

BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

IN THE MATTER of the Resource Management Act
1991 and the Local Government
(Auckland Transitional Provisions)
Act 2010

AND

IN THE MATTER of Topic 081 Rezoning and
Precinct (Geographical Areas)

AND

IN THE MATTER of the submissions and further
submissions set out in the Parties
and Issues Report

**JOINT EVIDENCE OF ELIZABETH HANCOCK, NICOLA LEGAT AND TANIA MACE, ON BEHALF OF
THE GREY LYNN RESIDENTS ASSOCIATION**

10 February 2016

1. CODE OF CONDUCT

- 1.1 We confirm that we have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that we agree to comply with it. We confirm that we have considered all the material

facts that we are aware of that might alter or detract from the opinions that we express, and that this evidence is within our area of expertise, except where we state that we are relying on the evidence of another person.

2. SUMMARY

2.1 We support the Single House zoning within Grey Lynn but we feel that some streets have been wrongly upzoned from Single House to higher density zones.

2.2 We support the Terrace House and Apartment Building zone on Great North Road between Bond Street and the Surrey Crescent shopping centre.

2.3 We support the Mixed Use zoning in Grey Lynn.

2.4 We do not support the recent “out of scope” upzoning in Grey Lynn.

2.5 We do not support the upzoning of any sites included within the Pre 1944 overlay and we believe that all sites in Grey Lynn that are included in the overlay should be zoned Single House.

2.6 We do not support upzoning of streets that were excluded from the heritage assessment for Grey Lynn due to the “high level planning analysis” mentioned Ms Deborah Rowe’s 079 rebuttal evidence.

3. INTRODUCTION

3.1 This evidence has been prepared by Elizabeth Hancock, Nicola Legat and Tania Mace on behalf of the Grey Lynn Residents Association.

3.2 Tania Mace is a freelance historian who has worked in the heritage field since 1995.

3.3 Elizabeth Hancock is a journalist and community group member with an

interest in heritage and urban issues.

3.4 Nicola Legat is a publisher, journalist and local community group member with a long interest in heritage and urban issues.

3.5 This evidence has been prepared within a very tight time frame and with limited resources.

4. SCOPE

4.1 We have not participated in mediation sessions relating to this Topic.

5. Zoning and Precincts (Geographical Areas) – Grey Lynn

We support the Single House zoning in Grey Lynn but we believe that some streets that should be included within this zone have been zoned for higher density housing

6. Revised Zoning Maps

We were alarmed to find that the Council has recently made significant changes to the Unitary Plan maps for Grey Lynn. The maps included in the Council evidence for topic 081 (written by P Ampanthong and H Scott, dated 26 January 2016) include substantial “out of scope” upzoning, as well as areas that have gone from Single House in the original PAUP maps to Mixed Housing Urban.

We feel that the “out of scope” changes are totally unfair and undemocratic for residents and property owners. These changes are not based on any submissions and therefore they do not follow the standard democratic process for local body planning. The recent decision of the Independent Hearings Panel not to allow late submissions from affected property owners, denies the public their right to be heard. All of this amounts to a breach of natural justice.

We ask that the “out of scope” changes be thrown out and that any changes that are supported by submissions be limited to one zone change (eg. Single House to Mixed Housing Suburban).

The Grey Lynn Residents Association called a public meeting in February to inform residents of the recent

changes to the Unitary Plan maps and gauge public feeling on the matter. Over 60 residents from affected streets attended and there was overwhelming opposition to the upzoning

7. Zoning within Pre 1944 Overlay

We feel that it is vitally important that zoning is compatible with the pre 1944 overlay that covers substantial areas of Grey Lynn. We support Deborah Rowe when she stated in evidence for Council on Topic 080:

'I consider that the Single House zone will generally align with the outcomes that the Pre-1944 overlay is seeking to achieve, particularly in the case of potential historic character areas that consist of single houses on single lots.' (4:10)

Ms Rowe considers that properties within the revised extent of the pre 1944 overlay that were zoned Single House in the PAUP should retain that zoning. The GLRA wholeheartedly supports the retention of the Single House zoning in areas covered by the revised pre 1944 overlay. We believe that more intensive zoning results in development pressure that threatens the continued existence of the charming streetscapes that were identified as being worthy of protection in the heritage survey.

