seeing-history-view/>

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- The viewshafts of volcanic cones and other landscape features / areas currently in the legacy plans be retained.
- All viewshafts to be reviewed and further viewshafts be considered for inclusion in the plan, including viewshafts to the sea and to heritage buildings.
- Viewshafts in the UP to be accompanied by photos.
- Provision to be made for buildings which have encroached onto volcanic cones to be removed at some time in the future.
- Within the volcanic view shafts any new buildings or structures (including towers and telecommunications structures) above existing buildings and structures to require at least a limited notification.
- Activities which may impinge on viewshafts to be prohibited.
- Develop a visual tool for incorporation into the ePlan to signal the presence of viewshafts.

The specific provisions that our submission relates to are:
B.4.4.3.2. Landscape and Natural Features, Objective 3

We **support in part** the specific provisions identified above.
We wish to have the provisions identified above amended.

The reasons for our views are:

- “Promotion” would not seem to require sufficient meaningful action in the context of this objective.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

3. The restoration and enhancement of natural features and landscapes, including in the Waitākere Ranges heritage area and the Hauraki Gulf/Te Moana-nui o Toi/Tikapa Moana islands is ~~promoted~~ provided for.

The specific provisions that our submission relates to are:
B.10 Methods Table 1

We **support in part** the specific provisions identified above.
We wish to have the provisions identified above amended.

The reasons for our views are:

- We support the concept of the Auckland Design Manual because it is intended that reference to the manual will help to achieve better design outcomes.
- The ADM is non statutory and therefore its function is limited.
- It would seem that the ADM is placed in the wrong part of the table.
- Where the words “Auckland Design Manual” appear elsewhere in the PAUP (at B.2.2 A quality built environment), there is an electronic link to the manual.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- Remove “Auckland Design Manual” from the “Advocacy and education” section as follows:
“Programmes and toolkits that provide people and communities with information to increase their understanding on a particular subject such as:
 - *sustainability*
 - ~~*Auckland Design Manual*~~
 - *pests and weeds*
 - *resource consent lodgement*
 - *environmental education*
 - *engagement and consultation with Mana Whenua”*

- Insert “Auckland Design Manual in the section ““Non-statutory plans, strategies and statutory plans under other legislation” as follows:

“Strategies, policies or plans which guide or direct Auckland development such as follows:

Auckland Plan

Long-term Plan

Housing Action Plan

Auckland Design Manual

area plans

local board plans.

- Provide an electronic link from “Auckland Design Manual” where it appears in Table 1.
- Provide for the ADM to become a statutory document.

The specific provisions that our submission relates to are:

C.4.1 Natural Heritage

H.3.1 Natural Heritage

We wish to have the provisions identified above amended.

The reasons for our views are:

- The only component in each of these two sections is trees.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Place the section on trees in a section with other Natural Heritage components or some other appropriate section.

The specific provisions that our submission relates to are:

C.5.17

We **strongly support** the specific provisions identified above, i.e. that the release of GMOs into the environment is a prohibited activity.

The reasons for our views are:

- A strong precautionary approach is necessary as effects may be unknown, significant, irreversible and adverse in both environmental and economic terms.
- The Auckland region needs to be protected in order to have GE-free environments and to be able to produce GE-free food.

We seek the following decision from Auckland Council:

That the above provision is retained.

The specific provisions that our submission relates to are:

E. Overlay objectives and policies

We wish to have the provisions identified above amended.

The reasons for our views are:

- B.4.1 Historic Heritage Policy 2, states, *Our historic heritage is unique to Auckland; it cannot be duplicated or replaced*”.
- The objectives for Historic Heritage at B.4.1 state:
 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.*
- The Auckland-wide objectives and policies for Historic Heritage at C.3 state: *A precautionary approach is essential to prevent the loss of significant historic heritage places and areas occurring before they can be identified through area surveys, thematic research or public nominations, or included in the historic heritage schedule of the plan.*

The resource management issues outlined in B.1.3 state:

Growth and development in urban, rural and coastal areas has altered or destroyed much of Auckland’s historic heritage and places of cultural importance.

- The rules and extent of heritage identification currently in place do not provide sufficient protection.
- Historic heritage is fundamentally a mature part of any liveable city. 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).
- Auckland Council has a duty to recognise and protect historic heritage and historic character. However, for many years recognition and protection has been inadequate, with much historic heritage unidentified and assessed, and this has led to the destruction of much historic heritage and historic character that is valued by communities, such as the removal of character houses in historic character suburbs. Consequently the integrity of the collective value of the city’s heritage is undermined. Heritage losses in Auckland continue, despite assurances from Council.
- Continued loss of historic heritage and historic character 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.
- The overlay should enable the community to gain the assurance it has long been seeking that Council will decline resource consent applications for demolition or relocation of buildings with historic heritage value and historic character value that have not yet been scheduled. It should also mean that before any planning for intensification is provided for, historic heritage and historic character is identified, and that applications for development in the pre-1944 areas adequately investigate options involving retention.
- We support the precautionary approach taken by the PAUP and the ongoing work in evaluating identified areas for historic heritage and historic character, so that these may be included in the UP.

- 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 means as heritage tourism.
“The Council believes that retaining character and protecting the natural environment are central both to the region and to the identity of individual communities and contribute to our sense of belonging and wellbeing. Effective management and maintenance of these assets contribute to Auckland’s economic prosperity through activities such as tourism, and ensuring it is a great place to live and work. Key heritage projects for 2013/2014 include ... providing \$13.2 million to the Build Heritage Protection Fund to acquire properties that have significant heritage value or features.” (Matthew Walker, Manager, Financial Planning, Policy & Budgeting, Auckland Council, 27.11.13 in response to CTA’s submission to the Auckland Council draft Annual Plan 2013/2014)
“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.” (Power of Place”, English Heritage (2000))
- Retention and restoration of historic heritage and historic character brings economic benefits to a city in terms of: jobs and income, heritage tourism, property values, sustainability, city centre and town centre revitalisation and fiscal responsibility.
- Costs associated with the rule to applicants, such as heritage assessments, can be minimised by Council officers assisting with such work. Council is the authority tasked with protecting heritage and holds some of this information, and has not adequately protected heritage in the past.
- The cost to the community of Auckland now and for future generations will be enormous if more buildings with historic heritage or historic character value are demolished or lose these values.
- The effect of such an overlay to limit development where heritage values are found would be a positive effect in terms of the PAUP’s objectives for historic heritage at B.4.1. Development should only occur where these values are not adversely affected. .

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Identify post-1944 areas of historic character for protection and include these in the Unitary Plan.

The specific provisions that our submission relates to are:

E. Overlay Objectives and Policies

We wish to have the provisions identified above amended

The reasons for our views are:

- It is difficult to access the different overlays and understand what they mean.
- The overlays should be better integrated and cross referenced.

- There should be clarity about which overlay takes precedence over another when there is more than one overlay in a particular area.
- There should be clarity about which areas are unsuitable for development.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- The legends on maps to show the different overlays at the same time as the map is being viewed.
- There be no orange zonings (intensification) where there is also a heritage overlay and/or volcanic viewshaft.
- The maps to differentiate clearly between all categories, for example, between ONCs and HNCs.

The specific provision that our submission relates to is:

E.2 Overlay Objectives and Policies, Historic Heritage, Policy 12

We wish to have the provisions identified above amended.

