

10th June 2021

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

Dear Minister Parker,

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 (FTCA).

The application is made by Urban Resort Limited and Icon Co Pty (NZ) Limited and is located at 224 Great South Road and 53, 53A, 49-51 Omahu Road, Remuera (Lot 1 DP 146628, Lot 4 Deeds Reg 308, Lot 5 Deeds Reg 308, Lot 2 DP 53665, Lot 3 DP 53665 and Lot 2 DP 146628).

Having reviewed the proposal material provided, Auckland Council provides the following key points:

- Watercare Services Limited (WSL) has identified capacity constraints in terms of both water supply and wastewater to service the development. Related to this, there are constraints in terms of potential options for future upgrades, noting the downstream network includes a motorway and railway crossing. A robust capacity and asset assessment will be necessary in identifying the extent of upgrades to support the proposed activities.
- Auckland Transport and Council's Traffic expert has outlined a series of matters which are required to be canvassed in a detailed and comprehensive transportation assessment. This is in context of the location of the site and associated access points being in proximity to the intersection and the presence of the arterial road.
- Healthy Waters has identified preliminary areas of clarification that are required. It is identified that there is downstream flooding and capacity constraints. A comprehensive assessment and mitigation must be provided.
- With the level of information provided at this stage, a conclusion could not be drawn in terms of the extent of the effects from a planning perspective. The matters range from the reduction of amenity of persons in the immediate locality, economic viability noting the introduction of commercial in the THAB zone in proximity to the centre, and construction related effects (noise, vibration, traffic). Additional consenting matters have also been identified and can be found in attachment 1 (Planner Memo). It is also recommended that, should the proposal be considered by an expert panel, it is recommended that draft management plans (noise, construction, construction traffic) are reviewed, and not left to conditions of consent.
- In terms of urban design and landscape, whilst there is further detail to be provided, the proposal is supported. In particular, the proposed heights of the buildings respond to the different street environments of Omahu and Great South Road and can be accommodated into the site. The Council also supports the proposed publicly accessible laneways and open spaces.
- In relation to acoustic matters, it is expected that appropriate mitigation can be achieved. However, there are a range of matters (construction noise and vibration, operational noise, reverse sensitivity) to be canvassed and requires addressing, which is outlined in attachment 8.

- Council Parks have sought clarification on the proposal on whether the proposed open spaces are to be intended to be vested to Council.
- The Local Board has outlined their opposition to this proposal being considered under the Fast-Track legislation. Specific to the proposal before us, the concerns relate to height and its associated effects, the extent of the commercial activity and traffic.

The full commentary provided by the asset owners and Council experts are included in this response as attachments 1-10.

I also note the following is an outline of the responses to the specific questions raised to Council.

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

Auckland Council has had a number of pre-application discussions with the Applicant over the last 6-month period. Council's recommendation to the applicant throughout Council's pre-application process was that an application should be made on a publicly notified basis. This recommendation was made in consideration of the varying adverse effects (including amenity, mix of uses, construction and traffic that are likely to have "more than minor" adverse effects upon the wider environment and at least "minor" adverse effects upon any specific person(s)). Whilst there is some concern raised in individual feedback, in overall terms, we consider that the proposal can be progressed through the fast-track process.

The issues in relation to specific infrastructure servicing requirements, such as water and wastewater, also require close collaboration with asset owners to resolve. If this application progresses through the FTCA process it would be beneficial for the applicant to continue to engage with Watercare and Healthy Waters to resolve servicing issues prior to lodgement with the EPA.

2. *Do you believe that the applications will result in any adverse effects which would be considered significant?*

Based on the specialist feedback provided by the experts and asset owners, there are significant adverse effects likely due to the capacity of water supply and wastewater in the locality. Further discussions between Watercare and the Applicant are suggested to resolve these matters.

