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The Minister for the Environment
c/o Environmental Protection Authority
Private Bag 63002
Waterloo Quay
Wellington 6140

Your reference: 2020-B-07099

10 September 2020

Dear Minister Parker,

RE: COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Kohimarama Comprehensive Care Retirement Village – Comments sought

We are responding to your invitation for comments on an application before you for referral to the Expert Panel under the COVID-19 Response (Fast Track Consenting) Act 2020.

The application is made by Ryman Healthcare Limited and is located at 223 Kohimarama Road and 7 John Rymer Place, Kohimarama, Auckland (Lot 1 Deposited Plan 332284 and Lot 51 deposited Plan 163242).

Having reviewed the application material provided, we can advise that Auckland Council does not have any significant concerns with the proposed development.

Some concerns have been raised with regards to wastewater capacity and residential amenity, and we make the following key points on these matters:

- Watercare Services Limited have identified that there are capacity constraints in the local wastewater network. These constraints would need to be mitigated by the developer through public network extension or upgrades. If the applicant's wastewater proposal is not supported by Auckland Transport, then the alternatives could require the construction of public wastewater infrastructure to support the development. Any costs associated with this infrastructure upgrade would be entirely at the developer's cost.
- Auckland Transport have identified that the proposal includes the provision of private wastewater infrastructure within the road reserve. This infrastructure would require a Licence to Occupy, which would not be granted by Auckland Transport under normal circumstances.
- There are potential adverse residential amenity effects upon neighbouring properties due to the exceedance of the 11m height limit for the Mixed Housing Urban zone by up to 10.4m.
- It is our view that other effects of the proposal, including traffic generation, construction impacts, geotechnical, water quality and quantity, ecology, flooding on-site amenity and safety could be mitigated or managed to appropriate levels, subject to expert input on these matters.

In response to the information requirements stated in your undated letter referenced 2020-B-07099:

- 1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to continue to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the Act?*

The council is currently assessing a resource consent application (council reference BUN60353138) for what appears to be the same development as this fast track request. A recent decision was made by a duty commissioner to process this consent on a limited notified basis.

No date has been set for a hearing, however we note that Ryman have advised us that their preferred date for a hearing would be December 2020. If this target date for a hearing were to be met, we would anticipate a decision on the application in or around February 2021. Any benefit of the fast-track process may therefore be limited from a timing perspective, noting having one process stop which is quite advance may confuse the local community.

- 2. The status of the applicant's RMA consent applications (e.g. whether a notification decision has been made), and any significant issues that you are aware of.*

Please refer to the answer above. As with this fast track request, the issues in relation to the resource consent application relate to neighbouring amenity and wastewater capacity.

- 3. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your jurisdiction?*

Ryman Healthcare Limited are a key account for Auckland Council and in recent years the council has processed several resource consents for Ryman, including developments at Narrow Neck, Hillsborough, Lincoln Road and Pukekohe. There are no significant environmental regulatory compliance issues with Ryman Healthcare Limited that the Minister should be aware of.

Yours sincerely,



Ian Smallburn
General Manager – Resource Consents
Auckland Council

Enclosed: Copies of the expert responses received on this application.

Asset Owner / Specialist Response

From: Sandy Hsiao, Senior Planner, Auckland Council

Date: 03/09/2020

Overall Summary:

The proposal requires consideration against several chapters of the AUP(OP). It is also to be considered against the NES:CS, NPS:UD and NPS:FM.

In terms of actual and potential effects of the proposal, at a high level, the key adverse effect that requires careful consideration relates to residential amenity values due to the exceedance to the height limit for the zone (approximately twice the permitted height limit). Adverse effects on the neighbouring residents to the south and east of the site will be greater than that reasonably anticipated from a development in the Mixed Housing Urban zone, and it would need to be determined whether these effects on neighbours are acceptable in the context of the Zone.

Other effects of the proposal that would also need to be considered include construction effects, traffic, geotechnical, water quality and quantity, ecology, flooding, and on-site amenity and safety effects. From a planning perspective, there are no obvious concerns relating to these other effects such that they cannot be managed to an acceptable level, however this is dependent on expert input.

Adverse effects will need to be balanced against the positive effects of the proposal, which is the provision of a new aged care residential facility.

The acceptability of the height infringement will need to be assessed against the following objective and policies:

- Objective H5.2(2) Development is in keeping with the neighbourhood's planned urban built character of predominantly three-storey buildings, in a variety of forms and surrounded by open space.
- Policy H5.3(2) Require the height, bulk, form and appearance of development and the provision of sufficient setbacks and landscaped areas to achieve an urban built character of predominantly three storeys, in a variety of forms.
- Policy H5.3(4) Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.

