

LOCAL BOARD FEEDBACK AND ASSESSMENT – 217 KUPE STREET

BACKGROUND

1. The Eastcliffe Retirement Village was established in 2000 as a result of a partnership with Ngāti Whātua Ōrākei Trust, who owned the land, and Protac Investments Limited who would construct, lease and operate the retirement village.
2. The site was developed over a number of years starting with the main U-shaped building at 217 Kupe Street constructed on the western part of the site and subsequently nine blocks of town houses (council reference R/LUC/1999/5203914) were constructed on the eastern part of the site between Te Awara, Rukutai and Aotea Streets, shown in Figure 1 below.

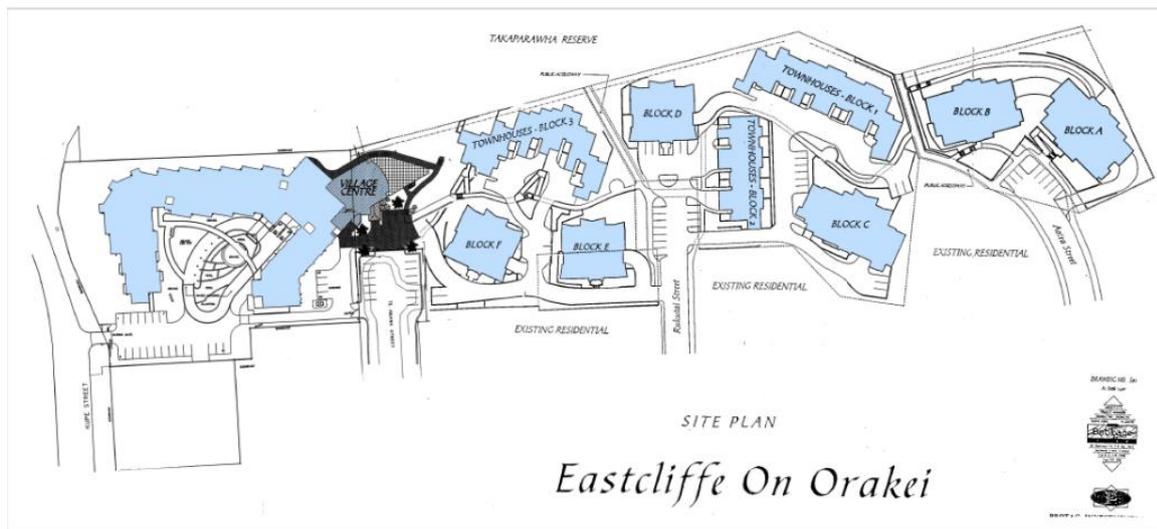


Figure 1: Previous overall site plan

3. In July 2017, in the course of undertaking remedial works to address specific weather tightness issues in a single block at Eastcliffe Retirement Village in Orakei, additional substandard fire protection and structural issues were identified.
4. The Whai Rawa Board considered the extent, volume and seriousness of the defects, coupled with the complexity and highly probable escalation of the final cost of construction rendered remediation of the six Eastcliffe blocks unfeasible. Demolition of all six blocks has now been completed.
5. The development site is located on the eastern side of Kupe Street in Orakei as shown in Figure 2 above. Kupe Street is a 25m wide cul-de-sac which is considered to have a relatively low-speed traffic environment. The carriageway is lined on both sides by pedestrian footpaths, grass berms and on-street parking, and street trees.



Figure 2: *The development site, (Source: Auckland Council GeoMaps)*

BUILDING

6. The proposal is for a four-storey apartment building, plus a basement car park, as shown on the site plan in Figure 3 below. The use of the building as a retirement village means that it is defined as an Integrated Residential Development. The building will have a maximum building height of 16m. A total of 30 new units are proposed, which will be contained within four unit typologies.



Figure 3: *Proposed apartment building render (facing north east)*

The proposed dwelling yields and typologies are as follows:

- I. Apartment Type A is a two-bedroom apartment which has a floor area of 107m² and a 10m² balcony. These units look out on to Kupe Street and run east to west. Each unit has an entrance foyer, study, kitchen, laundry, dining area, bathroom, living area and one bedroom contains an en suite. There will be a total of six Type A units within the building.
- II. Apartment Type B is a two-bedroom with a floor area of 97m² and a 10m² balcony. These have the same features and orientation as Type A, except for the entrance foyers. All of the ground floor units facing Kupe Street will be Type B and a total of 10 are proposed.
- III. Apartment Type C is a two-bedroom apartment which has a floor area of 88m² and a 10m² balcony. These units will run north to south and contain a kitchen, laundry, dining area, bathroom and living area. A total of 12 Type C units are proposed.
- IV. Apartment Type D is a two-bedroom apartment with a floor area of 150m² and a 28m² balcony. These units will be located on the fourth floor and feature three dormer windows. Each unit contains a study, kitchen, laundry, dining area, living area, media space, bathroom, and one bedroom contains an en suite and a walkin wardrobe. A total of two Type D units are proposed.
- V. We note that there are four apartments which are oriented to the south towards 185 Kupe Street, which do not achieve a 6m outlook space from the living areas. 185 Kupe Street is also owned by the applicant and therefore to address this shortfall it is proposed to apply a **private covenant** to ensure that any future buildings are not built within this 6m outlook zone.

STREET TREES

7. It is proposed to remove the two Willow Myrtles within the road reserve directly in front of the proposed building and the two phoenix palms at the site entrance and site trees. An arboriculture assessment has been prepared by Peers Brown Miller. It is accepted that the replacement planting will be a condition of consent.