3. *Does the Council have any specific comments on implementation of the National Policy Statement on Urban Development 2020 (NPS UD) as it relates to these sites?*

As outlined in the assessment provided in Attachment 1, the Council considers the current proposal to be generally consistent with the outcomes envisioned in the NPS UD.

4. *What reports and assessments would normally be required by the council for projects of this nature in these areas?*

A full list of the technical reporting and assessment that Council would require in assessing this application is included in the planning memo included as attachment 1.

5. *Do the applicants, or a company owned by the applicants, have any environmental regulatory compliance history in your region?*

The Council has not identified any environmental regulatory compliance history for the applicant. A review of the compliance history has been undertaken, and the outcome is included in attachment 1.

I trust the response as outlined above is of assistance. Should you have any queries, please feel free to contact me.

Yours faithfully,



Ian Smallburn
General Manager – Resource Consents
Auckland Council

Enclosed:

- Comments from asset owners being, Auckland Transport, Watercare, Healthy Waters and Parks
- Comments from Council experts for planning, urban design, landscape, noise and traffic
- Comments from Albert-Eden Local Board

Specialist Response - Planner

From: Nicholas Simpson, Senior Planner, Auckland Council

Date: 10th June 2021

Overall Conclusion:

Having reviewed the referral package provided to the Ministry for the Environment ("MfE"), I am of the view that this application should be more appropriately considered through existing Resource Management Act 1991 ("RMA") processes rather than under the provisions of the Covid-19 Recovery (Fast-track Consenting) Act 2020 ("FTCA"). The reasons for this recommendation are as set out below, whilst providing supplementary commentary to the questions raised in consultation letter provided to Auckland Council dated 25th May 2021:

Question (2): "Do you believe that the applications will result in any adverse effects which would be considered significant"?

Based on the discussion that have been raised by several specialists, particularly the relevant asset owners, and taking into account the information that is understood to be forthcoming, it is considered that there is a potential that the application may result in "*significant*" adverse effects upon the environment, inclusive of any specific person(s) that includes the respective utility operator. The key areas of contention are outlined below:

- *Residential Amenity:* With consideration to the adverse effects upon residential amenity values upon any specific person(s), there are two key components that are fundamental in the assessment. These are detailed below:
 - *Use:* The application includes the establishment of several uses, being a mix of dwellings, commercial, and retail activity. With specific regard to the proposed dwellings component of this application, it is considered that the nature of this activity is reasonably anticipated within the context of the underlying zone being Residential – Terrace Housing and Apartment Building ("THAB") Zone from a general amenity perspective, particularly with regards to consideration upon aural amenity. Typically, the establishment of residential activity on residentially zoned sites will achieve the maximum noise limits set out within Section E25 – "*Noise and vibration*" under the Auckland Unitary Plan (Operative in Part) ("AUP(OP)"). In the context of this proposal, there are activities that are not provided for within the THAB Zone, which involve an approximate Gross Floor Area ("GFA") of 1,900m² of non-residential floor space. These activities may introduce adverse effects, such as noise and other effects on residential values, over and above that which would typically be anticipated for a site zoned residential. This is a non-complying activity under Rule H6.4.1(A1). The introduction of commercial, retail, and other uses such as a recreational facility may introduce adverse noises over and above the limits prescribed within Standard E25.6.2 Maximum noise levels in residential zones, which define the level of noise that would be reasonably anticipated and enabled as a permitted activity under the AUP(OP). This is supported by the memo provided by Auckland Council's Specialist, Mr Andrew Gordon, who similarly notes that there is a potential for noise exceedances within adjoining residential sites around the Great South Road and Omaha Road corner during night-time periods. There is limited assessment surrounding the operational noise component of these commercial activities, and any associated mitigation required, to ensure that the effects upon the aural amenity of any nearby person(s) is no greater than the threshold otherwise reasonably anticipated by the AUP(OP). It is recognised that the acoustic report has indicated that consideration around people noise, amplified music, outdoor

services, mechanical servicing, hours of operation, and internal noise insulation is required, but it does not go as far to provide calculations of predicted levels or recommendations on suggested mitigation measures to manage and minimise any noise experienced by any nearby person(s). This would be the level of detail required as part of the resource consent application to help support a conclusion around the reasonableness of the operational noise component of the proposal. Notwithstanding the consideration of adverse noise effects in isolation, further assessment is still required around general amenity and whether the nature, and associated scale, of the proposed activities within the underlying zone gives rise to an outcome resulting in unacceptable adverse effects upon the residential amenity values of any nearby person(s).