Whilst the proposed buildings are clearly not three-storeys, the objective and policies suggest that developments have to be 'in-keeping' with the planned built character of predominantly three-storey buildings. In other words, buildings that are greater than three-storeys and that do not comply with the bulk and location standards of the zone may be acceptable, where the planned urban built character of the area is not undermined, and local residents are still able to appreciate residential amenity values in accordance with the Zone expectation.

Asset Owner / Specialist Response

From: Celeste Cupido, Senior Development Planner Auckland Transport

Date: 3 September 2020

Overall Summary:

The proposal includes provision for 192 car parking spaces (including 9 accessible car parks and 5 electric vehicle car parks) and 15 bicycle parking spaces. Access to the basement car parks will be provided using ramps with gradients of between 1:5 and 1:8. Bicycle parking will be provided at the basement level of Building B01 with space to accommodate 15 cycle parks. The site does not have any existing vehicle crossings.

Access

Primary vehicular access will be provided via John Rymer Place and a secondary access from Kohimarama Road. The vehicle accesses, which will both have a 6m formed width accommodating two-way access, will be connected through a private internal road. A vehicle access restriction (VAR) applies to the 53m-long Kohimarama Road frontage of the site. With the road frontage length, two vehicle crossings are permitted for the site, thus complying with the AUP(OP) requirement. The following recommendations have been made by AT with regard to development access:

- Design and construction of the new vehicle crossings to TDM Technical Standards as per the drawing NO GD019A.
- Signalising the right turn into John Rymer Place by including a right turn arrow signal aspect to the existing signal poles. Detailed design plans, including all required hardware and software changes would require AT approval.
- Restricting left-turn movements at the nearby signalised intersection of Kohimarama Road with John Rymer Place by semi-trailer trucks exiting the site.
- Closure of the Kohimarama Rd access during school pedestrian peak times (between the hours of 8-9am and 2:30-3:30pm during the School year). This is to be regulated by the installation of signage at the B01 basement level and the vehicle access point along Kohimarama Rd.
- Kohimarama Road access being restricted to left in/ left-out and right-turn-in movements only.
- Construction of a solid traffic island along Kohimarama Road, adjacent to the site's left in / left out vehicle access, to prevent all right turns by vehicles exiting and entering the site.
- Installation of "No stopping at all times" (NSAAT) markings on the northern side of John Rymer Place, to the west of the proposed vehicle access for 10m to improve sight distances.
- Installation of temporary "No stopping at all times" (NSAAT) markings on the northern side of John Rymer Place, between the proposed vehicle access and Kohimarama Road for the duration of the construction period to prevent trucks from blocking eastbound vehicles while queuing at the intersection.
- Trimming and maintenance of vegetation located within the site along the road frontage of Kohimarama Road for a distance of 90m immediately east of the proposed vehicle access to ensure adequate visibility for vehicles exiting the site onto Kohimarama Road.
- Limiting the height of any vegetation located within the visibility splay areas of the Kohimarama Road vehicle access to 600mm.

Infrastructure provision

Wastewater

The proposal includes the use of a private vacuum sewer system and pump station, which will require pressurised pipes and the installation of a pressurised wastewater rising main within the road reserve. Detail plans or sections have not been provided by the applicant, so a concept plan (part of original application plan set) showing a schematic layout of the infrastructure network was used in AT's assessment.

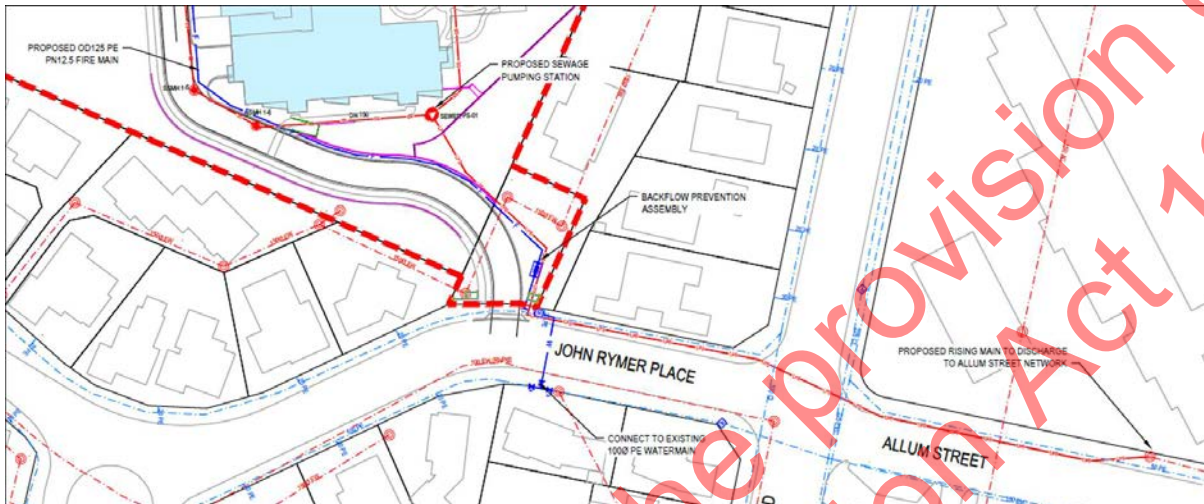


Figure 1: Plan showing estimated location of pipelines and rising main within the road reserve (Applicant's Infrastructure plan set)

AT has the following major concerns with the proposed wastewater management system:

- a) The private pipeline in the road reserve would require a License to Occupy from AT, which would not be granted under normal circumstances as AT requires infrastructure in the Road Reserve to be publicly vested.
- b) Similarly, AT would normally only accept pressurised rising mains that are vested as public wastewater infrastructure, within the road reserve.

