

Ōrākei Local Board

OPEN MINUTES

Minutes of a meeting of the Ōrākei Local Board held in the St Chads Church and Community Centre, 38 St Johns Road, Meadowbank on Thursday, 19 April 2018 at 3.00pm.

PRESENT

| | |
|----------------------------|---|
| Chairman | Colin Davis, JP |
| Deputy Chairman | Kit Parkinson |
| Members | Carmel Claridge Toni Millar, QSM, JP David Wong |

ABSENT

| | |
|----------------|----------------------------|
| Members | Troy Churton Ros Rundle |
|----------------|----------------------------|

1 Welcome

The Chairman opened the meeting and welcomed all those present.

2 Apologies

Resolution number OR/2018/52

MOVED by Chairman C Davis, seconded by Deputy Chairman K Parkinson:

That the Ōrākei Local Board accepts the apologies from Member T Churton for absence and Member R Rundle for absence.

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number OR/2018/53

MOVED by Chairman C Davis, seconded by Member C Claridge:

That the minutes of the Ōrākei Local Board meeting, held on Thursday, 15 March 2018, be confirmed as true and correct.

CARRIED

5 Leave of Absence

There were no requests for leave of absence.

6 Acknowledgements

There were no acknowledgements.

7 Petitions

There were no petitions.

8 Deputations

8.1 Deputation - Remuera Community Centre

Sue Cooper, Chair of Remuera Heritage and Ian Valentine, Chairman of Remuera Residents Association were in attendance to present on the needs of the Remuera community for a community centre.

A powerpoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number OR/2018/54

MOVED by Chairman C Davis, seconded by Member T Millar:

That the Ōrākei Local Board thanks Sue Cooper, Remuera Heritage and Ian Valentine, Remuera Residents Association for their attendance and presentation.

CARRIED

Attachments

A Remuera Community Needs - A reassessment.

8.2 Deputation - Grammar TEC Rugby Football Club

Matt Baker, Chairman of Grammar TEC Rugby Football Club was in attendance to provide an update on the Club, in particular, the recent renovations of the fields at the Ōrākei Domain and changing rooms and to acknowledge the Board for its on-going support.

Resolution number OR/2018/55

MOVED by Chairman C Davis, seconded by Deputy Chairman K Parkinson:

That the Ōrākei Local Board thanks Matt Baker, Grammar TEC Rugby Football Club for his attendance and presentation.

CARRIED

8.3 Deputation - Crossfield Reserve Playground

Hayley Marshall, resident and Vee Samuel, Manager of the Glendowie Community Centre were in attendance to present on a proposal to upgrade the Crossfield Reserve Playground to make it more user friendly for the community.

Documents were provided in support of this item. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number OR/2018/56

MOVED by Deputy Chairman K Parkinson, seconded by Chairman C Davis:

That the Ōrākei Local Board:

- a) **thanks Hayley Marshall and Vee Samuel, Glendowie Community Centre for their attendance and presentation.**
- b) **requests Community Facilities to provide the Board with information regarding the timing of the Crossfield Reserve Playground renewal.**

CARRIED

Attachments

A Proposal and supporting documents relating to the Crossfield Road Reserve Playground

9 Public Forum

9.1 Public Forum - Auckland Council Youth Advisory Panel

Archer Buissink, the newly appointed member of the Auckland Council Youth Advisory Panel, replacing Olivia Chen in representing Ōrākei, was in attendance to introduce himself to the Board and provide an update on the Youth Advisory Panel activities.

Resolution number OR/2018/57

MOVED by Chairman C Davis, seconded by Member C Claridge:

That the Ōrākei Local Board congratulates Archer Buissink on his appointment to the Auckland Council Youth Advisory Panel, and thanks him for his attendance and presentation.

CARRIED

10 Extraordinary Business

There was no extraordinary business.

11 Notices of Motion

There were no notices of motion.

12 Auckland Transport Update to the Ōrākei Local Board – April 2018

Melanie Dale, Elected Member Relationship Manager was in attendance to speak to this report.

Resolution number OR/2018/58

MOVED by Chairman C Davis, seconded by Member T Millar:

That the Ōrākei Local Board:

- a) receives Auckland Transport's April 2018 update report.
- b) delegates authority to the Chairman, Deputy Chairman and Transport Portfolio Lead to provide the Board's verbal feedback on the Regional Land Transport Plan (RLTP) to the Regional Transport Committee at its meeting on 7 May 2018.