- *Development:* In addition to the assessment above, further consideration is required around the reasonableness of the built form that has been proposed and how it fits in the context of the planned context as part of the THAB zone. Firstly, I acknowledge the memos provided by Auckland Council's Team Leader, Design Review, Mr Chris Butler, and Principal Landscape Architect, Ms Ainsley Verstraeten, and have also considered their specialist feedback in undertaking my assessment. With specific consideration to the proposed height infringements, I acknowledge that the applicant has sought to internalise the concentration of the additional bulk centrally within the subject site to minimise the extent of visual dominance experienced by any nearby person(s). In this regard, I rely upon Ms Verstraeten's finding that the site maintains the ability to potentially absorb the additional height that is proposed, subject to further information to demonstrate how the development will sit within its context and finalised drawings for the proposed elevations as the renders that have been presented to date have been indicative of a façade strategy that could be implemented.

As part of the assessment approach, I consider that the applicant has emphasised a reliance upon Standard H6.6.7 Alternative height in relation to boundary ("AHIRB") within the Residential – Terrace Housing and Apartment Buildings Zone as the metric that defines the extent of built form that would be reasonably anticipated within the THAB Zone. I do not consider that this is the case, noting that the use of the AHIRB requires consent under Rule H6.4.1(A34) as a restricted discretionary activity. There are three matters of discretion that are included under the use of this rule, involving consideration of visual dominance effects; attractiveness and safety of the street; and overlooking and privacy. Conceptually, the planned context of a site is defined by a combination of the standards that would be able to be complied with for an application to be determined as a permitted activity. In this regard, Standard H6.6.6 Height in relation to boundary ("HIRB") is the metric that can be relied upon, in conjunction with all other zone standards, as defining the planned context for the subject site. Whilst recognising that the application has been prepared to comply with the AHIRB, I do not consider that this results in a scenario where the adverse effects are "*less than minor*" as a default position, notwithstanding H6.5(1)(c) as the proposal is bundled with other resource consent(s) and reasons for consent. In the absence of finalised elevations, I cannot conclude whether the degree of adverse effects experienced by any person(s) adjoining the external boundaries will be "*less than minor*". I recognise that mitigation has been outlined in that they have adopted increased setbacks along the north-western and southern boundaries, which includes what appears to be landscaped treatment that includes a mix of specimen trees and other planting. Notwithstanding, I would be interested in also understanding how the building lengths are proposed to be broken down by the proposed articulation strategies and whether any mitigation measures have been explored to minimise any actual and perceived privacy effects, such as the likes of louvres, windowsill heights, and glazing sizing. Given their lengths and positionings, I would be looking very closely at buildings "A" & "G".

One point of distinction that is warranted in consideration of the assessment provided is that the THAB zone is that there is a certain acceptance that it is a zone of higher intensity and that there is recognition that “*sunlight access*”, and direct shadowing that would eventuate as a result, is not a matter of concern for the zone, noting its eventual transition towards more intensive redevelopment otherwise required by the supporting policies¹. In this situation, the assessment framework makes the distinction that consideration is required around “*daylight access*”, which is more about indirect light availability during daylight hours rather than the direct “*sunlight access*” outside of situations where a site may adjoin a lower intensity zone which does not apply in the context of this assessment. Therefore, whilst acknowledging the shading illustrations provided are somewhat useful it is not considered to be a relevant consideration as part of this assessment.