The reasons for our views are:

- Non-contributing features should be considered as distinct from detracting features.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Support, in general, the partial, total or substantial demolition or destruction, or relocation of features, or parts of features, that detract from the heritage values of a scheduled historic heritage place. ~~or are identified as non-contributing within a scheduled historic heritage area.~~

Permit, in general, the partial, total or substantial demolition or destruction, or relocation of features, or parts of features, that are identified as non-contributing within a scheduled historic heritage area.

The specific provision that our submission relates to is:

E.3.2 Pre-1944 Building Demolition Control

We strongly **support** the specific provision identified above as a necessary precautionary approach until it is replaced by historic heritage overlays. However, we seek to have this provision extended to cover the whole of the Auckland region.

The reasons for our views are:

- B.4.1 Historic Heritage Policy 2, states, *Our historic heritage is unique to Auckland; it cannot be duplicated or replaced*”.
- The Pre-1944 Building Demolition Control is consistent with the intent of the Resource Management Act (1991) sections Section 6 (f) and 7 (c).

- The Pre-1944 Building Demolition Control supports the objectives for Historic Heritage at B.4.1, namely:
 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.*
- The Pre-1944 Building Demolition Control supports the Auckland-wide objectives and policies for Historic Heritage at C.3. The background states:

Much of Auckland's historic heritage has not been identified or evaluated to determine its significance. Some places or areas have been identified as being significant but have not been included in the historic heritage schedule. Other scheduled historic heritage places are covered by designations or notices of requirement which enable or potentially enable modification. A precautionary approach is essential to prevent the loss of significant historic heritage places and areas occurring before they can be identified through area surveys, thematic research or public nominations, or included in the historic heritage schedule of the plan.
- The Pre-1944 Building Demolition Control is consistent with C.3. Policy 2: *Take a precautionary approach to the demolition of buildings in areas of early settlement.*
- The Pre-1944 Building Demolition Control supports the resource management issues outlined in B.1.3 *Our distinctive historic and natural heritage is integral to our identity. It is also important for economic, social, and cultural well-being. We need active stewardship to protect it for the future.*

Protecting our historic and natural heritage contributes to our aspiration to be a world-class city. Integrating our heritage with growth and development positively and authentically will contribute to attracting the visitors and investors on which our economic success depends.

Auckland has a rich historic heritage. Historic heritage places are part of our identity and create an important link to the past. They are unique, non-renewable resources that require protection for present and future generations.

Growth and development in urban, rural and coastal areas has altered or destroyed much of Auckland's historic heritage and places of cultural importance. Further growth places pressure on our ability to protect historic heritage. Lack of knowledge on places also limits our efforts to protect our historic heritage.

Our challenge is to ensure we protect our historic heritage while enabling growth and appropriate use and enjoyment of these places for future generations.
- The level of protection for historic heritage and historic character afforded by this demolition control is higher than has been the case to date. This elevation of the level of protection is necessary because the rules and extent of heritage identification currently in place do not provide sufficient protection.
- Historic heritage is fundamentally a mature part of any liveable city. 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).
- Auckland Council has a duty to recognise and protect historic heritage and historic character. However, for many years recognition and protection has been

- inadequate, with much historic heritage unidentified and assessed, and this has led to the destruction of much historic heritage and historic character that is valued by communities, such as the removal of character houses in historic character suburbs. Consequently the integrity of the collective value of the city's heritage is undermined. Heritage losses in Auckland continue, despite assurances from Council.
- We support the application of a precautionary approach to matters affecting the built environment. We understand that the precautionary approach historically has been applied primarily to situations involving the natural environment and is intended to provide a measure of protection to the environment from the effects of an activity where the nature of the environment is unknown and where those effects may have a significant effect. The reason we support the application of the precautionary approach to the built environment is to enable the protection of historic heritage, which is a fragile and irreplaceable resource which, in the case of Auckland, suffers from a legacy of inadequate assessment
 - Continued loss of historic heritage and historic character 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.
 - The overlay should enable the community to gain the assurance it has long sought that Council will decline resource consent applications for demolition or relocation of buildings of historic character or historic heritage value that have not yet been assessed. It should also mean that before any planning for intensification, historic heritage and historic character is identified, and that applications for development in the pre-1944 areas adequately investigate options involving retention.
 - We support the precautionary approach taken by the PAUP and the ongoing work in evaluating identified areas for historic heritage and historic character, so that these may be included in the UP and we suggest that this work should be prioritised in areas of Auckland's earliest settlement.
 - The value of this control has already been borne out by the identification of a number of historic heritage places such as the homestead at 92 Point Chevalier Road.
 - The overlay was developed in response to feedback from the Heritage Advisory Panel (HAP), which reflected the public concern over historic heritage and historic character losses continuing. This concern includes the distinctive timber housing such as cottages, villas and bungalows in what is referred to as *character* suburbs which collectively constitute an integral part of the city's valued historic heritage.
- The HAP was set up for the following reasons:
- The Auckland Council recognises that heritage contributes significantly to making Auckland a great place to live. The protection and management of the region's historic heritage is frequently a matter that Auckland's communities are passionate about.*
- The establishment of a Heritage Advisory Panel with a membership of community representatives and leading professionals will raise the profile of historic heritage both within the council and among the public. This collaborative approach between the council, heritage experts, owners of heritage buildings and communities will allow for a shared understanding of how our historic heritage*

should be identified, managed, protected, conserved, appreciated and celebrated. (HAP terms of reference, pg 1)

One of the purposes of the HAP is: *To deliver advice for improving the promotion and management of historic heritage of the Auckland region.* (HAP terms of reference, pg 1)

- We point to the success of a similar building demolition 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, 2013) In correspondence with CTA he said, “The culture of the city is now firmly established is working with demolition control by laws and as I outlined in the “Auckland Conversation” this has not prevented development and has enhanced property values overall in the inner suburbs with controls” (29 May 2013). More recently (in correspondence with CTA, 25 February 2014) he said, “That fact that the demolition overlay has been in place now for such a long time is probably its own best protection as the market place now values the product and consistency of the suburban setting – a fact I did cover in my talk last year. The most important issue I would emphasise from our experience here is to allow time for the culture to become embedded that sees the values of the inner suburbs as an asset not a liability. This in turn delivers better quality developers and development.”
- The Pre-1944 Building Demolition Control overlay supports B.4.1. Historic Heritage policy 9:
“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 on significant historic heritage values, c) where there is insufficient information available to fully understand the extent and significance of historic heritage values and the effects on those values.”
- The value of historic heritage as a physical resource is not only aesthetic, spiritual, cultural, social and educational. It is also holds a store of economic benefits to be derived through such avenues as heritage tourism.
“The Council believes that retaining character and protecting the natural environment are central both to the region and to the identity of individual communities and contribute to our sense of belonging and wellbeing. Effective management and maintenance of these assets contribute to Auckland’s economic prosperity through activities such as tourism, and ensuring it is a great place to live and work. Key heritage projects for 2013/2014 include ... providing \$13.2 million to the Build Heritage Protection Fund to acquire properties that have significant heritage value or features.” (Matthew Walker, Manager, Financial Planning, Policy & Budgeting, Auckland Council, 27.11.13 in response to CTA’s submission to the Auckland Council draft Annual Plan 2013/2014)
“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.” (Power of Place”, English Heritage (2000)
- Retention and restoration of historic heritage and historic character brings economic benefits to a city in terms of: jobs and income, heritage tourism, property values, sustainability, city centre and town centre revitalisation.