CARRIED

13 Naming of reserve at 3-5 Tamaki Drive

Katharine Black, Parks and Places Specialist was in attendance to speak to this report.

Resolution number OR/2018/59

MOVED by Chairman C Davis, seconded by Member D Wong:

That the Ōrākei Local Board:

- a) approves Hakumau Reserve as the formal name for the part of the land below Mean High Water Mark in Auckland Harbour contained in Certificate of Title NA633/119 as shown on the site map, attachment A to the report.
- b) requests Community Facilities staff to deliver the design and installation of new signage to be erected at each end of the reserve, which incorporates the new name 'Hakumau Reserve' and description; 'the place where Kingfish are caught' to be funded from the Board's locally driven initiative (LDI) Capital Expenditure (CAPEX) Park Signage budget.

CARRIED

14 Ōrākei Local Board Community Grants Programme 2018/2019

The Ōrākei Local Board Community Grants Programme 2018/2019 was amended and tabled at the meeting. A copy immediately follows at the end of these minutes.

Resolution number OR/2018/60

MOVED by Chairman C Davis, seconded by Member D Wong:

That the Ōrākei Local Board adopts the tabled Ōrākei Local Board Community Grants Programme 2018/2019.

CARRIED

15 Regional Facilities Auckland Second Quarter Performance Report for the quarter ending 31 December 2017

Resolution number OR/2018/61

MOVED by Chairman C Davis, seconded by Member C Claridge:

That the Ōrākei Local Board:

- a) **receives the Regional Facilities Auckland Quarterly Performance Report for the quarter ending 31 December 2017.**
- b) **requests Regional Facilities Auckland to consider having a larger percentage of artworks from the permanent collection of the Auckland Art Gallery Toi O Tāmaki displayed than at present.**

CARRIED

16 Local Transport Capital Fund: options for distribution and size of the fund

Melanie Dale, Elected Member Relationship Manager was in attendance to speak to this report.

Resolution number OR/2018/62

MOVED by Chairman C Davis, seconded by Member C Claridge:

That the Ōrākei Local Board endorses:

- a) **an increase to the local transport capital fund of \$10 million per annum (inflation adjusted) from 1 July 2018.**
- b) **the distribution of the entire local transport capital fund to be made according to Auckland Council's Local Boards Funding Policy from 1 July 2018.**
- c) **Auckland Transport receiving additional funding to provide an increased level of support to local boards in developing and assessing projects for the local transport capital fund.**

CARRIED

17 Delegation for formal local board views on notified resource consents, plan changes and notices of requirement

Resolution number OR/2018/63

MOVED by Chairman C Davis, seconded by Member C Claridge:

That the Ōrākei Local Board:

- a) **delegates the authority to the Chairman and the Resource Consenting and Regulatory Portfolio Lead and Alternate to prepare and submit the local board's views and speak to those local board views at any hearings on:**
 - **Notified resource consents**
 - **Notified plan changes**
 - **Notices of requirement.**

- b) **requests that all Board feedback be formally reported to the Board at its nearest business meeting either prior to (time permitting) or following submission.**

CARRIED

18 Chairman's report - Colin Davis

The Board's response regarding the application for resource consent for an integrated residential development at 19 Ara Street and Rangitoto Avenue, Remuera was tabled. A copy of the tabled document is attached at the end of these minutes.

Resolution number OR/2018/64

MOVED by Chairman C Davis, seconded by Member D Wong:

- a) **That the report be received.**
- b) **That the Board's tabled response regarding the application for resource consent for an integrated residential development at 19 Ara Street and Rangitoto Avenue, Remuera be formally endorsed.**

CARRIED

19 Board Member Report – Kit Parkinson

Resolution number OR/2018/65

MOVED by Deputy Chairman K Parkinson, seconded by Member T Millar:

- a) **That the report be received.**
- b) **That the Ōrākei Local Board requests staff to investigate the classifying of lot 903 DP 440854 (130 Barbarich Dr, Stonefields) as a local purpose reserve.**
- c) **That the Ōrākei Local Board requests Leasing and Parks, Sports and Recreation staff to investigate options for the location of a community facility in the Stonefields area and to report back to the Board by the end of the 2017/2018 financial year.**
- d) **That the Ōrākei Local Board requests Auckland Transport to provide an urgent update and explanation about the delayed work outside 35 Kohimarama Road, Kohimarama which is having an adverse effect on pedestrian safety in this area.**

CARRIED

20 Board Member Report - Troy Churton

Resolution number OR/2018/66

MOVED by Chairman C Davis, seconded by Deputy Chairman K Parkinson:

That the report be received.