In a conversation with Watercare, it was agreed that the current proposal is not acceptable as it would require the vacuum pump system to be publicly vested in order to effectively maintain asset information and to perform maintenance for any faults that may occur.

It is therefore recommended that the applicant explore a gravity wastewater network to run along Kohimarama Road as an alternative to the currently proposed private vacuum system.

(Please Note: The alternative of feeding into the existing nearby wastewater pump station may not be feasible as it is currently operating at capacity (6 litres per second). For the development to exercise this option, upgrades to 9 litres per second and a capacity of at least 8 cubic metres would be required.)

Stormwater

It is recommended that the proposed access off John Rymer Place be designed and constructed so that the primary surface flows from the site/proposed site road are captured within the site and are not allowed to flow to existing John Rymer Place road drainage.

Similarly, the access off Kohimarama Road should be designed and constructed so that the primary surface flows from Kohimarama Road do not enter the site.

There are no other major concerns with the proposal.

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Asset Owner / Specialist Response

From: Tarso DosSantosGirio, Development Engineer, Watercare

Date: 1 September 2020

Overall Summary:

Watercare has assessed the proposal for the proposed retirement village. The proposal is for a 296 unit (385 residents) retirement village at 223 Kohimarama Road. There is capacity in the local water supply network. However, there are capacity constraints in the local wastewater network. The capacity constraints in the wastewater network will need to be mitigated by the developer through public network extensions or upgrades, depending on the agreed solution.

Water connection

The developer has proposed options for connecting to the water supply network. These are a connection to the 225mm PVC at Kohimarama Road (with road crossing) or the 100mm PE John Rymer Place (with road crossing). Either of these options is acceptable to Watercare.

Wastewater connection

The developer has proposed servicing the retirement village with a private pump station with a rising main connecting to the existing gravity network to manhole GIS ID 512934 at Allum Street. Watercare has assessed this option. While this proposal is technically feasible provided that the discharge flow volume is limited to 3 l/s, this will require a private rising main to be in the public road. This is contrary to Auckland Transport's Code of Practice.

Due to this constraint Watercare has reviewed the alternatives below. However, these will require further investigation by the developer, or identification of other alternatives if their proposed option is not accepted. The alternatives are

- **Alternative 1**
Extension of the public SS network (gravity network) from 223 Kohimarama Road across Kohimarama Road/Allum Street and connecting to the SSMH (GIS ID 512934) opposite to 134 Allum Street.
- **Alternative 2**
Upgrade of the John Rymer pump station and local gravity network. This alternative involves connection to the 150mm SS network available at 7 John Rymer Place Kohimarama, so this flow will discharge into the downstream John Rymer pump station. The pump station is currently at full capacity; therefore, upgrades will be required on the pump station and the public rising main connected to the pump station.
At the time of the original assessment, connection to the downstream gravity network was not considered because the network and John Rymer Place pump station was not designed to cater for the additional wastewater flows. An upgrade of the pump station and rising main is considered technically feasible; however, it is complex and costly. The cost of upgrading the pump station and network would be entirely at the developer's cost.

Asset Owner / Specialist Response

From: Maree Gleeson; Healthy Waters Specialist, Auckland Council

Date: 31-8-20

Overall Summary:

The application information reviewed was as per the link below:

s 9(2)(b)(ii)

HWD is unable to comment on the application as no information was supplied to address:

AUP (Operative in Part) Rules listed below:

E.8.4 (A10) The diversion and discharge of stormwater runoff via the intermittent watercourse and overland flow paths.

E36.4(A41) Buildings and structures located within, or over an existing overland flow path as well as diverting an overland flow path

E36.9.2 Flood Hazard Assessment

Proposed Conditions of Consent:

Unable to supply conditions as no information supplied outlining the scheme and environmental effects as per above.

Specialist Response – Landscape and Visual

From: Ainsley Verstraeten, Principal Landscape Architect, Auckland Council

Date: 04.09.2020

Overall Summary:

Overall, from a landscape and visual effects perspective I am of the opinion that the proposed Retirement Village would be an appropriate use of the site and be generally consistent with the intentions of the Residential – Mixed Housing Urban provisions in the AUP (OP). Although, there are a number of buildings that propose to infringe the height limit and will be of a greater intensity than normally expected within the MHU zone.