- Costs associated with the rule to applicants, such as heritage assessments, can be minimised by Council officers assisting with such work. Council is the authority tasked with protecting heritage and although it has not adequately protected heritage in the past, Council already holds much of the information necessary for such assessment.
- The cost to the community of Auckland now and for future generations will be enormous if more buildings with historic heritage or historic character value are demolished or lose these values.
- The effect of the overlay to limit development where heritage values are found is a positive effect in terms of the PAUP's objectives for historic heritage at B.4.1. Development should only occur where these values are not adversely affected.
- The overlay needs to be extended in order to protect pre-1944 buildings that fall outside areas covered by the overlay. It is noted that there is currently a misapprehension amongst some Aucklanders that the overlay already applies to all of Auckland and therefore they have a false assurance that all pre-1944 buildings have a measure of protection.
- Some rural areas are areas of early settlement and there are other concentrations of pre-1944 settlement (such as along the Great South Road) not currently within the overlay.
- The CBD is excluded from the pre-1944 overlay, ostensibly covered by Auckland City Council's Plan Change 5 (covering Queen St Valley and K'Road precinct) and its Plan Change 8 (providing character overlays). Assessments of the areas covered by PC5 and PC8 are inadequate and together do not cover all parts of the Central Area (as designated by the former Auckland City Council) and therefore we submit that the pre-1944 overlay should be extended to cover the City Centre.
- It is also not clearly understood by the public that the pre-1944 overlay does not prohibit development but rather, it simply affords Council the opportunity to prudently exercise a measure of control over the nature of development.
- Removal of a pre-1944 dwelling could be considered more favourably if relocated within the same suburb.
- Unless it is stated in the overlay description why the date of 1944 was chosen, the public do not necessarily know the reason. Knowing why that date was chosen may assist in understanding the overlay.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Overlay description

This overlay applies to all areas in Auckland. ~~identified as having been settled pre-1944. It does not include those pre-1944 settlement areas already subject to the Special Character overlay. 1944 is the date when aerial photography was completed to cover the Auckland Region, thus providing a record of the built environment at that date, and thereby the most comprehensive and effective basis for this control.~~

The overlay proposes a precautionary approach to demolishing all residential and non-residential buildings. This is to address concerns that unscheduled historic heritage buildings and places, or groups of special historic character buildings that contribute to the streetscape or character of a neighbourhood, will be lost before an evaluation is done.

Over time character elements or character areas may themselves reach a threshold whereby the agglomeration of those elements or areas constitutes recognition as "historic heritage".

Once evaluation has been done, additional historic heritage or special historic character areas may be added to the Unitary Plan and this overlay amended by a plan change.

The specific provision that our submission relates to is:

E.3.2 Pre-1944 Building Demolition Control

We **support in part** the specific provision identified above.

We wish to have the provision identified above amended.

The reasons for our views are:

- B.4.1 Historic Heritage Policy 2, states, *Our historic heritage is unique to Auckland; it cannot be duplicated or replaced*".
- Whilst it might seem inefficient in terms of notification to extend the Pre-1944 Building Demolition Control over a wide area, the effect of doing so, both in terms of the impact on individual property owners and the work required by Council, could be ameliorated by the limitation of notification to affected persons determined either in terms of locality i.e. streets or precincts or suburbs or by physical distance from the property (a certain radius).

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

That notification be required for all resource consents for demolition of pre-1944 buildings. Such notification could be limited to a narrower geographical area surrounding any property that is the subject of an application. That area should not be so limited as to include only adjoining or adjacent properties, but should, in suburban areas for example, include at least all other properties in the street in which the subject property is located. Council would need to determine an alternative sphere of interest for pre-1944 properties outside suburban areas where suburban street patterns do not exist.

The specific provision that our submission relates to is:

F.1.12 Volcanic landforms

We wish to have the provision identified above amended.

The reasons for our views are:

- Precincts for the volcanic landforms should be provided for, as shown by Hayward and others in "Volcanoes of Auckland-the essential guide" Auckland University Press 2011 in order to provide protection for them in accordance with B.4.4.3.2.4 *The visual and physical integrity and values Auckland's volcanic features that are of local, regional, national and/or international significance are protected and where practicable enhanced.*
- Such a precinct would acknowledge the intention for the Auckland volcanic field to become a world heritage site under UNESCO.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

The addition of precincts which include both volcanic landforms and their adjoining interface with suburban development.

Note: No rules need to be applied to the volcanic landforms which have been totally demolished, as one purpose of the precinct designation is to merely record the feature for posterity, unless there is some prospect that reinstatement may be an option. Any new development should otherwise respect the nature of the original 50 plus landforms, outlined as precincts showing the object footprints. Rules should be developed for many more than the few major items (Maungawhau etc), with particular reference to Three Kings and the South Auckland volcanic centres of Crater Hill, Maungataketake, Wiri Mount and others. Wiri Mount is under threat and a special case requiring urgent attention.

The specific provisions that our submission relates to are:

G.2.7.2.1 Information requirements for resource consent applications

We wish to have the provisions identified above amended.

The reasons for our views are:

- Some resource consent applications are incomplete, with either no heritage assessment or with an incomplete heritage assessment. In accordance with RMA section 88, applications need to be complete.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Opportunities and constraints analysis

Purpose: to present a summary of the key built and environmental elements identified in the site and neighbourhood analyses that the project ~~should~~ shall respond to. The opportunities and constraints analysis ~~should~~ shall guide the design response.

10. The applicant ~~should~~ shall also consider how any of the following matters influence the site's opportunities and constraints:

- a. any specialist reports provided with the application (heritage assessment, integrated transport assessment etc)*
- b. guidance provided in pre-application discussions with council officers*
- c. guidance provided by the Auckland Urban Design Panel or any other design review panel recognised by the council.*

- Every resource consent application for total or substantial demolition or removal of a building within the pre-1944 overlay or a historic heritage area to include a heritage assessment.
- Heritage assessments carried out by the applicant's expert to be reviewed independently within Council.

The specific provisions that our submission relates to are:
H. Auckland wide rules - General 6

We wish to have the provisions identified above amended.

The reasons for our views are:

- The Auckland Plan (pg 68) states in chapter 1 “Auckland’s People” as one of its targets that, *“All parks and reserves, children’s play areas and other public space identified in bylaws will be smokefree by 2025”*.
- Groups within the health community are working towards a Smokefree Aotearoa by 2025.
- Communities being smokefree contributes to liveability on many levels, the most crucial one being human survival itself.
- The Unitary Plan is a plan for the next 30 years and 2025 is just over a decade away.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Add a provision under H. Auckland wide rules - General 6 (or wherever is appropriate within the plan) that all existing and future parks in Auckland be designated smokefree as soon as is practicable and well before 2025.

The specific provisions that our submission relates to are:
H.1.2.3.2 Table 6 Required end-of-trip facilities

We **support in part** the specific provisions identified above.
We wish to have the provisions identified above amended.

