
Report to the Local Board of Member Vernon Tava

September 2018

Purpose

This report covers my Waitematā Local Board Activities in mid-August to September 2018 as Lead of the Planning and Heritage portfolio; co-holder of the Transport portfolio; Local Board representative on the Parnell Business Association; and member of the Auckland Domain Committee.

Executive Summary

- I attended a meeting of the Parnell Plan reference group on 27 August 2018 and the Principal Planner leading the project came to the Local Board workshop on 28 August. More detail on the latest on the project below
- I keep track of resource consent applications as they are received by Council, requesting further information, plans and Assessments of Environmental Effects for applications of interest. Significant applications are referred to the relevant residents' associations for their input which I then relay to planners as part of the Local Board's input. Reporting of resource consent applications, planning portfolio input, hearings and decisions in the Local Board area for this month is detailed in the Heritage, Urban Design and Planning section of this report under the headings 'Planning': 'Resource Consents'

Recommendation

That the Waitematā Local Board:

- a) Receive the Monthly Report of Member Tava

Portfolio Report: Heritage and Planning

Portfolio Responsibilities

Heritage, Urban Design and Planning covers a mix of regulatory and non-regulatory activities including city planning and growth, heritage protection, urban design requirements, Local Board resource consent application input, and bylaw development, including advocacy to achieve local priorities relating to heritage preservation, good urban design and spatial planning. Regulatory and policy oversight of local liquor licensing, signs & billboards, and brothels.

Parnell Plan

The Parnell Plan has been progressing through 2018. At its meeting of 15 May 2018 the Local Board approved a plan consultation document and the proposed public strategy. The public engagement strategy and the consultation document were prepared in collaboration with the Parnell Plan Working Group. The public engagement ran from 21 May to 29 June 2018. It was successful in view of the numbers of people reached, particularly via the Tuk-Talk (a tuk-tuk vehicle) initiative, and the amount of feedback received. At the meeting of the reference group on 27 August 2018, we reviewed the implementation plan and gave specific views for staff to consider on the details of the plan. The next meeting of the reference group will be later in September to review the revised implementation plan. Discussion will continue with mana whenua groups. It is anticipated that reporting the final plan to the Local Board will happen in time for the November business meeting.

Resource Consents

The portfolio request information on resource consent applications of interest as a matter of course. The Local Board can have input into the decision on public notification of a resource consent application but not into the substantive matters of the application. The input of the Local Board is not binding on the commissioner making the decision. Nonetheless, on some significant applications we will include substantive comments along with our views on notification.

- 1A Burton Street, Grafton. LUC60323807. The proposal involves the establishment of a six-level residential building containing 40 non-permanent accommodation units. The subject is located in Business – Mixed Use Zone. The closest residential zone is about 107 metres away from the subject site. The proposed building comprises an office/reception area, storage room and six bicycle storage spaces, a refuse storage area and five accommodation units at ground level, and 35 units at the five upper levels (seven units per level with identical layouts at each level). The proposed development is a non-permanent accommodation and is intended to be let on a short-term or temporary basis with the primary target market being students or workers on short-term contracts. External materials include pre-cast concrete panels (mix of timber pattern and smooth finish), timber weatherboard cladding (ground level), black aluminium joinery, steel balustrades, powder-coated aluminium screens, and Danpalon panels (entrance to refuse and bicycle storage area). Earthworks are proposed over the entire site area (251m²) effectively comprising shallow scraping only to remove topsoil. Low earthworks volumes are proposed comprising 4m³ cut and 2m³ fill. The site will be connected to the existing public stormwater, wastewater and water supply public infrastructure in Burton Street. Reasons for consent applied for include: Restricted Discretionary Activity for the construction of new buildings; Restricted Discretionary Activity for the infringement of maximum occupiable height control by 440mm. The Local Board did not have input on this consent application.

- 4 Brown Street, Ponsonby. BUN60078368. s127 application to vary an approved development in the existing car parking area of Ponsonby Central. The proposed changes to conditions are sought to provide for a revision to the design of an approved building and parking/loading arrangements to reflect the standards of the Town Centre zone and Transport chapters of the Auckland Unitary Plan which are now operative. The Waitemata Local Board had provided input on the original application (from my May 2016 report to the Local Board):

R/LUC/2015/3545, R/REG/2015/3669, R/REG/2015/3670. Application to construct a mixed-use development. The application site is in Business 2 and Conservation Interface Area and involves: Construction of basement parking of 143 spaces with a total shortfall of 115 spaces. This will be divided into 3 levels of basement parking; Construction of retail tenancies and courtyard on the ground floor; Commercial tenancies on the first floor; and a residential penthouse on the top floor. The proposal will trigger various reasons for consent. This includes: Earthworks (under District Plan and PAUP); activity within 30m of residentially zoned sites; a residential unit; development controls – landscaping and HIRB (max vertical length of 2.3 metres over 7 metres horizontally) on to Brown Reserve; shortfall of 115 parking spaces; one dedicated loading space; non-compliance with the gradient for the access; 100 and more parking spaces; diversion of groundwater and dewatering (ALWP and PAUP); and, soil Disturbance (NES). We communicated details of the consent to representatives of Grey Lynn and Ponsonby residents and asked for limited notification to residential properties in the immediate surrounds as they will be most affected by the parking shortfall which will put pressure on already strained on-street parking for residents. Also given the proximity to them of the proposed new building under rule 8.7.1 of the District Plan (this would apply only to neighbours within 30 metres of the boundary).