CARRIED

21 Board Member Report – Carmel Claridge

Resolution number OR/2018/67

MOVED by Member C Claridge, seconded by Deputy Chairman K Parkinson:

- a) **That the report be received.**

- b) That the Ōrākei Local Board requests Auckland Transport to reinstate the painted zebra lines on the pedestrian crossing on Meadowbank Road (between Corinth Street and Mt Carmel Place), to preserve safe pedestrian access to and from local schools.
- c) That the Ōrākei Local Board requests Auckland Transport to report to the Ōrākei Local Board on the outcome of the upcoming safety review of pedestrian crossings in the Ōrākei Local Board area; in particular those located on the Tāmaki Drive/Sage Road, and Tāmaki Drive/Averill Avenue intersections.

CARRIED

22 Board Member Report - Toni Millar

Resolution number OR/2018/68

MOVED by Member T Millar, seconded by Member C Claridge:

- a) That the report be received.
- b) That the Ōrākei Local Board requests Auckland Transport to reinstate the St Johns Bush Signage, at the St Johns Road entrance.

CARRIED

23 Board Member Report – Ros Rundle

Resolution number OR/2018/69

MOVED by Chairman C Davis, seconded by Deputy Chairman K Parkinson:

That the report be received.

CARRIED

24 Board Member Report – David Wong

Resolution number OR/2018/70

MOVED by Member D Wong, seconded by Member C Claridge:

That the report be received.

CARRIED

25 Governance Forward Work Calendar

Resolution number OR/2018/71

MOVED by Chairman C Davis, seconded by Member T Millar:

That the Ōrākei Local Board draft Governance Forward Work Calendar be noted.

CARRIED

26 Ōrākei Local Board Workshop Notes

Resolution number OR/2018/72

MOVED by Chairman C Davis, seconded by Member D Wong:

That the Ōrākei Local Board workshop notes for the workshops held on 1, 8 and 22 March 2018 be noted, subject to the amendment to the workshop notes for 1 March 2018 to delete reference to Member Churton’s attendance as being present at that workshop.

CARRIED

27 Resolutions Pending Action

Resolution number OR/2018/73

MOVED by Chairman C Davis, seconded by Deputy Chairman K Parkinson:

That the Ōrākei Local Board resolutions pending action report be noted.

CARRIED

28 Consideration of Extraordinary Items

There were no extraordinary items.

4.49 pm

The Chairman thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE ŌRĀKEI LOCAL BOARD
HELD ON

DATE:.....

CHAIRMAN:.....



Ōrākei Local Board

Local Grants Programme 2018/2019

Our Local Grants Programme aims to provide contestable grants to local communities under the activity areas of arts and culture, events, community development, environment and natural heritage, historic heritage and sports and recreation.

All applications received will be considered against our priorities specified in this grant programme which supports the local outcomes as detailed in our local board plan.

Priorities for Local Grant Programme applications

The Ōrākei Local Board welcomes grant applications that align with the following priorities:

- Neighbourhoods, community centres and public places are safe and attractive
- Public art and local heritage is supported by the community
- The community benefits from a number of community events
- The natural environment is valued, protected and enhanced by our communities
- Our natural areas are restored and enhanced for present and future generations
- More of our community participates in environmental enhancement projects
- The health of our waterways is improved
- A thriving economy which supports local businesses and town centres
- Local and overseas visitors are attracted to our area
- The recreational needs of different users are met
- Activities that are led by the community, encourage and support people from all walks of life at actively participate in their community

Lower priorities:

We will also consider applications for other services, projects, events and activities. However, these may be considered a lower priority.

- commercial entities and promotion of commercial entities
- ticketed events
- activities or events that:
 - are not locally specific
 - benefit communities outside the Ōrākei Local Board area
- operational costs, including wages and salaries except where professional advice is required beyond the expertise of the applicant, i.e. planning, engineering fees.
- projects and activities in schools that do not demonstrate the community benefits

Exclusions:

In addition to eligibility criteria outlined the Community Grants Policy, Ōrākei Local Board will not fund:

- Applications for liquor licenses

- Private entertainment
- Purchase of vehicles (other significant asset purchases may also be declined)
- Past grant recipients who have not provided accountability reports
- Catering
- Travel expenses
- Applicants can only apply for the same project or activity once in a financial year to Ōrākei Local Board