The reasons for our views are:

- We support the requirement for end-of-trip facilities for cyclists and others who choose to travel to work by active transport methods. However, the requirement for such facilities as showers should take into account not only the gfa of a building but the number of people who use it.
- The cost to a business / school etc with fewer than 40 employees / students to provide such a facility would be too onerous.
- Under cover parking for bicycles should be encouraged, in order to protect bicycles from rain.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- That the provision of showers not be a requirement for places with fewer than 40 people.
- That cycle parking, where practicable and reasonable, should be under cover.

The specific provisions that our submission relates to are:

H.2.3.2 Number of parking and loading spaces

We wish to have the provisions identified above amended.

The reasons for our views are:

- We support parking maximums but we do not support minimum parking ratios where areas are well served by public transport, as an incentive for greater use of public transport and to reduce the reliance on private motor vehicle transport.
- Chapter 8 of the Auckland Plan begins with the following statement: “*Auckland expects that we will work together to play our part in meeting the national goal of significantly reduced greenhouse gas emissions ...*” A significant step towards reducing greenhouse gas emissions would be to discourage reliance on private transport. To continue to require dwellings, work places and places of entertainment to have minimum parking requirements does not support this goal.
- 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.
- 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.
- There should be a comprehensive parking management plan across the entire region. This would encourage developers to think about the costs and benefits of providing for all types of access.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- There be no minimum parking requirements, except for people with disabilities.
- Parking to be cheaper at the edges of urban centres, compared to parking in the city centre.

The specific provisions that our submission relates to are:

H.6.3.3.2 Assessment Criteria

We **support** the specific provisions identified above, i.e.

(v) A sign or billboard sign located in close proximity to a scheduled historic heritage place should not adversely affect the visual amenity of that place or detract from the visual qualities that are fundamental to the reasons for the heritage listing of that scheduled historic heritage place.

The reasons for our views are:

- Historically there are precedents for beautifully designed signs and billboards that were compatible with either the architecture itself or the facia attached to adjoining verandas. Provided that such signage and billboards were constrained within such historic precedents, these could usefully enhance the economic wellbeing achievable by such buildings.

We seek the following decision from Auckland Council:

That the above provisions are retained.

Note: Exceptions to this rule should be allowed at the discretion of Council to provide for signs or billboards in close proximity to or on a scheduled historic heritage place provided such signs and billboards are compatible with the historical precedent.

The specific provisions that our submission relates to are:

J.3.1 - 3.5 Special Character areas

We **support in part** the specific provisions identified above.

We wish to have the provisions identified above amended.

The reasons for our views are:

- We support the Business, Residential (Helensville, Isthmus A, B & C, North Shore & General) special character areas and identification of their values in the Area Statement of Significance.
- We support the roll over of the seven former conservation areas and the addition of 12 new historic heritage areas (listed below).

Former Conservation Areas - refer Isthmus Section appendix 7 for CA Character Statements (5C.7.2)

A Renall St Ponsonby

B Part Herne Bay Rd

C Ardmore Rd, Wanganui Ave, Albany Rd & part Trinity St

D Part Elgin St, Grey Lynn,

E Cooper St, Arch Hill

F Burnley Tce & part King Edward St, Mt Eden

Currently proposed historic heritage areas

9.2.1 Ardmore Rd, Wanganui Ave, Albany Rd & ~~part~~ Trinity St

9.2.2 Burnley Tce & ~~part~~ King Edward St Mt Eden

9.2.3 Cooper St, Arch Hill

9.2.4 Devon Estate Subdivision

9.2.5 Early road links

9.2.6 ~~Part~~ Elgin St, Grey Lynn

9.2.7 Green Hill, Onehunga

9.2.8 ~~Part~~ Herne Bay Rd

9.2.9 Kenny's Estate

- 9.2.10 Lippiatt Rd
- 9.2.11 Monte Celia Park
- 9.2.12 Nikau Rd & Awa St
- 9.2.13 Onehunga Mall
- 9.2.14 Otahuhu Town Centre
- 9.2.15 Parts of Reown Estate Subdivision (parts of Marsden Ave, Kingsford Rd & Thorley St, Balmoral)
- 9.2.16 Princes St
- 9.2.17 Renall St Ponsonby
- 9.2.18 Suttie's Estate
- 9.2.19 Te Papapa Station

- The description of character areas currently does not appear robust enough.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below.

- A more robust description of the characteristics of special character areas be provided.
- This list of special character areas should be extended to include further areas that similarly meet the criteria met by those on the list.
- Reinstate the business character areas from previous legacy plans that have been omitted from the PAUP and consider others for inclusion. This could include a list below from the Auckland Plan, page 261.

International City Centre

1 City Centre

City Fringe Centres

2 Devonport

3 Grafton

4 Newton

5 Parnell

6 Ponsonby

Town Centres

17 Avondale

19 Ellerslie

30 Mt Albert

31 Northcote

32 Onehunga

35 Ōtāhuhu

38 Panmure

39 Papatoetoe

40 Pt Chevalier

Local Centres

52 Balmoral

67 Grey Lynn

75 Kingsland
81 Market Road
85 Morningside
86 Mt Eden
91 Sandringham
92 St Heliers
101 Valley Road / Eden Quarter
102 West Lynn

The specific provisions that our submission relates to are:

I.1.2 Residential zones, Notification

I.3.2 Business zones, Notification

I.4.2 City centre zone, Notification

J.3.3.2 Special Character Residential Isthmus A, B & C, Notification

K.3. Precinct rules, Notification

We **support** in part provisions, some of which are identified above, which provide for a certain level of notification. However, we consider them to be incomplete.

The reasons for our views are:

- It is of widespread public concern that many resource consents are non-notified despite possible or probable public interest.
- Affected persons want and need to be made aware of proposed changes. However, the public are not considered to be affected persons unless they are immediately adjoining occupants or neighbours. The opposite neighbour is sometimes just as much affected or even more than the adjoining neighbour, as it is the view of the opposite neighbour that will change, especially in cases such as an owner of a single house where high rise apartments are proposed to be built immediate opposite. A wider community than just immediate neighbours is potentially affected by an activity.
- Our heritage gives us a sense of place and who we are. The PAUP states at B.1.3 *Protecting our historic heritage, historic character and natural heritage: Our distinctive historic and natural heritage is integral to our identity. It is also important for economic, social, and cultural well-being. We need active stewardship to protect it for the future.*
- The objectives for Historic Heritage at B.4.1 state:
 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.*Whether as a result of encouragement or not, the public has shown that they value historic heritage and historic character and it goes without saying that they have an interest in its protection.
- Effects that are considered to be minor by people who do not have a relationship with a particular environment are not necessarily considered to be minor by those who do have a relationship with that environment.
- When considering whether or not there are any affected persons or parties, Council should take into account the impact on individuals and communities caused by sudden changes to their environment without appropriate and