R/REG/2015/3669, R/REG/2015/3670: Groundwater diversion and discharges from contaminated land associated with a new mixed use building. The regional consents are required for the excavation works proposed as part of the application for the mixed use development (R/LUC/2015/3545). In particular, a contaminated site discharge consent is required as the ground contamination assessment identified contaminants on site exceeding the ALWP permitted activity criteria, and also the proposed works exceeds the permitted activity volumes. Groundwater diversion and dewatering consent is required for the construction of the basement parking. The Local Board recommended **limited notification** to residential properties in the immediate surrounds as they will be most affected by the parking shortfall of 115 spaces which will put pressure on already strained on-street parking for residents. Also given the proximity to them of the proposed new building under rule 8.7.1 of the District Plan, this would apply only to neighbours within 30 metres of the boundary.

- 31 Westhaven Drive, Auckland Central. LUC60325295. Variation to previous consent for Westhaven Marine Village - a marine retail, marine office, and food and beverage development, plus associated landscaping, earthworks, and parking. The application for the variation of the approved development at 31 Westhaven Drive includes the removal of the south building, redesign of the north building to include 13 tenancies for marine activities and food and beverage. Redesign of the landscaping and public walkway, and works to onsite trees, 47 protected trees and

38 unprotected. The proposal will provide 33 vehicle parking spaces and 2 loading spaces, 30 bicycle spaces and 4 vehicle access points. There are associated earthworks of 6,200m² and 2,360m³. The activity status is discretionary (as is the status for consent variations). The Local Board did not have input into this consent.

Significant Resource Consent Matters

42-48 Ponsonby Road, Ponsonby

LUC60323662. Application to demolish a Character Supporting building (Sawadee Thai Restaurant), alterations to a Character Defining Building, and the construction of a new building (approximately 20 metres maximum height) that wraps around the back of the sites. The new development will contain a mix of office, retail, and restaurant/bar activities. The Local Board did not have input into the notification of this consent.

246 Queen Street, Auckland Central

LUC60324811. Application to reconfigure the ground and first floors of the building. This includes **removing the public toilet** 'due to the lack of purposeful use by the public and the issue of anti-social behaviour' and 'reconfiguring the existing through-site link to ensure a continuous pedestrian accessway through the building, removal of the existing mezzanine level to create a double height space on Queen Street and new glazed shopfronts.' It is also proposed to reconfigure the upper levels of the building for new office tenancies, including reconfiguration of the central light well. In October 2003, a variation of consent (PO/02/00188) was granted to change the alignment, design and size of the through-link, reduce the size of the public toilets from 87m² to 62m², through-site link from 657.44m² to 578.44m², and increase the amount of artwork provided for the work of art bonus feature. The TSL provides a bonus area of 1665m². The application is for therefore a restricted discretionary activity. The Local Board is strongly opposed to the removal of the public toilet and has asked for **public notification** of the consent on this basis. There is a strong and demonstrated public interest in the issue of public toilet provision (and the lack of) in the inner city as evidenced recently in the media attention and public response to the recent removal of the public toilet at the SAP Building. If the toilet is not being used by the public I would suggest that is more to do with inadequate signage than lack of demand.

5-storey 'Car Handling Facility' on Bledisloe Wharf – variation of amount of earthworks, now only requiring approval based on infringement of NES

LUC60323081. An application by Ports of Auckland Limited (POAL) at 1-19 Quay Street (on the Bledisloe Terminal) for earthworks required to facilitate the construction of a new car handling facility building. *The consent matters are limited to earthworks and NES only – new buildings within the Port Precinct which comply with the relevant standards are a permitted activity.* The works will involve 3000m² and 2000m³ of earthworks, which primarily relate to the construction of the footings and foundations required to support the proposed building. Consent matters include the undertaking a proposed volume of earthworks exceeding 2500m² and undertaking a proposed volume of earthworks

exceeding 2500m² within the Sediment Control Protection Area (i.e. within 100m of the coastal area). The works also trigger consent matters under Section 9(1) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) as a controlled activity, as the works exceed the permitted earthworks volume. No discharge consents are being applied for, as the applicant (Ports of Auckland) is the holder of a permit to discharge contaminants from an industrial or trade activity (Discharge Consent 25179).

It should be borne in mind that this approach by POAL is in direct response to widespread public pressure, opposing expanding the POAL land area by reclamation of the harbour for cargo storage, including cars, (especially for cars). I strongly oppose further reclamation so I find it difficult to object to intensification of the use of Port land. However, given the strong public interest in the port and the environmental sensitivity of the area, I think that public notification is appropriate.

The Local Board recommended **public notification** of this consent on the basis that ‘**special circumstances**’ exist as per s 95A(9) RMA 1991. The special circumstances are the very high level of public interest in development of the port land and the consistently expressed expectation of our constituents that they will have the opportunity to have input on such works. It is understood that this consent is for earthworks and NES matters only, not the building (as it is a permitted activity if complying with the relevant standards); nonetheless, there are likely adverse effects from the earthworks which exceed the permitted earthworks volume particularly given the proximity of these works to the water (within the Sediment Control Protection Area), and it is the Local Board’s view that the external expertise on these matters that can only be accessed by way of a public notification process is important for the matter to be adequately considered.

As at 28 August 2018, I was informed that the applicant has reduced the volume of earthworks proposed to comply with the Auckland Unitary Plan’s standards. The only consenting matter is now in relation to the NES, where the proposal involves soil disturbance that doesn’t comply with Clause 8(3) of the NES. This removes the possible grounds on which the Local Board can request notification.

Signatory

Author	Vernon Tava
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