ASSESSMENT OF EFFECTS ON ADJACENT PROPERTIES

8. Separate Ownership
 - I. 44A, 46A, 46, 2/48 and 48 Te Arawa Street (southeast); and
 - II. 59 Te Arawa Street and 104 Rukutai Street (southeast).

9. Owned by the Applicant
 - I. 185 Kupe Street and 112 Rukutai Street (south);
 - II. 180-182 Kupe Street (west);
 - III. 120-128 Rukutai Street (east);
 - IV. 2-56 Kitemoana Street – Whenua Rangatira o Ōrākei or Takaparawhau Park (north).



Figure 5: Adjacent properties to the development site. Blue shaded sites are owned by the applicant and red shaded sites are in separated ownership. (Source Auckland GeoMaps)

Adverse effects in relation to visual dominance, shading, and privacy on adjacent properties are considered below.

PROPERTIES OWNED BY THE APPLICANT

10. The properties identified in Section 6.2.3 and shaded blue in Figure 5, are owned by the applicant and therefore their written approval is implied. In addition, a covenant will be placed on the application site to ensure that the overlooking from apartments 001, 002, 101 and 102 will not affect the future development potential of the 185 Kupe Street and therefore effects will be less than minor.
11. Furthermore, the development site is within the same precinct as these land holdings and complies with all of the relevant development standards. Overall it is considered that an assessment of effects against these properties is not necessary given that the building will not affect the future development of these sites and are in the same ownership.

59 Te Arawa Street and 104 Rukutai Street

12. 59 Te Arawa Street and 104 Rukutai Street technically adjoin a southern boundary of the application site, although in reality these properties are located approximately 60m to the east of the proposed apartment building and therefore will be largely screened by the existing built environment (i.e. dwellings at 46-48 Te Arawa Street).
13. Overall, given the large separation distance and the built form screening, it is considered that there will be no visual dominance, shading or privacy effects on the owners or residents of these properties.

44A, 46A, 46, 2/48 and 48 Te Arawa Street

14. 44A, 46A, 46, 2/48 and 48 Te Arawa Street adjoin the eastern and southern boundaries of the application site and are located directly to the east of the proposed building. These sites contain one-two storey, single detached dwellings which range in styles.
15. The following comments are made with respect to potential visual dominance, shading and privacy effects on these properties:
 - i. The proposed building complies with the height in relation to boundary controls that apply to these neighbours. The development will also comply with height controls and yard setbacks and as such, it is considered that the proposed apartments are within the anticipated scale of development for the site and surrounds.
 - ii. Although apartments 301 and 306 both have outlook areas oriented to the east, these have adequate setback from the shared boundary to ensure they comply with outlook space requirements. In addition, the balconies for these two apartments, and all other balconies are oriented away from the eastern boundary therefore any privacy effects on these neighbours will be less than minor.
 - iii. It is proposed to plant trees and shrubs along the length of the common boundary and, together with the existing 1.8m high privacy fencing at ground level, this will provide privacy and security for both the neighbours and future residents.

CONSTRUCTION ACTIVITIES

16. As set out above, earthworks of approximately 3,350m³ across a total area of 3,565m² are required for the construction of the proposed development.
17. During construction, it is proposed to install sediment and erosion control measures as required to mitigate any adverse environmental effects.
18. All proposed measures will be designed in accordance with the Auckland Council guidelines prescribed in GD05 to ensure that sediment is removed from storm water runoff prior to discharge from the site.
19. Key elements of the preliminary earthworks and sediment control methodology include a stabilised entrance way and silt fencing at the site boundaries, as shown on the erosion and sediment control plan.

SUMMARY RULES ASSESSMENT

The Orakei Local Board would welcome Council planning affirmation that the following infringements are appropriately addressed.

H6 Terrace Housing and Apartment Building Zone							
H6.4.1 Activity Table	<table><tr><td>Integrated Development¹</td><td>Residential</td></tr><tr><td>New buildings and additions to buildings.</td><td>Restricted Discretionary Activity (A7)</td></tr><tr><td></td><td>Restricted Discretionary Activity (A35).</td></tr></table>	Integrated Development ¹	Residential	New buildings and additions to buildings.	Restricted Discretionary Activity (A7)		Restricted Discretionary Activity (A35).
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New buildings and additions to buildings.	Restricted Discretionary Activity (A7)						
	Restricted Discretionary Activity (A35).						

<p>H4.6.11 Outlook Space</p> <ul style="list-style-type: none"> • Principal living: 6m depth x 4m width • Principal bedroom: 3m x 3m • Other habitable: 1m x 1m 		<p>Infringement - The outlook space for main living areas for apartments 001, 002, 101, 102, 201 and 202 overlook the adjoining eastern site. This is also owned by Ngāti Whātua.</p>
<p>E12 Land Disturbance - District</p>		<p>Earthworks greater than 2,500m² with approximately</p>
		<p>3,565m² proposed- Restricted Discretionary Activity (A6)</p> <p>Earthworks greater than 2,500m³ with approximately 3,350m³ proposed - Restricted Discretionary Activity (A10)</p>
<p>E17 Trees in roads</p>		<p>Tree removal of any tree greater than 4m in height or greater than 400mm in girth Restricted Discretionary Activity (A10)</p>

An area of “special circumstance” may be in relation that 6 buildings were demolished (July 2017) due to issues with water tightness and firewalls – and to ensure full disclosure on who the builders will be and the design of the new apartment block itself (for future safeguards)– may warrant public notification.

Refer: media article:

https://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=11944546