- transparent notification, and subsequent evaluation and assessment of community submissions.
- Council may make a rule specifying the activities for which the consent authority must give public notice of an application for a resource consent. (RMA 77.d)
 - Such a rule would assist in removing uncertainty for Council officers and thus make the resource consent process more efficient and effective.
 - Placing a notice on or near a site is a method that has been successfully used for notification in a number of cities, including Auckland, and is referenced in the Resource Management (Forms, Fees and Procedure) Regulations 2003, 10(a)(2), “A consent authority may require the notice ... to be affixed in a conspicuous place on or adjacent to the site to which the application relates”.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- We wish to have the provisions identified above amended, along with all other provisions that use the phrase “the normal tests for notification”. We wish to have a provision included in the UP that provides that Council must give public notification with regard to certain categories of resource consent applications which are significant and potentially in the public interest. These would include activities which may have adverse effects on heritage places and areas and special character areas and character-supporting and defining buildings and would include at least the following:
 - Those activities in Activity Table 1: Significant historic heritage place overlay that require a resource consent.
 - Those activities in Activity Table 3: Historic heritage areas that require a resource consent.
 - All activities in the Pre-1944 Building Demolition Control Activity Table.
 - Those activities in the Special Character Business Activity Table that require a resource consent.
 - Those activities in the Special Character Residential Helensville Activity Table that require a resource consent.
 - Those activities in the Special Character Residential Isthmus A, B and C Activity Table that require a resource consent.
 - Those activities in the Special Character Residential North Shore Activity Table that require a resource consent.
 - Those activities in the Special Character General Activity Table that require a resource consent.
- When the NZHPT is notified as an affected party (when registered buildings become the subject of an application for resource consent) that such notification be extended to include other significant and/or relevant organisation with a publicly recognised local or regional interest. (For example, if there were a group called the Ponsonby Road Heritage Society, it could be expected that that group would consider itself an affected party in relation to development located on Ponsonby Road, and if the matter were a regional one, then a group such as Civic Trust Auckland to be an affected party in that instance.) Local Boards to hold a database of recognised heritage groups for that purpose.

- That consideration be given for a notice of notification to be affixed in a conspicuous place on or adjacent to the site to which an application relates.
- That the extent of affected persons could be determined either in terms of locality i.e. streets or precincts or suburbs or by physical distance from the property (a certain radial distance) etc.
- That the processing of non-notified applications not be carried out by an individual planner. Instead, planning staff to consult more broadly: with the Local Board and relevant parties from the local areas, such as affected neighbours, historic families and community and national heritage groups.
- That more reporting with regard to objections and concerns expressed by the community about planning decisions be made publicly available on Council's website, in order to provide data about the effectiveness of operational processes and monitoring as well as trends in applications, approvals and public responses.
- All resource consents for the provision of buildings higher than three storeys next to mixed use or single lot dwellings be subject to limited notification.
- Notification of applications for resource consents to adjacent and adjoining landowners be mandatory.
- Volunteer groups working on volcanic cones, reserves, riparian or coastal areas to be notified of all resource consents in their respective areas, as affected parties.
- That rules for notification of controlled or restricted discretionary activity consents that affect heritage items to always provide for involvement of NZHPT as an affected party that such notification be extended to include other significant and/or relevant organisation with a publicly recognised local or regional interest.

The specific provisions that our submission relates to are:

I.1.7 Development Controls - Mixed Housing Suburban Zone 17 Minimum Dwelling Size

I.1.8 Development Controls - Mixed Housing Urban Zone 17 Minimum Dwelling Size

I.1.9 Development Controls - Terrace Housing and Apartment Buildings Zone 16 Minimum Dwelling Size

I.4.4. Development Controls - City Centre Zone 35 Minimum Dwelling Size

We **oppose** the specific provisions identified above.

We wish to have the provisions identified above amended.

The reasons for our views are:

- The proposed dwelling size is too small for the stated purpose of these provisions, that *"dwellings are of a sufficient size to provide for the day-to-day needs of residents"*.

- “A sufficient size to provide for the day-to-day needs of residents” should mean the same size across Auckland, not smaller in the city centre zone as provided for in the PAUP. Aside from this issue of an equitable dwelling size, residents in the city zone generally have less access to public open spaces in their neighbourhoods.
- The Auckland Plan states in Chapter 1 “Auckland’s People” under the heading “Strategic Direction” number 1: “*Create a strong inclusive and equitable society that ensures opportunity for all Aucklanders*”. A component of an equitable society would seem to be that dwelling sizes across the city all have the same minimum size requirements.
- Standard minimum dwelling sizes would also seem to be in line with the top priorities stated in the Auckland Plan, Chapter 1 “Auckland’s People” (1) *Put children and young people first* (2) *Improve the education, health and safety of Aucklanders, with a focus on those most in need* (3) *Strengthen communities*”.
- Dwellings that are too small have 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.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below for all provisions for minimum dwelling size:

1. Dwellings must have a minimum net internal floor area as follows:

- a. ~~40m²~~ 50m² for studio dwellings*
- b. ~~45m²~~ 50m² for one bedroom dwellings.*

1. Dwellings must have a minimum net internal floor area as follows:

- a. ~~30m²~~ 50m² for studio dwellings*
- b. ~~40m²~~ 50m² for one ~~or more~~ bedroom dwellings*

The specific provision that our submission relates to is:

I.1.3.1 Maximum density Table 1

We **oppose** the specific provisions identified above.

The reasons for our views are:

- The density provided for within the Mixed Housing Suburban zone is much greater than provided for in all but the most intensive zones under the legacy district plans and is too intensive for sites in this area.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

One dwelling per ~~200m²~~ 300m² net site area where the requirements of clause 3.1.5 below are met.

The specific provision that our submission relates to is:

I.1.7.5 Yards Table 5

We **oppose** the specific provisions identified above.

The reasons for our views are:

- This rule provides for a reduction in yard size in the Mixed Housing Suburban Zone to one metre, which does not allow for areas of open space at the rear of dwellings. Back yards have an important role in suburban areas as an outside area for people, especially families, to use for a number of purposes.
- Yards should have enough space to enable people to plant some greenery, which can provide both screening from neighbours and relief from the surrounding built environment.
- Directive 8.2 of the Auckland Plan (pg 210) is to, *“Protect, enhance and increase Auckland’s green infrastructure networks”*. The provision above would not give effect to this directive.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

That the minimum depth of the rear yard be 4m and not 1m.

The specific provision that our submission relates to are:

I.1.7.10 Development Controls Mixed Housing Suburban Zone - Outlook Space

I.1.8.10 Development Controls Mixed Housing Urban Zone - Outlook Space

I.1.9.10 Development Controls Terrace Housing and Apartment Buildings Zone - Outlook Space

We **support** the purpose of the specific provision identified above but wish to have it amended.

The reasons for our views are:

- To *“Ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites”* would achieve an important component of liveability. Provisions for acoustic privacy and protection from outside noise could be further extended.
- Particular streets of Auckland, such as the CBD “business” zone where thousands of people live and more are being encouraged to live, are subjected to noise issues, particularly at night including: road works, street cleaning machines, leaf blowers and, drunk and disorderly behaviour.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below.

Require acoustic barriers such as double door entry baffling and double glazing for dwellings in urban centres.

The specific provisions that our submission relates to are:

I.2 Public Open Space Zones, Activity Table 1

We **oppose** the specific provisions identified above which permit buildings and structures to be built on parks and reserves.

We wish to have the provisions identified above amended.