This has the potential to adversely impact localised visual amenity of some residents living within the cul-de-sac of John Rymer Place to a moderate degree (more than minor). This is in part due to the topography of the site, whereby residents are located at a lower elevation resulting in the impact of taller buildings being visually overbearing or dominant.

I note that planting has been proposed along a section of the southern boundary in order to assist in screening the development, however this will take some time to achieve an appropriate height and is likely to only mitigate effects on the immediate adjoining neighbours rather than those living one house behind or across the road.

That being said, the development is likely to be appropriate from a wider landscape context for the following reasons:

- The development has been set back from its most sensitive neighbours especially from the southern boundary, the use of the podium for the apartment buildings has resulted in significant 'gaps' between these buildings reducing the potential bulk across the site.
- All buildings step down the site in consideration of the underlying topography and the main building has been broken down with a variety of architectural treatments including varied roof forms.
- A varied palette of materials and colours across the development assists in reducing the bulk and scale of the buildings.
- The landscape plan proposes a significant amount of planting including around the base of the podium to screen this over time, as well as mitigate the effects of large retaining walls (internal to the site). Large areas of existing planting are proposed to be retained and overtime weed species will be replaced with native plants.

Further information

It is noted that the AEE refers to a number of assessments that have not been included in this application such as an Urban Design Assessment and a Landscape and Visual effects Assessment.

Given the over height components of the proposal, I would expect to see Visual Simulations to better understand how the proposal sat within both the immediate and wider context.

Asset Owner / Specialist Response

From: Sheerin Samsudeen, Principal Urban Design, Auckland Council

Date: 04.09.2020

Overall Summary:

Overall from an urban design perspective I consider the proposed Comprehensive Care Retirement Village to be an appropriate use of the site and its characteristics; and is generally consistent with the Mixed Housing Urban (MHU) provisions in the AUP (OP).

The proposal infringes bulk related standards of height, height in relation to boundary (HiRTB), and yards and has the potential to create a greater intensity than normally anticipated within the MHU zone. The proposed buildings BO2 to BO6 rise up to 6 levels above a podium structure. Due to the steeply sloping topography of the site towards the south, the buildings scale and form have the potential to create a visually dominant presence to the immediate adjoining neighbours along John Rymer Place.

Notwithstanding the above, the development will be appropriate for the site and its context mainly for the following reasons:

- The site layout and the design approach of six buildings is an appropriate response to balance the functional requirements of a care village, the topographical constraints of the site, and the planned character of the neighbourhood.
- The design approach to concentrate the building mass, in particular the higher height, to the north and west along the Selwyn College boundary and to the site's centre is an appropriate response.
- It is my view that from the surrounding public realm, the landform, the building form, gaps between buildings, and generous boundary setbacks together with the intervening landscape response will create an outcome that is comparable to the built form envisaged within the MHU zone.
- The views show highly modulated roof forms, and/or upper levels of proposed buildings are progressively stepped above the existing residential environs, reflecting the underlying topography. The proposed design includes a number of architectural design gestures, and a varied palette of materials and colours to provide a high level of building and roof articulation, all of which will assist in mitigating the perceptions of scale.
- The site's shape, topography and the functionality of the retirement village limits the front door presence to both Kohimarama Road and John Rymer Place. The retention of the existing Oak tree and Pohutukawa trees will retain the existing character along the Kohimarama frontage which is positive. The proposed vehicle access and the sky bridge pedestrian entrance combined with the proposed building design will provide adequate activation and opportunities for passive surveillance, which will contribute to the existing street environs. Along John Rymer Place, the main entrance is clearly marked by the feature brick wall / signage.
- The proposal includes the retention of existing native planting along John Rymer Place interface and new planting mix in front of podium / blank walls / lower levels of podium buildings facing this interface. Until such time as the new planting is established to a level where they can screen the blank walls and lower levels, the proposed bulk and the higher height can have a visually imposing presence to neighbours along this interface, when viewed in the expanse of the proposed buildings.

Further Information

The Assessment of Environment Effects outline provided refers to a number of assessment including Urban Design Assessment, and Landscape and Visual Effects Assessment but not included in the application. From an urban design perspective, as the subject site is proposed to be of a scale and bulk higher than anticipated amidst the established residential environment including significantly high retaining walls, further information needed to demonstrate the relationship of the proposed buildings to the adjoining residential neighbours. These shall include,

- Urban design assessment;
- Cross sections and perspectives showing levels, interface response, retaining and planting strategy across the site and its adjoining neighbours along the southern interfaces;
- Retaining wall plan and sectional details both internal and external to the site;
- Shading analysis comparing the effects of a complying and infringing height / bulk; and
- A comprehensive signage strategy is important in relation to pedestrian and vehicle entrance, access and wayfinding.