Please refer to the [Community Grants Policy](#): “Scope and eligibility” for general eligibility criteria:

- Ineligible applicants – Paragraph 78
- What we won’t fund – Paragraphs 84-86
- Lower priority – Paragraphs 87-88

Accountability measures

The Ōrākei Local Board requests that all successful applicants:

- acknowledge the Ōrākei Local Board’s support with the inclusion of the Board’s logo on advertising and promotional material in relation to the recipient and the purpose including print advertising and posters, newsletters, websites and banners; the Ōrākei Local Board’s name and logo to be in accordance with Council’s brand guidelines.
- acknowledge the Ōrākei Local Board as a supporter, wherever possible, in press conferences, news releases, speeches, launches, editorial/articles sent to any publications, magazines, and annual reports.
- advise the Ōrākei Local Board of marketing and promotional opportunities for the Ōrākei Local Board to promote its role as a supporter of the recipient.
- extend an invitation to the Ōrākei Local Board members to attend a funded project, programme, activity or event where appropriate

Investment approach

The Ōrākei Local Board operates two grants schemes under their Local Grants Programme and budgets have been allocated to support the programme as follows:

- **Quick response grants, including Tree Protection Grants**
Two rounds this financial year will be allocated and confirmed by the local board at a business meeting
 - Minimum amount per grant: \$500
 - Maximum amount per grant: \$3,000
 - Tree protection grants: Maximum amount per grant: \$2000
- **Local Grants**
Two rounds this financial year will be allocated and confirmed by the local board at a business meeting
 - Minimum amount per grant: \$3,000
 - Maximum amount per grant: \$10,000
- **Multi-board funding**
 - Applicants that submit multi-board applications will need to provide evidence of the community benefit to the Ōrākei Local Board area.

Note: An individual is able to apply for amounts over \$1,000, if their application is supported by a resolution from the local residents association and/or recognised local interest or community group from which the project impacts

Specific eligibility criteria for Tree Protection Grants

The Ōrākei Local Board recognises trees, whether identified for protection or not, are significant contributors to the amenity and character of local neighbourhoods and town centres.

The Ōrākei Local Board provides owners of notable trees, within the local board area, access to the quick response grants, for tree works that support the long-term health of notable trees and their retention within the community.

To be eligible to apply for a tree protection grant criteria

- You must be the property owner.
- No more than one application per annum per tree can be submitted

Note: Applications for trees, granted funding for maintenance work in the preceding year, will not be eligible.

A grant is open to owners of all notable trees that are either

- scheduled in the Proposed Auckland Unitary Plan Appendix 3 Natural Heritage **or**
- significant notable non-scheduled landscape trees able to score 15 or greater when assessed against criteria for tree scheduling below

Work supported by tree protection grants

The Ōrākei Local Board Tree Protection Grant is focused on ensuring tree retention and maintenance and accepted tree work is limited to that which will ensure the long term health of the tree.

1. Pruning for safety

- Reduction / thinning of extended branches with heavy end weight, poor taper and/or exhibiting weak attachments.
- Crown lifting / pruning of branches obstructing lines of sight on streets and driveways.
- Pruning to maintain clearances from dwellings and overhead private service lines.

2. Pruning for form (where these will benefit the longevity of the tree)

- Removal of dead and diseased branches.
- Removal or pruning of crossing and rubbing secondary branches.
- Removal or pruning of broken and storm damaged branches.
- Removal of stumps and stubs to encourage wound closure.
- Thinning of the crown to increase sunlight

3. Soil environment

- Measures designed to improve the tree's soil environment, such as mulching with compost, in ground vertical mulching and soil aeration where this will be of benefit to the longevity

Specific tree protection grant exclusions

- Tree work solely to improve outlook from the property or enhance property values
- Tree work solely for the protection of built structures.

Applicants can apply for 50% of the cost of tree work up to a maximum of \$2,000.

Tree work is required to be carried out by a qualified arborist and applications must be

supported by quotes.