The reasons for our views are:

- Public open space is valued as per objectives B.2.6 and Policy 7.
Objectives
2. The protection and enhancement of the natural environment of public open spaces and cultural heritage places.
3. The recreational needs of Aucklanders are met through the provision of sufficient public open space, particularly in intensified urban areas.
Policy 7
Protect and enhance the landscape, heritage (archaeological, historic and cultural) and natural values (ecological and biodiversity) of Auckland's public open spaces.
- Buildings and structures built on parks and reserves decrease the amount of public open space. Increased intensification is being provided for largely within the MUL and open space is finite resource so further building on it should be avoided.
- The public should be consulted about proposals that would encroach on the public open space in their neighbourhood.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below.

Notification to be required for applications to place buildings and structures on parks and reserves.

The specific provisions that our submission relates to are:

J.2.1 Activity table

Appendix 9.1 Schedule of Significant Historic Heritage Places

Other provisions that refer to A* items

We **oppose** the specific provisions identified above which categorise some buildings as A* and not A.

The reasons for our views are:

- All A scheduled buildings from legacy schedules should be treated as equal on the schedule in the UP and subject to the same provisions, including the same rules about the demolition of the primary feature within that place.

- B.4.1 Historic Heritage Policy 2 states, *Our historic heritage is unique to Auckland; it cannot be duplicated or replaced.*

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

That all category A* items become A and are placed in Schedule A and be referenced as such in the PAUP maps and overlays and that other treatments applied to A* to be subject to the same treatment as Category A.

The specific provisions that our submission relates to are:

J.2.4.3 Assessment criteria for total or substantial demolition or partial demolition or destruction

i.e. Any proposal to demolish, damage or destroy 30 per cent or more by, volume or area of any building or other feature is considered total or substantial demolition or destruction.

We **support** the specific provisions identified above.

The reasons for our views are:

- We asked for a change to the DAUP to clarify whether “volume” in these provisions meant cubic volume or plan area coverage and there is now more clarification of that wording.

We seek the following decision from Auckland Council:

That the above provision is retained.

The specific provisions that our submission relates to are:

J.3.1 Special Character Business 4.2 Assessment Criteria

We wish to have the provisions identified above amended.

The reasons for our views are:

- 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. The reasonableness of cost is ultimately an RMA section 5 matter.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with the amendment as outlined below, i.e. removal of criterion (f):

~~*f. Whether the costs of restoration are excessive in comparison to the costs of a new building of similar size and quality.*~~

The specific provisions that our submission relates to are:

J.3.1 Special Character Business 4.2 Assessment Criteria 2

We wish to have the provisions identified above amended.

The reasons for our views are:

- (i) would seem to be contradictory
- (v) - amended to (a) below - would seem to be the leading factor.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with the amendment as outlined below, i.e. moving the current section (v) to the top of the list to become (a) and changing the word “façade” to “fabric” and deleting the words “avoid or”:

Alterations, redecoration and repair to buildings identified as character-defining or character-supporting

a. retain as much of the existing building ~~façade~~ fabric as practicable by refurbishing, restoring and adapting parts of the existing building rather than replacing them

~~a.b.~~ 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

ii. be positioned and designed to retain the continuity of the front facade alignment of the building or adjoining buildings and the established horizontal or vertical modulation

iii. be of a design and materials which are similar or in sympathy to those originally used and do not detract from the architectural character and detailing of the building

iv. be in keeping with the architectural form, proportions and style of the existing building(s) on the site

~~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~~

~~vi.~~ v. use a colour scheme which is compatible with the age and detailing of the building, and it should be derived from research into the original colour scheme of the building

The specific provisions that our submission relates to are:

J.3.2. Special Character Residential Helensville, 4.2.1 Assessment Criteria

We wish to have the provisions identified above amended

The reasons for our views are:

- 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. The reasonableness of cost is ultimately an RMA section 5 matter.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below, i.e. removal of criterion (g):

~~g. 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 2004.~~

The specific provisions that our submission relates to are:

J.3.3. Special Character Residential Isthmus A, B and C, 5.2 Assessment Criteria

We wish to have the provisions identified above amended.

The reasons for our views are:

- 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. The reasonableness of cost is ultimately an RMA section 5 matter.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below, i.e. removal of criterion (f):

~~*f. 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.*~~

The specific provisions that our submission relates to are:

J.3.4 Assessment Criteria 6.2

We wish to have the provisions identified above amended, as indicated in our feedback on the DAUP.

The reasons for our views are:

- An incorrect word is used.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

4. Retention of heritage historic site elements

a. Any proposed additions/alterations to pre-1940 buildings should retain the architectural and historic ~~form~~ fabric including the original roof form, proportions and style of the building and other design characteristics such as design detailing, original fabric and materials, finishes, proportions, and window size, proportion and location within walls.

The specific provisions that our submission relates to are:

J.3.5.2 Special Character General, Assessment - Restricted discretionary activities

We wish to have the provisions identified above amended.

The reasons for our views are:

- 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. The reasonableness of cost is ultimately an RMA section 5 matter.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with the amendment as outlined below, i.e. removal of criterion (ii) from “Determination of front, side and rear”:

When assessing an application for resource consent for additions and alterations to existing buildings, the Council will consider the following criteria. The site and context will inform the manner in which the following criteria are applied:

i. Where buildings contribute to the special character, they should not be demolished or removed unless they are in such poor structural or physical condition or so substantially altered, that rehabilitation is not practicable.

~~ii. Whether the costs of restoration are excessive in comparison to the costs of a new building of similar size.~~

...

The specific provision that our submission relates to is:
K.3.7 Port Activity Table

We **support** the specific provision in the Activity Table of non-complying activity status for *reclamation or drainage not otherwise provided for*.

The reasons for our views are:

- The Unitary Plan gives effect to the Auckland Plan, which is a plan for 30 years into the future. POAL has the capacity to operate for 20 more years on its current footprint. If expansion is needed at a later time then a notified plan change could be applied for.

We seek the following decision from Auckland Council:

That the above provision is retained.

The specific provisions that our submission relates to are:

Part 4 Definitions

We wish to have the provisions identified above amended.

The reasons for our views are:

- Further definitions are needed in the Unitary Plan in order to provide clarity and facilitate better decision making.
- Where appropriate, definitions should be the same as those in the RMA, since that is the framework within which land use and development must occur.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- Provide definitions both in Part 4 and linked online definitions throughout the UP for:
 - Character defining
 - Character supporting
 - Historic character (currently proposed as “special character”)
 - Historic heritage
 - Rural character
 - The various types of precincts.

Character defining: This definition 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.”*

Character supporting: This definition could also be taken from the Auckland District Plan Isthmus Section part 5C (Heritage): *“Character-supporting buildings’ play a lesser yet very recognisable contribution to that ‘sense of place’”.*

Historic heritage: This definition could be taken from RMA section 2, Interpretation.

The specific provisions that our submission relates to are:
Appendix 3.4 Schedule of notable trees

We wish to have the provisions identified above amended.

The reasons for our views are:

- The high threshold for and small number (2,642) of notable trees currently on the schedule suggests that this method is insufficient to adequately protect significant trees and groups of trees.
- The provisions to protect trees and vegetation should be strengthened to provide higher protection for this highly valued amenity.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- That the threshold for scheduling a notable tree be reviewed.
- Members of the public who nominate trees should be informed as to whether a tree they have nominated has met the criteria for scheduling, and, if not, whether further information about the tree needs to be provided, and whether or not a final decision has been made about whether to include the tree(s) on the schedule.
- Every person who has nominated a particular tree for scheduling to be notified if a resource consent application is made (whether by another member of the public or by Council) for removal or pruning of that tree, whether that tree is currently on the schedule or not, or the decision about scheduling has not yet been made.