NOTICE OF MOTION

ŌRĀKEI LOCAL BOARD FEEDBACK FOR A PROPOSED RETIREMENT VILLAGE AT 223 KOHIMARAMA ROAD, AUCKLAND

In terms of clause of 7.1 of the Ōrākei Local Board's Standing Orders, please place the following Notice of Motion on the agenda for the Ōrākei Local Board's business meeting to be held on 17 September 2020.

Executive summary:

1. To report the Board's feedback on a proposed retirement village development at 223 Kohimarama Road, Auckland for formal endorsement.

Recommendations:

That the Ōrākei Local Board:

- a) endorse its feedback on the proposed retirement village development at 223 Kohimarama Road, Auckland.

Discussion:

2. On 18 August 2020, feedback was submitted to Auckland Council planners on behalf of the Ōrākei Local Board on a proposed retirement village development at 223 Kohimarama Road, Auckland for the Governing Body's consideration when making a decision on the resource application as per section 15(2)(c) of the Local Government (Auckland Council) Act 2009 (LGACA).
3. Following the above submission, the Ōrākei Local Board were called upon by the Ministry of Environment, through Auckland Council planners to comment and assess the application under the COVID-19 Recovery (Fast-track) Consenting Act 2020. An updated feedback document was submitted to Auckland Council planners on 3 September 2020.
4. We requested the Council planners withdraw the 18 August 2020 submission and receive the submission dated 3 September 2020.
5. Attached to this report is a copy of the 3 September feedback for the Board's formal endorsement.

Author and signatory:

David Wong
Ōrākei Local Board Member
7 September 2020

Seconded by:

Colin Davis
Ōrākei Local Board Member
7 September 2020

25 St Johns Road

St Johns

Auckland 1072

3 September 2020

**FEEDBACK FROM THE ŌRĀKEI LOCAL BOARD
ON A RESOURCE CONSENT APPLICATION FOR A RETIREMENT VILLAGE AT
223 KOHIMARAMA ROAD, AUCKLAND.**

Introduction: Board responsibilities and operation

1. Although this application is being processed under the Resource Management Act 1991, the Ōrākei Local Board notes that under the Local Government (Auckland Council) Act 2009 (LGACA), the Governing Body before making a decision described in section 15(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 its local board area”.

2. Under section 10 LGACA, the role of local boards, is set out as follows:

“A local board must be established for each local board area for the purposes of—

(a) enabling democratic decision making by, and on behalf of, communities within the local board area; and

(b) better enabling the purpose of local government to be given effect to within the local board area.”

3. The Purpose of local government under s 10(1) of the Local Government Act 2002 is to

“(a) to enable democratic local decision-making and action by, and on behalf of, communities; and

(b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.”

4. Should the matter proceed to a hearing by commissioners, the Board requests the right to speak at the hearing on the points below:

General Comments about Large Scale Development Applications

5. Local Boards across the region are facing challenges with ensuring developers comply with the new generous provisions of the Unitary Plan. Some will naturally test the Unitary Plan interpretations to give them the best commercial outcome. The Unitary Plan sets out clear zoning and height regulations under section H4 (Mixed Housing Suburban) and H5 (Mixed Housing Urban). The challenge for commissioners, if appointed, and the Council is when infringements are allowed, for example, to exceed the stated regulated heights, a precedent is set for other developers to then use to justify their future projects and proposals to this level, and thereby further endorse the "contraventions".

6. The Ōrākei Local Board advocates strongly for the integrity of the Unitary Plan to remain and for the Council to ensure that serious infractions will not be permitted/approved. What is decided and approved now in terms of zoning, height, height in relation to boundary, and other aspects of the Plan will determine what can be accepted in future.

7. Overall, the Board is not opposed to new developments provided they fully comply with all standards in the Unitary Plan. But the Board is opposed to infringement of the Plan. The Unitary Plan enables far more generous development opportunity than the previous district plan. And therefore, the way applicants respond to the Plan and the way planners assess infringements of it must also change.

8. Following on-going concern within the community, the Ōrākei Local Board has advocated very strongly for the Council's planning department to process applications in a way to ensure the development provisions set out in the Unitary Plan are treated as intended, and not treated as flexible provisions or guidelines which can be exceeded.

9. In this regard, the Ōrākei Local Board has requested greater evidential standards, particularly for any high-rise developments in residential areas. In December 2017 it resolved:

- a) *That the Director of Regulatory Services be requested to ensure that planning officers processing planning consents irrespective of size and type of application, exercise their statutory powers to check all evidentiary information provided by applicants for planning consents, including requesting any further information such as a theodolite report to ensure the following information is provided:*
 - 1) *Clear spot levels at crucial points around the relevant section i.e. on the boundary adjacent to the proposed building's edge, and around the proposed building's footprint.*
 - 2) *Overall spot levels to give an accurate measure for any cut and fill that may take place.*
 - 3) *Existing boundary lines in relation to existing fencing structures.*
 - 4) *All existing structures and their floor levels and ridge line levels.*
 - 5) *Clear measures from the boundary line to the proposed buildings on all sides and at the crucial points.*
- b) *That a copy of resolution a) be circulated to all local boards.*

OR/2017/244

Concerns about this Application

10. The proposal is to establish a comprehensive care retirement village on the Site. The Proposed Village is intended to provide a full range of elderly housing options on the

Site, comprising independent living apartments, assisted living suites, and rest home care (including higher level care and dementia care).

