

Mr Stephen Town
Chief Executive Officer
Auckland Council
135 Albert Street
Auckland

7 December 2018

Dear Stephen,

RE: PRE-APPLICATION DOCUMENTATION AVAILABILITY TO LOCAL BOARD MEMBERS

1. We are writing this memorandum to you to outline a request to the Council Planning division for pre-application documentation relating to a property in the local board area. The request was submitted in July 2018 and to date we have not had an acceptable response. The request has been communicated through to senior management in the resource consents unit and yet we have still not received a proactive resolution to what is a simple business as usual request from a local board.

Background

2. A request was made on 30 July 2018 to the resource consents unit for pre-lodgment meeting minutes in relation to discussions with Council staff and the applicant (Be Group Holdings Ltd) on a property – 10 Rangitoto Avenue.
3. The request was replied through the Privacy and LGOIMA Democracy Services business partner in August. Our request was assigned a reference number 8140003338.
4. We challenged the need for our local board request to be processed through the LGOIMA path. Local Board members are integral members of Council and not members of the public. Accessibility from a local board perspective should be equivalent to a Council employee (in the Consents planning division).
5. In September following our request being channeled through to the General Manager, Resource Consents -we were advised that the request had been passed onto the Legal division for advice.
6. We made a follow up enquiry with the General Manager Resource Consents in October – on the progress of the legal advice. No apparent advice has been received.
7. To document the Board's concerns on the prolonged delay for receiving the requested information a resolution was passed at the Orakei Local Board business meeting, 15 November

2018. The resolution requested information from Council on 10 Rangitoto Avenue and two additional properties (471 Riddell Road and 49-65 Tamaki Drive).

8. The request for the latter two properties was also to gain contextual information for potential or existing projects where the local board needed to understand early applicant intentions and to note the impact on the community. Again the local board request did not seek the LGOIMA process of access and preferred a less restrictive path (compared to our experience with 10 Rangitoto Avenue).

Access to information from a local board perspective

9. The Auckland region and also notably the Orakei ward has been undergoing significant development and infrastructure changes. These changes impact our macroeconomic framework and suburban infrastructure and landscape.
10. From a governance and oversight perspective it is important that local boards are effectively and efficiently assessing all information on developments proposed by applicants. And when entering the consent phase the Board is abreast of key information to support its view in a balanced and transparent manner.
11. 10 Rangitoto Avenue – currently adjoins the Rawhiti Retirement Village at 14 Rangitoto Avenue. The village complex comprises 27 apartments and 68 aged care suites. The complex intends to extend across to 19 Ara Street and consent has been approved (May 2018). The village received its consent approval in 2015 and construction has recently been completed late 2018.
12. A pre-application meeting took place in October 2017 between Council planners and the applicant covering both 10 Rangitoto Avenue and 19 Ara Street.
13. The pre-application documentation and minutes will provide a holistic understanding of the intentions of the applicant. The parallel streets of Rangitoto Avenue and Ara Street consist of many constituents concerned at the growth of the village complex and impacts of landscape visual, infrastructure and transport.

Information customarily provided in the consenting process

14. Through various resource consent applications submitted and reviewed by the local board, the pre-application minutes and related documentation have been included. We consider this business as usual.
15. In many Assessments of Environment Effects (AEE) drafted for consent applications sent to Council planning and local board staff– the AEE refers to pre-lodgment meetings and discussions made available in the lead up process. This affirms an existing practice of information release and exchange.
16. Pre-application information provides context and an appreciation of both the applicant's views and the Council's initial views on a proposed intentions and potential subsequent consent application. The availability of this information assists local board members in their decisioning and views of the proposal and can help balance local constituent concerns and issues.
17. Local boards need to be vigilant with obligations and regulatory requirements under the Unitary Plan. With the support of Council planners and the transparency of key information earlier rather

than later in the consent process – this will help local board members fulfil their governance roles and assess a proposal taking account of the socio economic and community implications.

Summary

18. The request for pre-application minutes and documentation is not extraordinary. The information may or may not be confidential – but if Council planners have had these preliminary discussions with the applicant then the local board should not be removed from this exchange.
19. The principal request for information originated in July 2018– nearly six months ago. We have pivoted from one Council planning contact to the next to achieve an outcome. This outcome has not eventuated due to a lack of accountability and delivery by the respective Council parties involved.
20. This will not be the first request for such information as many rate payers, resident and business associations and other interested parties raise their awareness of developments and become more familiar with the Unitary plan and seek answers to impacts on their neighbourhoods. As elected members we are the representatives of these stakeholders.
21. This a formal request to you directly as Chief Executive of Auckland Council to exercise your authority and break down the barriers – to action the local board request.
22. We prefer to work with yourself and Council to meet our request rather than extend to an alternative remedy – and seek assistance from the Ombudsman.

We are available to discuss with you in more detail the principles of our request and issues to date.

We believe an inordinate amount of time has been expended to action a straightforward request for information and we trust you to effect a resolution.

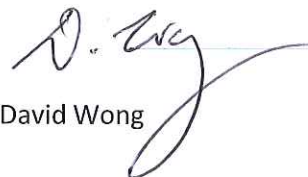
Yours sincerely,



Kit Parkinson

Chair

Orakei Local Board | Auckland Council



David Wong

Member -Resource and Consents