The specific provisions that our submission relates to are:
Appendix 5.1 and 6.1

We **support in part** the specific provisions identified above.

The reasons for our views are:

- The SEA overlay omits areas that are significant ecologically and includes areas that are not.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

Check the SEA overlay on the ground before implementation.

The specific provisions that our submission relates to are:
Appendix 9.1 Heritage values

We **support** the specific provisions identified above.

The reasons for our views are:

- We support the qualitative system of assessment for scheduling and its alignment with the NZHPT system for registration. This means that there can be nationwide consistency with other unitary plans throughout the country. This would advance nationwide consistency with other unitary plans throughout the country and be in line with recent legislative changes promoting the streamlining and simplifying of the RMA.
- B.4.1 Historic Heritage Policy 2, states, *Our historic heritage is unique to Auckland; it cannot be duplicated or replaced.*

We seek the following decision from Auckland Council:

That the above provisions are retained.

The specific provision that our submission relates to is:
Appendix 9.1 Schedule of Significant Historic Heritage Places

We **support in part** the specific provision identified above and wish to have the provision identified above amended.

We support the rolling over of the existing schedules from the seven legacy Councils.

The reasons for our views are:

- The proposed schedule is probably incomplete, since some legacy councils did not have heritage departments and many of the legacy schedules of those that did were incomplete. Furthermore, the level of funding available for evaluation in the current planning cycle has not allowed adequate research to be undertaken.
- As acknowledged by Council in the PAUP at C.3, *"Much of Auckland's historic heritage has not been identified or evaluated"*.

- The section 32 report at 1.5 Current Objectives, Policies, Rules and Methods states:
The legacy plans also have differing heritage evaluation systems, albeit of varying quality ... [with] disparate criteria and methodologies ...
An analysis of the legacy plan evaluation systems was undertaken. It found ...
 - *Inconsistent terminology and/or definitions between evaluation systems*
 - *Some legacy plans lack criteria and/or thresholds for identifying significance of some categories of heritage (for example places of significance to Maori or archaeological sites)*
 - *Significance is not ranked consistently amongst legacy plans. Some legacy plans do not contain explicit thresholds/criteria for ranking historic heritage. In some plans there is one category, in others two or three ...*
 - *Some legacy evaluation criteria are not compatible with the criteria included in the RMA and HPA ...*
 - *Some evaluation systems were formulated prior to 2003 RMA amendments, and have not subsequently been updated and therefore may not be completely aligned with the RMA*
 - *No legacy systems represent international best practice.*
- The Implementation Addendum to Auckland Plan states: “Provide a comprehensive and co-ordinated information service for Auckland’s historic heritage” (page 2015)
- The Auckland-wide objectives and policies for Historic Heritage in the PAUP at C3 state:
Much of Auckland’s historic heritage has not been identified or evaluated to determine its significance. Some places or areas have been identified as being significant but have not been included in the historic heritage schedule. Other scheduled historic heritage places are covered by designations or notices of requirement which enable or potentially enable modification. A precautionary approach is essential to prevent the loss of significant historic heritage places and areas occurring before they can be identified through area surveys, thematic research or public nominations, or included in the historic heritage schedule of the plan.
- Only a very small number of interiors are listed for protection, which could result in the altering or removal of internal fabric of high heritage value. Conservation practice in NZ and the NZHPT advocate for protecting places in their entirety.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

- That the inclusion of items in the schedule be at a level of recognition commensurate not only with the information that informed the earlier assessments but also any other information available from Council or other publicly accessible sources. This might involve the upgrading of some items currently scheduled as Category B to Category A.
- That the schedules be amended to include any items previously assessed by legacy councils which failed to meet the threshold for scheduling but for which information was and/or is available from Council or other publicly accessible sources. (See Appendix to this submission.)

- All the current NZHPT registrations to be incorporated into the UP either into the heritage schedules or definition of areas as precincts or historic heritage areas. HPT recognition of heritage values should also be appropriately incorporated into character statements within the IP.
- Where an NZHPT registration identifies a place as Category 1, for it to be Category A on the UP's schedule.
- All places or areas identified on the NZHPT Register to be included in the schedule.
- All interiors in the schedules to be included except where they have been so modified to have little or no heritage value.
- The NZHPT registration number and registration type to be recorded next to the relevant schedule entry.
- That Council keep and be able to make available a list of nominations online as they are received, along with the information provided with the nomination, so that information about items nominated can be added over time.

The specific provisions that our submission relates to are:
Appendix 10.5 Special character statements - Residential - North Shore

We wish to have the provisions identified above amended.

The reasons for our views are:

- The res 3 rules contained in NSCC section 16 contained comprehensive guides for the extent of demolition which had been developed by Council for this area.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:
 Roll the section 16 rules and appendices over to the special character statement for Residential - North Shore.

The map that our submission relates to is:
Zone Urban Grid 32: Spring St, Freeman's Bay

We **oppose** the specific provisions identified above.
 We wish to have the provisions identified above amended.

The reasons for our views are:

- This is an area of pensioner accommodation. Upzoning this area is likely to displace a well-established community.

We seek the following decision from Auckland Council:
 Accept the Proposed Plan with amendments as outlined below:

Change the zoning from THAB to mixed housing.

The map that our submission relates to is:
Zone Urban Grid 32: College Hill, Freeman's Bay

We **oppose** the specific provisions identified above.
We wish to have the provisions identified above amended.

The reasons for our views are:

- Mixed use business is an inappropriate zoning for a residential area with historic heritage and historic character buildings, which backs onto res 1 in Dublin Street.

We seek the following decision from Auckland Council:
Accept the Proposed Plan with amendments as outlined below:

Change the zoning from mixed use business to res 1.

The map that our submission relates to are:
Zone Urban Grid 32: Ponsonby Rd, Ponsonby

We **oppose** the specific provisions identified above.
We wish to have the provisions identified above amended.

The reasons for our views are:

- The stretch of Ponsonby Rd from Franklin Rd to Pember Reeves contains remnants of grand residential housing stock on the Ponsonby ridgeline and is the last group of such housing on Ponsonby Rd. As such, it needs protection.
- The recognition of Ponsonby Road that informed the isthmus section of Auckland City Council's District Plan should inform the UP.

We seek the following decision from Auckland Council:
Accept the Proposed Plan with amendments as outlined below:

Include this area in the character overlay.

The map that our submission relates to is:
Zone Urban Grid 32: Gladstone Rd, Parnell to Taurarua Tce

We **oppose** the specific provisions identified above.
We wish to have the provisions identified above amended.

The reasons for our views are:

- It is inappropriate for a THAB zone to back straight onto a single house zone.

We seek the following decision from Auckland Council:
Accept the Proposed Plan with amendments as outlined below:

Change the zoning from THAB to single house.

The map that our submission relates to is:
Zone Urban Grid 32: Mt Eden, Three Kings and Balmoral

We **support** the specific provisions identified above.

The reasons for our views are:

- Downzoning of substantial parts of these areas from THAB to mixed suburban / urban and the increase of single house zoning is appropriate to protect the historic character of these areas.

We seek the following decision from Auckland Council:
That the above provision is retained.