Height, height in relation to boundary

11. The Board is most concerned about significant height infringements in the application and the negative affect of these on community well-being. The community has reason to expect a built environment of no more than three stories in this MHU Zone area.

Objective 2 of the MHU zone states:

*“Development is in keeping with the neighbourhood’s planned urban built character of **predominantly three-storey buildings**, in a variety of forms and surrounded by open space”.*

12. The Board has reproduced the table of the infringements (page 40-41 AEE) of the subject site:

	Proposed Height	Proposed storeys	Building Height Infringement	Height in relation to boundary
Building 01	21.4m	6 storeys	10.4m	
Building 02	21.2m	8 storeys	10.2m	2.2m by 2.5m
Building 03	17.1m	5 storeys	6.1m	
Building 04	21.0m	8 storeys	10m	2.2m by 2.1m
Building 05	17.6m	4 storeys	6.6m	
Building 06	21.4m	7 storeys	10.4	
Building 07		Pedestrian access - basement to podium B07 to B01 via 2.2m tunnel		

13. Six of the seven buildings 1 through to 6 will exceed 3 storeys. This will have a significant adverse effect on the social, environmental, economic and amenity values of the local community.

14. Although it is concluded that the resource consent applications for the Proposed Village can be processed on a limited notified basis to the 12 properties identified above in accordance with Sections 95A – 95E of the RMA (page 91 AEE) – the Orakei Local Board would expect a public consultation so all stakeholders within John Rymer Place and the wider community have an opportunity to express their views.

15. The Orakei Local Board have maintained a consistent view with regards to Height infringements and will continue to follow the guideline principles of the AUP.

16. Over the past few years there have been several major developments where the Board has re-emphasized its views and principles with regards height, bulk and impact on the surrounding environment as listed below: -

- Summerset Retirement Village – St Johns Road
- Oceania Retirement Village – Waimarie Street
- Mission Bay Shopping development – Patteson Ave/ Marau Crescent
- Stonefields apartment building

Impact on Traffic on Kohimarama Road and John Rymer Place

17. Traffic along the local arterial route Kohimarama Road (in conjunction with John Rymer Place) is increasing and capacity is being stretched; management of these roads continues to be a challenge. Building a 296-unit complex with an integrated 24/7 business activity and staff and servicing requirements in this largely residential area will more likely create significant additional traffic movements in this area, and place further demands on the already congested Kohimarama Road artery.
18. The Board's view is that considerable increases in traffic movements will adversely impact the surrounding residential street neighbourhoods in Kohimarama, such as on John Rymer Place, Allum Street, Hopkins Crescent. The intersection of Kohimarama Road and John Rymer itself is of high volume and subject to car accidents and near misses.
19. The proximity to Selwyn College is also worthy of profiling with increasing roll and therefore traffic flow on effects – the area will become one of significant volume congestion. St Thomas primary school is also building new classrooms to accommodate an increasing roll. This ultimately adds to the chaos during drop off and pick up times.
20. It is also key to point out that there are several apartment blocks due to be built on Kepa Road (Outlook Mission Bay; The Ridge) and other blocks already completed opposite Eastridge which will add cumulative traffic impacts.
21. The Board has been advocating to Auckland Transport and the Governing Body for budget in the Long Term Plan for a walking and cycling link from Gowing Drive (also known as the One local board initiative -OLI) to the Glen Innes to Tamaki Drive shared pathway. One of the key considerations and drivers for this initiative is that has the potential to remove vehicles and requisite trips off St Johns and Kohimarama arterial roads and create an access way for shared path users and for St Thomas's School and Selwyn College students.
22. However, with Covid 19 and Emergency budget restrictions – the benefits of this initiative may not be realised for some time. The Gowing Drive initiative could save up to 600 vehicle trips on the St Johns Road and Kohimarama Road arterial roads. This would alleviate the additional traffic brought on with the retirement village proposal.
23. Another facet to the Gowing Drive initiative was to develop a northern ingress/egress through John Rymer Place. There is still design, planning and evaluation assessment to be completed – but the complexity now of John Rymer Place becoming a more important arterial route is pushed forward with the need of vehicles to access the retirement village

and the potential for vehicles to park on entering to the access way for the GI-Tamaki Drive link.