- **Economic Effects:** As per the above, the proposal involves the establishment of approximately 1,900m² of commercial / retail activity throughout the masterplan. It is recognised that the applicant has scaled back the amount of non-residential activity proposed throughout the development as part of the processing of Council’s pre-application meeting process, however no assessment has been provided to understand whether this outcome will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone². An Economic Impact Assessment (“EIA”) is required to understand whether the market can support the commercial / retail activities proposed. This would be required to be peer reviewed by a suitably qualified and experienced economist, familiar with the RMA and associated case law, to ascertain whether the quantum of non-residential GFA is acceptable in this location and will not give rise to significant adverse effects.
- **Traffic Effects:** Assessments have been undertaken by both Auckland Council’s Principal Traffic Engineer, Mr Vinh Bui, in conjunction with Auckland Transport’s Principal Development Engineer, Ms Sarah Jaff. It appears that the Traffic Impact Assessment (“TIA”) that has been provided is reasonably preliminary at the time of lodging the referral with MfE with the applicant acknowledging that a full TIA will be provided. Mr Bui has generally identified several information gaps that are required to be provided upon lodgement of the application. Ms Jaff has provided a reasonably extensive assessment that includes areas of further assessment and concern surrounding the adverse effects upon the wider transport network. I defer to the memos provided by Mr Bui and Ms Jaff, but also seek to outline that consideration is also required around adverse traffic effects upon the amenity of any nearby person(s). One area of concern in this space relates to the degree of queuing that may be experienced along Omaha Road, specifically acknowledging that this is proposed to be utilised as the primary access for the development.
- **Effects on the Notable Pōhutukawa Tree:** There is a scheduled Pōhutukawa located at 53 Omaha Road, which is proposed to be located at the edge of the proposed vehicle crossing and ramp that is to provide access into the basement area. No arborist report has been provided at this point in time, nor any input provided on behalf of the Council, in order to understand whether the extent of alteration works, in conjunction with the ongoing use of the vehicle access into the basement floor, are within the tolerance levels so as to ensure the long-term retention of this tree.
- **Infrastructure & Servicing Effects:** Assessments have been provided by Ms Maree Gleeson, Consultant to Auckland Council’s Healthy Waters (“ACHW”) department in conjunction with Watercare Services Ltd.’s (“WSL”) Technical Lead Engineer, Mr Tarso Girio, on behalf of

¹ Policy H6.3(2); and

² Policy H6.3(9)(d)

the network utility operators. In summary, there are potentially significant issues upon the wastewater, water supply, and stormwater networks from an infrastructure capacity perspective that require further resolution and discussion with each respective network utility operator. I defer to each supporting memo provided by Ms Gleeson & Mr Girio.

- **Groundwater Effects:** As part of the supporting geotechnical assessment, the applicant has identified an indicative level of the underlying groundwater table and has confirmed that a water permit for groundwater diversion and potentially associated dewatering would be required as part of the scope of this application. No assessment has been provided to understand what the anticipated adverse effects upon mana whenua values, settlement effects, effects on any nearby water body(s), existing groundwater users, etc will be.
- **Construction Noise & Vibration Effects:** The applicant has identified that there will be non-compliances to the relevant construction noise and vibration limits, being standards E25.6.27 & E25.6.30, under the AUP(OP). This is supported by the memo prepared by Mr Gordon, who also reiterates the likelihood for noise and vibration exceedances at nearest neighbouring buildings even with best practice mitigation in place. To understand how noise and vibration is to be managed, the Council have an expectation for a construction noise and vibration management plan ("CNVMP"), at least in draft form to be finalised upon commencement of consent and required as part of pre-commencement conditions, be provided upon the lodgement of the application. The applicant has suggested that this would be provided as condition of consents for the implementation and preparation of a CNVMP. This is not an acceptable approach as a means of understanding how construction noise and vibration effects are to be managed. Further to the commentary provided by the applicant and Mr Gordon, I also note that the degree of adverse noise and vibration experienced by any specific person is dependent upon their individual circumstances. In this instance, the applicant has specifically identified what are more sensitive land uses surrounding them, which would be requiring additional mitigation during works. This includes the audiology facility at 232 Great South Road.
- **Construction Effects:** The applicant has expressed an intent to stage the works, which will occur across a duration greater than the 24-month period that is enabled, and otherwise anticipated, under the AUP(OP). It is understood that the estimated construction period for the project will be up to 36 months and will consist of three stages. In this regard, the entirety of construction related effects, inclusive of construction traffic and general construction, is up for consideration. Whilst recognising that there will be adverse effects of a localised nature, specifically the extent of disturbance to any nearby person(s), there will be wider network effects with relation to construction traffic, both associated with earthworks related movements and other general construction traffic to and from the site. No assessment, nor identification of this activity forming part of the required reasons for consent, has been provided by the applicant to understand the scale of adverse effects this may have upon the environment.