When the Council released its preliminary position on zoning in late 2015, the GLRA was alarmed to find that the zoning in several streets had changed from Single House in the PAUP to Mixed Housing Suburban in the new preliminary position maps (Francis Street, Old Mill Road, Sackville Street and Surrey Crescent) despite being included in the Pre 1944 overlay. These changes remain in the maps included in the 081 evidence written for Council by Ampanthong and Scott. We do not support these changes and we ask that the Council return these area to Single House zone.

8. Zoning of Streets included within the "High Level Planning Analysis"

We understand from Deborah Rowe's evidence that the pre 1944 overlay that had been in place in the PAUP has been removed from some Grey Lynn streets not because they lacked the required level of intact pre 1944 character, but due to a "high level planning analysis" that would allow other planning objectives to be met.

The original pre 1944 housing stock of Auckland is a diminishing resource. They are not building any more of these houses and we feel that those streets that retain a high level of pre 1944 character should be protected. Consequently we do not support the "high level planning analysis" that has subsequently allowed the upzoning of Rona Avenue, Gilbert Avenue, Sefton Avenue, Maxwell Avenue and parts of Barrington

Road, Tuarangi Road and Ivanhoe Road and Surrey Crescent. We believe that these streets exhibit a high level of intact pre 1944 character and are worthy of being included in the pre 1944 overlay.

We ask that council conduct a heritage assessment of these streets and include worthy streets within the Pre 1944 overlay. Only then should Council consider upzoning streets that have not sufficient pre 1944 character to warrant their inclusion within the overlay.

9. Zoning of Specific Streets

Fisherton Street

In Deborah Rowe's topic 079 rebuttal evidence dated 21 January 2016, she states that the Pre 1944 overlay was removed from Fisherton Street because it failed to reach the threshold for inclusion. As outlined in our topic 079 evidence, we believe there is a high level of pre 1944 character that warrants protection with both a reinstatement of the Pre-1944 overlay and a removal of any upzoning of this small cul-de-sac street, and therefore request that Fisherton Street be zoned Single House.

Fisherton Street is a small, quiet cul-de-sac that is unsuitable for any kind of redevelopment – be it MHS or MHU. Any scale of intensification in this street would have significant traffic implications with its exit on to Richmond Road, in addition to the already considerable parking difficulties in this street since the café, Jafa, opened on the corner of Richmond Road and Surrey Crescent.

Many families with young children currently live on Fisherton Street and the children there regularly have a community cycle workshop at the far end of the street. In addition, the children's day care centre and church directly opposite the entrance to Fisherton Street would endanger children being dropped off and picked up by an intensification of traffic pulling out of Fisherton Street with only one exit onto this already busy road.

The Grey Lynn Residents Association supports the residents of Fisherton Street who overwhelmingly oppose any upzoning of their street from the Single House zone that appeared on the PAUP, and furthermore alert the IHP that these residents are very angry that their ability to make late submissions in this part of the process has been denied, and feel that this is a breach of natural justice.

Stanmore Road

As tabled at the GLRA's IHP hearing for topic 079 Special Character, we believe that a mapping error has been made on the two properties at 13 and 15 Stanmore Road.

Despite these two houses being special character pre-1944 bungalows, they had the pre-1944 overlay

removed from them, and have subsequently been upzoned two levels to Mixed Housing Urban in the latest release of UP mapping. This is not consistent with the zoning of the rest of Stanmore Rd and smacks of “spot zoning”, something that Auckland Council states that it seeks to avoid in the Unitary Plan.

These two properties are located in a special character pre-1944 street and any allowance for development into 3-4 storey buildings would seriously impact the quiet residential quality of this street, have a hugely detrimental impact on the properties that directly abut them, not fit in a street of pre-1944 single dwellings, and would be a visual eyesore. A three storey high density development would have significant shading, noise and parking impacts on the surrounding properties.

The residents of Stanmore Road do not support the proposed upzoning changes for their street, especially given that the street has been zoned as Single Housing in every previous release of the mapping including the DAUP and PAUP, so this jump of 2 zones has come as a huge shock to them. The way that the proposed changes have been introduced and the lack of ability to object and comment by those affected breaches the principles of natural justice.

We also alert the IHP to the fact that 11 Stanmore Rd has a significantly modified home on it that is not a character home, but illogically this property retains the Pre-1944 overlay. However, we ask that even were the Pre-1944 overlay to be lifted from this property and be replaced on the properties at 13 & 15 Stanmore Road, that the MHU zoning is removed from any properties on this street, as this is spot zoning and will have a huge effect on surrounding properties.