24. Existing traffic volumes outlined in the AEE page 36 were taken in August 2018 and would be considered outdated. The peak period volumes per the Commute Transportation Assessment were taken in July 2019 and again would need to be updated.
25. The Local Board are also concerned under 4.2.15 that it states a resource consent is not required for trip generation and integrated transport assessment addressing the effects of the proposed village on the wider transport network is not necessary. Kohimarama Road as noted in the previous sections is one of the busiest arterial routes in the eastern suburbs. Container trips and other large vehicles from the Ports of Auckland have also been on increase along this route – and the OLB have been vocal to change this travel gateway.

Carparking

26. We note on page 2 of the AEE there are 192 car parks allocated across the 98 care rooms, 75 assisted living suites, and 123 apartments.
27. We are not clear on the staff to retirement resident allocation of car parks and whether there are enough to cater for the village occupants, workers, and visitors.
28. The insufficiency will lead to a spill out of parking to John Rymer Place, Kohimarama Road and neighbouring streets which will cause more congestion and vehicular build-up.
29. In an environment where bicycles have been advocated and the emergence of e-bikes has been appealing to the older generation – we question whether 15 bicycle parks is sufficient.

Stormwater – diversion and discharge

30. We note under paragraph 4.2.4 reference to discharge of stormwater to an existing stormwater network (being the stormwater network that conveys stormwater under John Rymer Place and discharges to a tributary of the Pourewa Creek).
31. The Board are concerned that a 290-unit complex will discharge stormwater beyond the tributary capacity of Pourewa Creek. We would need to note the analysis of Healthy Waters advocating this proposal.

Planning Objectives and Cumulative effects of the Multiple Infringements:

32. Considerable value is placed by the local community on mitigating adverse effects from activities such as height, stormwater management and intensification, and the cumulative effects from resource management 'creep' of infringing developments. The Board's view is that if infringements are allowed above the stated regulated heights a precedent is set for other developers to advocate and justify their future projects and proposals to this level.

33. As already stated, the Unitary Plan sets out clear zoning and height regulations under section H4 (Mixed Housing Suburban) and H5 (Mixed Housing Urban). The Ōrākei Local Board advocates strongly for developments to comply with those standards to retain cumulative integrity of development under the Unitary Plan.
34. The Board has successfully advocated for a precautionary approach regarding other nearby high-rise developments. For example in 2017, Commissioners agreed with the Board's views regarding the proposed Todd Property development of an apartment complex in Stonefields which would have exceeded the Unitary Plan's height limits and have a negative impact on the surrounding area and the Stonefields Heritage Trail. The Commissioners rejected the application to exceed height limits along the southern perimeter of Stonefields.
35. The Ōrākei Local Board's view is that this development must be considered with the cumulative development activity in the overall area and the consequent impact on our communities. This means our communities are receiving significant change to their built environment. There are several major developments, proposed and underway, in the Ōrākei Local Board's area. These include:
- Housing NZ and SHA developments in Orakei/Meadowbank
 - Ōrākei Point – Ōrākei Village
 - Kepa Road apartments
 - Caughey Preston – Upland Road
 - Corran School – Remuera Road
 - St Kentigners Girls school complex – Shore Road

Conclusion

36. Given the number of and significant infringements proposed with this development, the Ōrākei Local Board does not support the proposed development as submitted for the reasons set out in this paper. However, the Board would not necessarily be opposed if the development fully complies with all the standards in the Unitary Plan.
37. What the Ōrākei Local Board seeks:
1. Public notification
 2. If the recommendation is to approve the application, the following should be required:
 - a. That Buildings 1 to 6 are substantially lowered and reduced in bulk to be more in keeping with the residential character of neighbourhoods in Kohimarama Road, John Rymer Place and outlying suburban areas,
 - b. The applicant should work with Auckland Transport to provide a full technical analysis of the traffic impacts of the proposal, in particular, of turning in and out of the site, through John Rymer Place and Kohimarama Road; and proximity to two major schools – Selwyn College and St Thomas
 - c. Stormwater evaluations be undertaken with the collaboration and understanding of Healthy Waters those outflows affecting Pourewa Creek

David Wong – Member of Orakei Local Board

On behalf of Orakei Local Board

From: s 9(2)(a)
To: [Fast Track Consenting](#)
Subject: FW: COVID-19 Recovery (Fast-Track Consenting) Act 2020 - Comments sought
Date: Wednesday, 16 September 2020 12:08:06 pm
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image010.png](#)
[Kohimarama Comprehensive Care Retirement Village - Consultation Letter - Ngati Whatua Orakei Trust.pdf](#)
[Ngati Whatua Orakei Whai Maia Ltd Ryman 223 Kohimarama Road.pdf](#)

MFE CYBER SECURITY WARNING

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Kia ora

Jamie Sinclair has passed this application to me for reply.

I can confirm that the applicant has been in communication with us and that we are happy for the application to proceed subject to the agreed terms. A copy of these terms is attached (letter Jess Hiscox 22 May 2020).