Question (3): "Does the Council have any specific comments on implementation of the National Policy Statement on Urban Development 2020 as it relates to these sites"?

Overall, I consider that the proposal is consistent with the objectives and policies outlined within the National Policy Statement on Urban Development ("NPS; UD") 2020. I concur with the identification made by the applicant around the applicability of Objectives (2) and (6). I also concur with the relevance of Policy (1), but also seek to include reference to Policy (1)(d), which seeks to "support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets". In a residential sense, I take no issue with the proposal in relation to this policy, but query whether issues may be presented with the scale of non-residential activity that has been proposed and the adverse effects potentially introduced upon

the ability of nearby centres to accommodate such a range of uses to support its vitality. With specific consideration to Policy (6), it is appreciated that there is acknowledgement that decision makers must have particular regard to the planned outcomes enabled under the relevant RMA planning documents as a means of giving effect to the NPS;UD. Given the site's underlying zoning, being of a scale and anticipated built form commensurate with the intensity envisaged under the NPS;UD, I have no doubt that the proposed outcome is consistent with Policy (6)(a). Of relevance in consideration of this assessment is surrounding the applicability of Policy (6)(b). My reading of this policy suggests that there is further recognition between the existing environment and planned context for the zone. In this regard, I am of the view that this Policy helps support guide consideration around the acceptability of the built form proposed, where viewed in the context of what would be reasonably anticipated for the subject site. The only observation that I have in this space is the fact that this does not necessarily translate to an outcome that would otherwise preclude or predetermine an outcome around notification for the built form aspect of the application, particularly in the case of this proposal where the applicant is pushing the boundaries around what would be a development form reasonably anticipated for the subject site.

In recognising the NPS;UD direction for the removal of car parking minimums in certain locations, there will be a change introduced once Auckland Council has implemented the relevant plan changes to remove car parking minimums for non-residential activities within the THAB zone. The applicant has demonstrated that 65 car parking spaces would be required for the commercial component of the applicant, which in theory would fall away upon the implementation of the NPS;UD. Whilst recognising the sites proximity to nearby public transport, the applicant has intended to provide a reasonable amount of car parks for the residential activity as this is dictated by market demand factors.

Question (4): "What reports and assessments would normally be required by the Council for projects of this nature in these areas?"

- Landscape Visual Assessment ("LVA");
- Geotechnical report (*Incl. supporting groundwater monitoring to determine whether a water permit is required*);
- Acoustic report;
- Infrastructure report;
- Arborist report;
- Typically an Integrated Transport Assessment ("ITA") would be required for a development of this scale and this location in recognising the arterial nature of Great South Road and the implications for the adverse effects upon the wider network;
- Economic Impact Assessment ("EIA");
- Contamination report(s), at least a Preliminary Site Investigation ("PSI") that may determine whether a Detailed Site Investigation ("DSI") is required. As part of the contamination reporting a Site Management Plan ("SMP") would also be required to understand what management procedures will be implemented throughout the duration of works so as to ensure that adverse effects upon human health are suitably avoided, remedied, and/or mitigated;
- Erosion & Sediment Control Plan ("ESCP");
- Landscape Planting & Management Plan;
- Draft Construction Traffic Management Plan ("CTMP");
- Draft Construction Management Plan ("CMP"); &
- Scheme Plans, which are inclusive of Staging Plans noting that the applicant has proposed to undertake a staged subdivision.