All grants for the maintenance and protection of notable trees can be applied for under the quick response rounds as outlined below:

Grant round application dates

Grant rounds for the 2018/2019 financial year (1 July 2018 to 30 June 2019) will be as follows:

| Quick Response Grants | | | | |
|------------------------------|-------------------|-----------------|------------------|-------------------------|
| Grant round | Opens | Closes | Decision made | Projects to occur after |
| Round one | 25 September 2018 | 20 October 2018 | 15 November 2018 | 1 December 2018 |
| Round two | 15 April 2019 | 10 May 2019 | 16 June 2019 | 1 July 2019 |

| Local Grants | | | | |
|---------------------|------------------|---------------|-------------------|-------------------------|
| Grant round | Opens | Closes | Decision made | Projects to occur after |
| Round one | 25 June 2018 | 3 August 2018 | 20 September 2018 | 1 October 2018 |
| Round two | 17 February 2019 | 29 March 2019 | 17 May 2019 | 1 June 2019 |

| Multiboard Grants | | | | |
|--------------------------|-----------------|----------------|-------------------|-------------------------|
| Grant Round | Opening date | Closes | Decision made | Projects to occur after |
| Round One | 18 June 2018 | 17 August 2018 | 20 September 2018 | 1 October 2018 |
| Round Two | 21 January 2019 | 22 March 2019 | 17 May 2019 | 1 June 2019 |

Item 18:

**FEEDBACK FROM THE ŌRĀKEI LOCAL BOARD
RESOURCE CONSENT APPLICATION BY RAWHITI HOLDINGS LIMITED TO
DEMOLISH THE EXISTING BUILDING AND ESTABLISH AND OPERATE AN
INTEGRATED RESIDENTIAL DEVELOPMENT AT 19 ARA STREET AND 14
RANGITOTO AVENUE, REMUERA**

Introduction

1. Although this application is being processed under the Resource Management Act 1991, the Ōrākei Local Board (the Board) notes that under the Local Government (Auckland Council) Act 2009, the Council's Governing Body before making a decision described in s15(2)(c) must "consider any views and preferences expressed by a local board, if the decision affects or may affect the responsibilities or operation of the local board or the well-being of communities within the local board area."

General Comments

2. This application by Rawhiti Holdings Limited is in effect for consent to demolish an existing single story villa and carport at 19 Ara Street, Remuera, and to re-develop the site by constructing four independent living units, which are to be integrated, and operated in conjunction, with the adjacent Rawhiti Estate retirement village, whose address is presumably 14 Rangitoto Avenue. Inter-site accessibility will be provided for residents and staff via the landscape arrangements and common pathways.
3. The new building is described as being two storeys in height, with car parking at basement level. The proposed location of the new vehicle access requires the removal of a street tree which will be replaced.
4. The Board notes that the site is located within the Single House Zone within the AUP. It is also within the 'Built Heritage and Character Areas Overlay' within the Unitary Plan. And the demolition of the dwelling and the car port requires consent.
5. The Board notes that overall the proposal has been assessed by the planners to require resource consent as a Discretionary Activity.
6. Overall, the Board is not opposed to this as a stand-alone development, provided it complies with the standards of the Unitary Plan.
7. While the Independent Living Units are intended to form part of the retirement village, currently the site is contained within its own certificate of title, and could possibly be sold off separately as four residential apartments which is not envisaged in the single house zone.
8. The Board does have concerns about some aspects of the development which will be discussed later.
9. Given that this residential site will be developed for use as an apartment block ancillary to the main retirement village complex, the cumulative effects of such development cannot be deemed minor. Accordingly, the Board requests that the application have limited notification.