Hei kona mai i roto i nga mihi

Andrew Brown

Kaiwhakahaere kaupapa-a-iwi | Planning Manager

s 9(2)(a)



**NGĀTI WHĀTUA
ŌRĀKEI**

Ngati Whatua Orakei Whai Maia Limited
230 Kupe Street, Orakei, Tāmaki Makaurau 1071
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From:
Sent: Thursday, 27 August 2020 5:28 PM
To: Jamie Sinclair s 9(2)(a)
Cc: s 9(2)(a)
Subject: COVID-19 Recovery (Fast-Track Consenting) Act 2020 - Comments sought

Tena koe Jamie

Please find attached letter in relation to the COVID-19 Recovery (Fast-Track Consenting) Act 2020.

A copy of the application can be downloaded from the below link:

s 9(2)(b)(ii)

Please let us know if you have any issues with this link.

Naku noa, na

Fast-Track Consenting Team

Ministry for the Environment – Manatu Mo Te Taiao

Email: fasttrackconsenting@mfe.govt.nz, website: www.mfe.govt.nz

23 Kate Sheppard Place, Wellington 6011



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NGĀTI WHĀTUA ŌRĀKEI

www.ngatiwhatuaorakei.com

22 May 2020

Tēnā koe e Andrew

On behalf of Ngāti Whātua Ōrākei Whai Māia Ltd, I am writing to confirm our approval of the Ryman development at 223 Kohimarama Road. They have appropriately considered our Te Pou o Kāhu Pōkere, Iwi Management Plan (2018).

The goal for Ngāti Whātua Ōrākei is to ensure all activities are environmentally restorative and reflect our kaitiakitanga and guardianship roles in Tāmaki Makaurau. Therefore, the following recommendations were given as conditions of consent.

Kaitiakitanga

The Māori concept of kaitiakitanga relates to guardianship and conservation. It is about wise and enduring use, and as kaitiaki, we have a responsibility to past and future generations. In line with our iwi management plan (4.1-4.9) there should be acknowledgement of and support for Ngāti Whātua Ōrākei values. Our General manager of transformation Jamie Cook must be contacted regarding employment opportunities to ensure Ngāti Whātua Ōrākei can actively exercise kaitiakitanga (outcome 5).

Cultural heritage

In line with our iwi management plan (4.74-4.90) Ngāti Whātua Ōrākei want to ensure that Ngāti Whātua Ōrākei sites of significance, and our relationship with those sites, are maintained or enhanced (outcome 31). Our cultural and Environmental lead Kingi Makoare must be contacted to arrange appropriate cultural monitoring and cultural design for this development.

Water (stormwater + discharge)

In line with our iwi management plan (4.48-4.68), Ngāti Whātua Ōrākei wishes to ensure that the management of stormwater and wastewater are of the highest possible standard. Water should be managed, and where necessary restored, to maintain or enhance mauri and to protect ecosystem, amenity, and mana whenua values (outcome 21). Therefore, this development must have:

- Sustainable (low impact) design practices for the management of surface water runoff (outcome 22).
- No discharge of untreated surface water from site (outcome 23).

Vegetation removal/ terrestrial biodiversity

As this development is on our rohe, Ōkahu Rākau, our Landscaping Team, must be provided the opportunity to tender for any intended weeding / plant supply/ planting / bush maintenance work. Being engaged in such work is a very tangible way for us to express our kaitiakitanga in our rohe.

Regarding terrestrial biodiversity and vegetation removal, in accordance with our Iwi Management Plan (4.30-4.36) this development must:



- Incorporate green design to maximise ecological and indigenous biodiversity values of the site, including food sources for native birds and, where possible, habitats for native animals.
- Result in an increase, or as a minimum no net loss of native vegetation (outcome 13).
- Give priority to the establishment of native species (outcome 14).
- Use appropriate variety in companion planting to enable the establishment of functioning ecosystems. Where possible, planting should include cultural resources such as harakeke, kiekie etc (outcome 15).
- Ensure new native planting will come from locally sourced stock that is suited to the habitat (outcome 16).
- Undertake chemical free pest control, weeding and maintenance programmes where possible. These programmes should not damage the wider environment, allowing for safe harvesting of animals and plants for consumption and wider use (outcome 17).

Zero-waste policy

Ngāti Whātua Ōrākei supports the Auckland councils headline policy in creating a zero-waste city by 2040. The construction industry is the New Zealand's largest user of natural resources and produces huge amounts of waste. Ngāti Whātua Ōrākei wishes to see a shift towards waste reduction and better resource husbandry, as stated in our Iwi Management plan (4.37-4.47). Therefore, this development must have a construction waste management plan (outcome 20).

Hei kōna mai i roto i ngā mihi



Jessica Hiscox
Environmental and Sustainability Partner
Ngāti Whātua Ōrākei, Whai Māia Ltd
email [REDACTED] s 9(2)(a)