Gilbert Avenue & Sefton Avenue - MHU

We understand from Deborah Rowe’s evidence that the pre 1944 overlay that had been in place in the PAUP has been removed from some Grey Lynn streets not because they lacked the required level of intact pre 1944 character, but due to a “high level planning analysis” that would allow other planning objectives to be met. As per the GLRA’s hearing evidence on topic 079, we request that Gilbert Avenue and Sefton Avenue undergo a character assessment because we do not support the “high level planning analysis” that has subsequently allowed the upzoning of these streets and ask that council conduct a heritage assessment of these streets and include worthy streets within the Pre 1944 overlay. Only then should Council consider upzoning streets that have not sufficient pre 1944 character to warrant their inclusion within the overlay.

Residents of Gilbert Avenue and Sefton Avenue were shocked to see their roads upzoned to MHU as ‘in-scope changes’, despite the large volume of submissions from these streets to remain single housing. These property owners and ratepayers feel this demonstrates a Council system that is geared towards submissions from developers who stand to make a commercial profit, over and above property owners and

ratepayers.

One of the biggest concerns for residents on the northern side of Sefton Ave and also for Gilbert Ave is the northerly aspect potentially being destroyed (by Surrey Cres ridge between Gilbert and Bullock Track). Due to Surrey being on a ridge line and these properties being on the south side of the hill, anything greater than 2 storey on this ridge would have serious impact on sun, privacy and consequently property values. The residents support up to 2 storey maximum along this part of Surrey Crescent as this would be more in keeping with the area but still provide the much needed added housing, without having a detrimental effect on people livelihoods. The GLRA therefore requests that the zoning along this ridge is amended to MHS – which would also bring it in line with the zoning on the opposite side of Surrey Crescent.

Echoing our request at the hearing for topic 079, the GLRA understands that Gilbert Ave and Sefton Ave were never assessed for special character or Pre-1944 overlays. Residents of these streets do not understand why they have been singled out as different to the rest of Grey Lynn when there are just as many pre-war bungalows here as there are in neighbouring streets. There are 49 houses on Sefton Ave for example and 30 of these are pre 1944. The majority of these pre-1944 buildings are the street front houses, there has been a lot of investment by the residents in renovations which maintain the heritage, and Sefton and Gilbert and the Surrey Ridge are all well-kept, tree-lined streets.

- Traffic safety: Sefton Ave is a quiet cul-de-sac that would not be able to handle the influx of people and cars if it remained MHU. Gilbert Ave in particular already experiences parking congestion issues for residents during weekdays, due to parking from people outside the area who work in local businesses. We also cannot see how council could safely support any more traffic turning out of this narrow dead-end street onto the highly busy Surrey Crescent. Given that it is a single-entry point, increasing congestion does not make sense.

The GLRA therefore request that the south-side Surrey Cres ridge be amended to MHS, and that Sefton Ave and Gilbert Ave be moved back to single housing or at the very least downsized to MHS to eliminate many major concerns of the residents and the flow-on effect of property value decreases and stress.

Rona, Barrington, Tuarangi

At a recent meeting of the Grey Lynn Residents Association attended by 60 people, we found overwhelming opposition to the upzoning in the new maps. The only exception to this was the resident of 12 Tuarangi Road who supported the change. We have since been contacted by two further residents of Tuarangi Road (owners and residents of numbers 42,44 and 46). We do not believe that their view is in line with the views of other residents of this street and we are aware that a number of Tuarangi Road residents submitted on the PAUP to oppose the Mixed Housing Suburban zoning of part of this street and request downzoning

(submission numbers 284-1, 2841-1, 3392-1, 9235-1 and 9417-1).

We would like to again bring the IHP and Council's attention to the large landslip that happened on Herringson Avenue (around no.3) in the early 1980s, due to land being taken from here to build up the banks supporting the Auckland Harbour Bridge. In light of the planned intensification along Barrington Road, Rona Avenue and Herringson Avenue, we again table the fact that the GLRA and local residents – including those living below this ridge line (particularly on Shirley Road and Tay Street) – have grave concerns for land stability in this area if this ridge is zoned for intensification with apartment buildings and terraced housing, including the impact of frequent development work. We understand that development is *possible* in numerous “difficult” terrains, but given both the history of this area and the geological activity that New Zealand as a country faces – particularly earthquakes – we feel that pushing forward with intensification zoning in this area leaves blood on your hands in the future. In view of these factors we ask that Council refrain from increasing housing density in this area.