Height, height in relation to boundary, set back and shading

10. The Board notes that the Ara Street site is presently held in one certificate of title.

11. The new building will not be physically integrated with the adjoining retirement village and the site will still, according to the plans submitted, retain its present legal boundaries.
12. The new building will be bulkier than the existing residential building and accordingly will have a larger and deeper footprint. From the roadside elevation the building will have the appearance of a two storey dwelling and the architects appear to have tried to integrate the building's appearance with the general and changing character of the street. In this regard, it is noted that the neighbouring residential property at 17 Ara Street has been substantially altered and is two storied.
13. It is noted that with regard to the front yard, the average of existing setbacks of six properties to the west of this site is 7.4m. The proposed setback for 19 Ara Street is 6m. The Board considers this acceptable.
14. It is noted that the semi-mature pohutukawa tree in the front yard will be retained, although it is not required to be kept under the Unitary Plan, and the grounds will be landscaped in keeping with the general streetscape of the residential nature of the street and area.
15. There is reasonable garaging and parking off-street, unlike other properties in the locality. The Board notes that the proposed vehicle accessway is indicated to be a minimum of 3m wide, whereas a minimum clearance of 3.5m in width is required.
16. The Board considers that the retention of the pohutukawa tree, the proposed landscaping, the reinstatement of the berm tree, the building setback, and the design of the front of the building together will mitigate any adverse affects on the streetscape character.
17. The proposal does not comply with the eastern HIRB or the eastern side yard control. The proposal shares a common boundary with the neighbouring retirement village. This of course presupposes that there will be an amalgamation of the certificates of title to hold 19 Ara Street and the retirement village site together. As this amalgamation is yet to occur, it is correct that the application site be treated as separate from the retirement village site when assessing the HIRB and the side yard control. The proposed location of the building and the generous setback from the west side boundary with 17 Ara Street will have minimal impact on the amenity of that property. However, if the site is to be treated as a separate site from the retirement village site, in order to comply with the AUP, the building will need to be re-designed to ensure compliance with the AUP's HIRB and side yard requirements.
18. The building does not comply with the rear (southern) yard control. The existing consent for the original retirement village included 97.1m² of the rear portion of the subject site, for use as a garden area. The intention, and a condition of consent for the village complex, was to incorporate that area into the village site. This amalgamation is yet to occur, and the rear portion remains as part of 19 Ara Street. It appears that this 97.1m² may have been used in the calculations of building coverage, landscaped areas and impervious areas. To include this area in the current application is to, in effect, double dip. Since this area has already been included in the consent for the village, it follows that since there has been no amalgamation of titles, the proposed development needs to be re-assessed on a reduced land area.

Cumulative Effect

19. The application is quite clear that the proposal is to form part of the Rawhiti Estate village and it is intended that 19 Ara Street will be physically and operationally incorporated.

Considerable value is placed by the local community on mitigating potential adverse effects from what might be called “creep” of the retirement village into the neighbouring residential properties. While the controversial Rawhiti Estate retirement village was dealt with as one development, the owners are now seen as adding to that complex by developing and integrating adjoining residential properties at 19 Ara Street, and potentially 10 Rangitoto Avenue. The Board opposes this form of “creep” and considers that if the development as proposed is approved it could set a precedent.

20. Further, to have approved the rear portion of 19 Ara Street being included as part of the retirement village’s consent demonstrates a pre-determination by both the developer and the Council to treat 19 Ara Street as part of the whole retirement village complex.
21. The Board requests the Commissioners if they are minded to grant the consent to consider imposing a restriction on amalgamating the titles of the retirement village and 19 Ara Street. In this way 19 Ara Street would be considered and treated as a single development site. There would be no restriction on the owner/residents of each unit coming to some arrangement with the owner of the land to trade the units and the occupants of the units would still have the opportunity to enjoy the facilities of the retirement village. In effect, the message is saying “no” to perceived “creep”.

Conclusion

22. In summary, the Ōrākei Local Board is concerned about the following matters:
 - (1) As a stand-alone development on a property with its own certificate of title, it does not comply with the standards of the Unitary Plan.
 - (2) 97.1m² of the rear of 19 Ara Street has already been included in the consent for the main village site and accordingly, the proposed development should be re-assessed on a reduced land area.
 - (3) To have approved the rear portion of 19 Ara Street being included as part of the retirement village’s consent demonstrates a pre-determination by both the developer and the Council to treat 19 Ara Street as part of the whole retirement village complex.
 - (4) It appears that this 97.1m² may have been used in the calculations of building coverage, landscaped areas and impervious areas for this proposal. There has been no amalgamation of titles, although 97.1m² has been “promised” as part of the existing consent for the original retirement village, for use as a garden area with the intention, and a condition of consent for the village complex, to incorporate that area into the village site.
 - (5) Because of this apparent pre-determination to amalgamate the certificates of title of 19 Ara Street and the retirement village’s site, the proposal does not comply with the eastern HIRB or the eastern side yard control. As this amalgamation is yet to occur, the application site should be treated as separate from the retirement village site when assessing the HIRB and the side yard control.
 - (6) If the site is to be treated as a separate site from the retirement village site, in order to comply with the AUP, the building will need to be re-designed to ensure compliance with the AUP’s HIRB and side yard requirements.
 - (7) Further, given that the site is contained within its own certificate of title, and could possibly be sold off separately as four residential apartments, the application must be treated accordingly, and as such the proposal is not envisaged in the single house zone.

For these reasons, the Ōrākei Local Board requests that

- (8) the application be notified as the non-compliance, based on an assumption of amalgamation, and the effect of “creep” of the retirement village into the neighbouring residential properties, cannot be deemed minor; and that
- (9) the application in its present form be declined.

Ōrākei Local Board, 19 April 2018.