With specific consideration around the CTMP & CMP, often consents are granted on the basis that these management plans form part of the offered, and accepted, conditions of consent. In this instance, the Council considers that draft versions of these plans need to be provided upon

the lodgement of the application for peer review and assessment to understand how any adverse construction-related effects will be managed over the total duration of the project.

Further commentary:

There are a few minor additional comments that I seek to add conjunction with the comments outlined above. These are as follows:

- **Record of Title ("RT"):** There is an Encumbrance in favour of Auckland City Council relating to the amalgamation of the subject site that is referred to as 224 Great South Road. As part of the supporting title instrument the document refers to a condition that "*THE Encumbrancer covenants with the Council as follows: Not to transfer, lease, or otherwise dispose of any of the parcels of the Land independently of the other parcels of the Land*". Council officers query whether the proposed activity, particularly its subdivision component, are implicated by this title restriction and if this is required to be removed prior to the grant and/or commencement of these consents.
- **Reasons for Consent:** Acknowledging that the initial referral documentation is generally at a high-level, there were a number of reasons for resource consent that were not identified as part of the initial assessment that may be required in the context of this application:
 - For the disturbance of contaminated soils, subdivision of a piece of land, and changes of use, in the absence of a detailed site investigation, land use consent is required under National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health ("NESCS") Regulations 2011 as a discretionary activity under Regulation 11;
 - For dewatering or groundwater level control associated with a groundwater diversion authorised as a restricted discretionary activity under the AUP(OP), not meeting permitted activity standards or is not otherwise listed, a water permit is required under Rule E7.4.1(A20) under the AUP(OP);
 - For the discharge of contaminants onto/into land, containing elevated levels of contamination, that does not comply with the relevant controlled activity standards, a discharge permit is required as a discretionary activity under Rule E30.4.1(A7) under the AUP(OP);
 - For the undertaking of minor infrastructure upgrading of an existing wastewater line located within an overland flow path, which does not comply with Standard E36.6.1.13, land use consent is required as restricted discretionary activity under Rule E36.4.1(A55) under the AUP(OP);
 - For the undertaking of a unit title subdivision, comprised of two stages, a subdivision consent is required as a controlled activity under Rule E38.4.1(A4) under the AUP(OP);
 - For specific temporary activities that are not provided as a permitted activity in Rule E40.4.1(A20), being that the total duration of construction and any associated is greater than 24 months in this instance being approximately up to 36 months, land use consent is required as a restricted discretionary activity under Rule E40.4.1(A24) under the AUP(OP);
- **Application Form:** One minor comment in that a water permit is also required for groundwater diversion and/or associated dewatering, which is not identified on the application form that has been submitted as part of the referral package to MfE.

- *232 Great South Road, Remuera (LUC60372132)*: It is understood that Auckland Council are currently processing an application for resource consent(s) that involves the construction, and use, of a new apartment building. However, at the time of preparing this memo a determination on the notification and/or the outcome of this application has not been made. Therefore, the adverse effects of this application do not form part of the receiving environment.

Prepared by:

Name: Nicholas Simpson

Title: Senior Planner

Signed:



Date: 10th June 2021

Released under the provision of
the Official Information Act 1982

Asset Owner / Specialist Response

From: Tarso Luiz dos Santos Girio, Technical Lead Engineer, Watercare

Date: 04 June 2021

Overall Summary:

The proposal for a mixed-use development located at 224 Great South Road and 53, 53A, 49-51 Omaha Road, Remuera, Auckland, 1050, comprising of 4-7 storey buildings, includes:

- Approximately 205 residential units, and
- 1,901m² of supporting hospitality, small retail and recreation activities.