Francis Street, Old Mill Road, Sackville Street and Surrey Crescent

We feel that it is vitally important that zoning is compatible with the pre 1944 overlay that covers substantial areas of Grey Lynn. While parts of Francis Street, Old Mill Road, Sackville Street and Surrey Crescent retain the Pre 1944 overlay, they have been upzoned in the new zoning maps. Ms Rowe in her evidence for Council on Topic 080 noted that Single House is the most appropriate zone for areas covered by the Pre 1944 overlay. We believe that more intensive zoning results in development pressure that threatens the continued existence of the charming streetscapes that were identified as being worthy of protection in the heritage survey. We support Ms Rowe's view and ask that the Pre 1944 overlay areas of these streets be zoned Single House.

Dickens Street & Wallingford Street - MHU

In the Council's preliminary position on zoning for Dickens Street and Wallingford Street, both have been intensified by three zones from Single House to Mixed Housing Urban. These changes are out-of-scope and therefore the GLRA does not support them.

This intensification is based on Council's proposed removal of the Pre-1944 overlay in selected areas on these streets, and was used as a way to greenlight intensification here.

Wallingford Street in particular presents a number of challenges for intensification, given that it is a very narrow cul-de-sac, that backs onto Grey Lynn Park.

- Parking: we acknowledge Council's future intention towards a city centred on green transport rather than cars, but the tight space of this small street would make the interim 15-30 year period while the city makes this shift untenable for residents if it were to be allowed to intensify. Due to lack of space, residents already park on footpaths and grass verges due to pressure from the apartment conversion of the old milk stables, and there are hazard concerns for fire and ambulance access as it is.

- Grey Lynn Park: The local board have developed a plan to create a greenway for the community, birds and a bee path in the park. To build 14m high apartments will directly affect this greenway from both a visual and practical perspective. It will also shade the seating in front of field 2 and the gum tree that is used for community picnics and socializing.

- Geotech issues and local Iwi: The residents of Wallingford Street have also asked us to raise the issue of local Iwi, who regard the park as a sacred place where waka were used to access Coxs Creek, and geotech suggests that as part of a reclaimed creek that is important to local Iwi apartments would not be viable on this site. There are also concerns that the proposed intensification sites are on a hill that is unstable and subsides. Where development is concerned, Wallingford Street is a dead end that is narrow and the slope is on a 25% gradient, making access for trucks, steel, diggers etc. highly expensive, difficult and with a resultant high impact on surrounding neighbours and streets.

Dryden Street and Schofield Street

We do not support the removal of the Pre 1944 overlay and consequent upzoning of the charming Pre 1944 dwellings that adjoin the newly developed housing on the former Bethany site and the adjoining Dryden Lodge. We ask that these charming dwellings be zoned Single House and that the Pre 1944 overlay be reinstated.

418 & 420 Richmond Road

Two properties at no.418 and no.420 Richmond Rd are the only houses suffer a massive upzoning from Single House to THAB on their Northern boundary. In the first releases of mapping, these two sites retained their Single House zoning, but without notification and past the objection date, they have suddenly become THAB. Given that the sections of these properties run East/West this means the entire Northern boundary may be shadowed by a multi storey apartment block. Apartment blocks do not have the same height to boundary and shadowing considerations as normal property developments. The residents here support intensification, and live in a subdivided property, however they have huge concerns for extensive shading issues (particularly in winter), loss of outlook, major loss of privacy, and loss of property value. This out-of-scope change is not supported by the GLRA and is requested to be amended back to SH zoning or at

the very most a maximum of a "one step" upzoning to Mixed Housing Suburban.

Please note here that the advantage to Council's planned intensification of the city is minimal in this one buildable site, especially as the corner two sites are occupied by a Tongan Church, so are not likely to be developed.

10. CONCLUSION

We oppose the "out of scope" changes in the new maps contained in the Council evidence for topic 081 and we ask that these "out of scope" changes be removed.

We oppose the "high level planning analysis" and ask that the affected streets be considered for inclusion in the Pre 1944 overlay. Those that have sufficient intact pre 1944 character to be included within the overlay should be zoned Single House.

We ask that all areas covered by the Pre 1944 overlay in Grey Lynn that are not currently zoned Single House, be rezoned Single House.

We ask that any upzoning of the PAUP maps that is supported by submissions be limited to one zone (for example Single House to Mixed Housing Suburban).

We thank the Panel for its attention to the concerns of the residents of Grey Lynn.

On behalf of the Grey Lynn Residents Association and its members:

Elizabeth Hancock

Nicola Legat

Tania Mace