

Submission on Auckland Council's Plan Change 26: Clarifying the relationship between the Special Character Areas Overlay and underlying zone provisions

The specific parts of the proposed plan change that our submission relates to are:

D18.8 Assessment – Restricted Discretionary Activities

D18.5 Notification

D18.1.1 Matters of Discretion

D18.6.1.3 Yards

And also other matters relating to the Special Character overlay

We wish to have the provisions identified above amended.

We generally support the idea of a plan change that removes ambiguity and provides clear direction on the planning rules that apply in areas covered by the Special Character overlay. However we ask that the plan change be amended in to address the issues noted below and also that further work be undertaken to extend the Special Character overlay in Grey Lynn and remedy the problems that occur in the processing of consent applications.

Grey Lynn is fortunate in having well preserved special character streetscapes many of which are covered by the Special Character overlay. The rules governing development within the overlay need to be robust and decisions involving discretion need to be made by people with the appropriate skills and experience. We are well aware that the District Plan overlay that covered many character streetscapes in Auckland's eastern suburbs prior to the introduction of the Unitary Plan, failed to protect those streetscapes to the point where they lost their intact character and were therefore not included in the Special Character overlay in the Unitary Plan. Grey Lynn is now experiencing greater development pressure, probably similar to that of the eastern suburbs prior to the development of the Unitary Plan, and this puts our Special Character areas under greater threat. Therefore it is vital that the rules that apply within the Special Character overlay are clear, fit for purpose, and applied appropriately.

We are concerned that the Special Character overlay does not accurately reflect the full extent of character streetscapes in Grey Lynn. When the Unitary Plan replaced the former District Plans no further identification of established character streets in Grey Lynn was undertaken and the Special Character overlay was not extended beyond the extent of the Residential 1 zone identified in Grey Lynn in the early 1990s. There are a number of streets in Grey Lynn which have the exactly the same characteristics as streets that are covered by the Special Character overlay and yet are not protected by the overlay. It is not clear why this is the case. Selbourne Street is one example: only one block between Baildon and Firth Road was included in the Special Character overlay, despite the whole street being part of the Surrey Hills Estate subdivision, with similar housing types, streetscape and urban pattern as the block covered by the Special Character overlay.

Since the 1990s, many rundown villas and bungalows in Grey Lynn, that lie outside the area covered by the Special Character overlay, have been lovingly restored by owners who value the heritage character of their house, street and neighbourhood. The restoration of these properties has further reinforced the historic character of the area.

The Grey Lynn Residents Association asks that Council undertake a historic character assessment and field survey of the residential areas of Grey Lynn not currently included in the Special Character overlay, to allow the full extent of heritage streetscapes in Grey Lynn to be identified and protected with the Special Character overlay.

We believe that Auckland Council has done a very poor job of communicating what plan change 26 is about and what the changes will mean for residents who live within the Special Character overlay. Many of our members were confused by the information provided by Council. In order to meaningfully consult with residents, Council needs to ensure that information provided is clear and easy to understand.

Section D18.8 Assessment – Restricted Discretionary Activities

We would like to see a tightening of the rules around demolition within the Special Character overlay. Currently up to 30% demolition is a restricted discretionary activity. This allows planners who may lack experience in the heritage field to make inappropriate decisions allowing the demolition of a considerable amount of original built fabric. The process for making decisions in such cases needs to be more robust and should include input from a heritage expert. This would give the public a sense of reassurance that such decisions are not being made by people without the necessary skills and understanding of the intent of the Special Character provisions.

Section D18.5 Notification and D18.1.1 Matters of Discretion

Inconsistent decisions on consents in the Special Character overlay zones have caused considerable disquiet in the Grey Lynn community and this is exacerbated by such decisions often having no notification. Our Special Character streetscapes are a significant community, national and international asset. As Auckland Council had noted, Grey Lynn has:

‘the most extensive ranges of late Victorian and Edwardian timbered suburban housing in the world.’ (Draft Auckland Unitary Plan, Appendix 10.2)

The importance of these streetscapes means that Council should be much more cautious and considered in processing consents within the Special Character overlay and notification should be part of the processing of any applications that are at all contentious.

We note that the *Auckland Unitary Plan Overlays Analysis* written by Kath Coombes and Miriam Williams states that:

Only part of the SHZ is also subject to the SCAR overlay. A key difference between the SCAR and SHZ is that one of the matters of discretion for the SHZ relates to managing effects on the amenity values of neighbouring sites. There is no equivalent matter of discretion for the SCAR.

We note that there is no mention of amenity values of neighbouring sites in Plan Change 26. We believe that it is vital that amenity values of neighbouring sites are considered especially given that there is a more generous building envelope within the Special Character overlay than the Single House zone. Furthermore, house sites in Grey Lynn’s Special Character overlay areas are small by comparison to many other Single House zoned areas in Auckland so the effects of alterations or additions on neighbours’ amenity values are likely to be much greater within the Special Character overlay than within the Single House zone. We ask that Plan Change 26 includes consideration of amenity values of neighbouring sites.

Section D18.6.1.3 Yards

Plan Change 26 seeks to delete the 3-metre rear yards that are currently part of the Special Character overlay rules and replace this with the rear yard rules for the underlying zone. The Single House Zone rules require only a 1-metre rear yard and we oppose this change. We feel

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that the 3-metre rear yard rule should be retained as this will provide a better living environment for residents in Special Character overlay areas with an underlying Single House zoning.

We seek the following decision by Council:

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

Tighten the rules relating to demolition within the Special Character overlay and ensure that decision making is robust and includes people with the relevant expertise.

Notify resource consents in situations where there are any matters that are contentious.

Include consideration of amenity values of neighbouring sites when assessing consent applications within the Special Character overlay.

Do not replace the Special Character overlay rule relating to rear yards with the corresponding underlying zone rule. Instead, retain the existing 3-metre rear yard rule in the Special Character overlay and stipulate that this rule should apply rather than the underlying zone rule where the underlying zone is Single House.

Other Matters to be addressed by Council:

Commit to conducting a survey of residential streets in Grey Lynn to identify additional areas that are not currently covered by the Special Character overlay but that warrant being included. Then prepare and notify a plan change to add the overlay to these areas.

Ensure that the information from Council relating to future plan changes and other consultations is presented in a way that is clear, coherent and easy for members of the public to understand.

We wish to be heard in support of our submission.