The map that our submission relates to is:
Zone Urban Grid 32: Ashton Rd, Mt Eden

We **oppose** the specific provisions identified above.
We wish to have the provisions identified above amended.

The reasons for our views are:

- This street of historic character needs protection. It is located within 500m of a local centre but its values should not be compromised because of its location.

We seek the following decision from Auckland Council:
Accept the Proposed Plan with amendments as outlined below:

Change the zoning to single house.

The map that our submission relates to is:
Zone Urban Grid 32: Empire Rd, Epsom

We wish to have the map identified above amended.

The reasons for our views are:

- Most of Epsom is now mixed zone and most of the historic heritage and historic character streets have been compromised by significant infill. Only Empire Rd is single house zone, recognising the intactness of its original housing stock. It is the one remaining example of old Epsom.

We seek the following decision from Auckland Council:
Accept the Proposed Plan with amendments as outlined below:

Rezone Empire Rd as a historic heritage area.

The map that our submission relates to is:
Zone Urban Grid 40: Royal Oak/Greenwoods Cnr/Onehunga

We **support** the specific provisions identified above.

The reasons for our views are:

- Sightlines are maintained to One Tree Hill.

We seek the following decision from Auckland Council:

That the above provision is retained.

The specific provisions that our submission relates to are:

Part 4 Definitions - Streetscape

We **oppose** the specific provisions identified above

The reasons for our views are:

- Temporary elements such as trees may easily be grown to conceal elements of the built environment so that potentially a street might end up with no streetscape at all. Trees therefore should be able to be excluded from consideration of the streetscape.

We seek the following decision from Auckland Council:

Accept the Proposed Plan with amendments as outlined below:

“The visual elements of a street, including the road, footpaths, ~~trees~~, open space and interface to adjoining buildings that combine to form the street’s character.”

Civic Trust Auckland seeks the specific relief outlined in this submission and also seeks such further or other relief as will give effect to the reasons for this submission, including consequential relief.

END OF SUBMISSION

Appendix follows



Signature of Submitter

Date: 28 February 2014

Appendix

List of Items

The following buildings were previously assessed by legacy councils and failed to meet the threshold for scheduling. This list is based on information from previous assessments and / or information available from public sources which may justify scheduling.

Telephone Exchange, 45 Airedale St, Central City
Commercial Building (Angus Steak House 1996), 35 Albert St, Central City
Wilson & Horton Building, 46-60 Albert St, cnr Wyndham St, Central City
Wilson & Horton Building, 66 Albert St
Station Hotel (Harbourview Station Hotel 1996), 122-126 Anzac Ave, Central City
Mount Smart Marine, 123 Beaumont St, Central City
Orams Marine, 136 Beaumont St, Central City
Littlejohns / Barts Restaurants 1996, 5 City Rd, Central City
Achilles House, 47 Customs St East, Central City
Dominion Printer, 26-32 Eden Crescent, Central City
Three storey commercial building, 8 Elliot St & Darby St Cnr, Central City
BJ Ball Building, incl mural, 35 Graham St, Central City
Auckland City Council Administration Building, 1 Grey Ave, Central City
Grey Avenue Flats, 115-139 Grey Avenue, Central City
The Commercial Hotel (De Bretts Hotel 1996), 2 High St, Central City
Andrews and Clarke Building (Plaza Centre Ltd 1996), 27 High St, Central City
Keans Building (Rakinos 1998), 35 High St, Central City
Maxwells Building (Dunningham House 1996), 2 Hobson St, Central City
Liston House including sculpture, 30-32 Hobson St, Central City
Auckland Glass Company Building (Doyles 1996), 64-66 Hobson St, Central City
Shops and associate stables (Offices 1998), 246 Hobson St, Central City
Jean Batten State Building - façade - Jean Batten Place, Central City
Newton Post Office (incl Guy Ngan bronze sculpture - in storage), cnr Karangahape Rd & East St, Newton
Stables / motor garage (Black Crow Café 1996), 18 Kitchener St, Central City
Commercial Building (Sister 1996), 22 Kitchener St, Central City
Kapia Corn Broom Company Building (Standard Issue - Retail 1996), 24 Kitchener St, Central City
Cottage, 5 Nicholas St, Central City
Cottage, 7 Nicholas St, Central City
Royal Exchange Assurance (Soul Haircutting 1996), 10 O'Connell St, Central City
Shops / residential, 8 Pitt St, Newton
Methodist Church (Art Barn 1998), 8a Pitt St, Newton
Commercial Building (Davis Furnishings 1996), 59 Pitt St, Newton
Beggs Building, 61 Pitt St, Newton
Commercial / residential building - façade - 70-76 Pitt St, Newton
Espino Flats, 20 Poynton Tce, Central City
Custodian's House, University of Auckland, Princes St, Central City
Endeans Building, 2 Queen St, Central City
Imperial Building, 48-50 Queen St, Central City
Everybody's Building, 54-56 Queen St, Central City
Windsor House, 58-60 Queen St, Central City

Begg's Building (Stevens 1996), 112 Queen St, Central City
 Milne & Choyce Department Store Building (Centre Court 1996), 131-143 Queen St,
 Central City
 Warwick Building, 166 Queen St, Central City
 Commercial Building (Canterbury Arcade 1996), 170-174 Queen St, Central City
 AMP Society Building (incl bronze screen and sculpture by David Barker), 214-220
 Queen St, Central City
 Hallensteins Building, 224 Queen St, Central City
 Smith & Caughey Department Store, Queen St half of Queen to Elliott St, 253-261
 Queen St / Elliott St, Central City
 Civic Tavern (Queen & Wellesley St, associated retail use 1996), Queen St 263-267
 Commercial Building (Pilgrims Lunch Bar / Manifesto 1998), 317 Queen St, Central
 City
 Theosophical Society Building (The Club 1996), 371 Queen St, Central City
 Barristers Chambers (associated retail use 1996), 23 Shortland St, cnr O'Connell St,
 Central City
 Shortland Flats, 93 Shortland St, Central City
 House (Asian Languages Building 1996), 9 Symonds St, Central City
 Higher Thought Temple, 1 Union St, Central City
 Caretaker's Residence, Victoria Park, Victoria St, Central City
 Rainger House, 150 Victoria St, Central City
 Chemist Shop Building (The Dispensary Bar 1998), Victoria St West & Hobson St
 cnr, Central City
 Leon Brook Models Building, 10 Vulcan Lane, Central City
 Bledisloe State Building (Bledisloe House 1999), 24 Wellesley St, West, Central City
 McGregor Wright Building, 86-90 Wellesley St West, cnr Nelson, St, Central City
 Former Gas Co Building (Dick Smith Electronics 1998), 26 Wynham St, Central City
 Former AA Building (Peoples Centre 1998), 33 Wyndham St, Central City
 Loombs Hotel, 8 Kings Rd, Panmure

Further items

These buildings may not have been assessed by Council but would appear to have heritage values that may warrant UP recognition either as scheduled items or some lesser level of recognition.

Showgirls 55 - 57 Customs St East, Central City
 Sofrana, 95 - 105 Customs St East, Central City
 Claymore House, 63 Fort St, Central City
 Offices, 21 Emily Place, Central City
 St David's Church, 68-70 Khyber Pass, Grafton