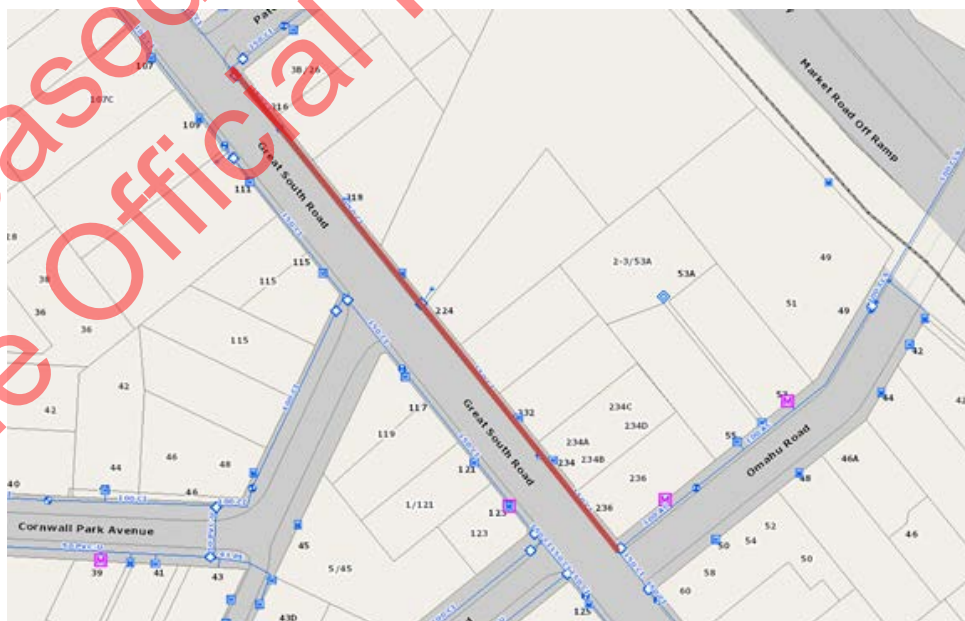
Watercare has reviewed the proposal in relation to the water and wastewater servicing for this development. There are capacity constraints in the local water supply network and potentially in the wastewater network. The wastewater network requires further investigation to determine the extent of upgrades required. The capacity constraints will need to be mitigated by the developer through public network extensions or upgrades, depending on the agreed solution.

Water supply: There are capacity constraints in the local water supply network, and upgrades are required.

Wastewater: There are potential capacity constraints in the wastewater local network that require further investigation through complete catchment analysis and asset survey. An asset survey and capacity assessment is considered absolutely essential before a decision on this development can be made. If the assessment identifies that there is insufficient capacity, any discussion on the development must take into account that the upgrade will be very expensive. The upgrade must be funded by the developer.

Water Supply:

The existing 150mm CI watermain along the eastern side of Great South Road does not have capacity. It will need to be replaced with a new 200mm ID watermain and all current connections transferred from the 150mm to the new 200mm watermain.



GIS screenshot showing the watermain line to be upsized/upgraded to 200mm.

Wastewater:

Watercare's wastewater model does not include the part of the wastewater network around the proposed development. Given that the network downstream of the proposed development includes motorway and railway crossing, it will be extremely hard to upgrade, so an accurate and comprehensive capacity assessment is critical to decide whether the development can be allowed and which potential upgrades outside of the motorway and railway corridor may be required. Watercare strongly advises that this assessment is undertaken before a decision is made on whether this development can proceed.

The applicant needs to provide Watercare with a complete capacity assessment for the entire length of the wastewater network up to the nearest 300mm diameter pipe, highlighted in yellow on the screenshot below. As part of this assessment, an asset survey is required.



GIS screenshot showing the assets that require further investigation highlighted in yellow

As part of the required asset survey investigation, it is important to confirm missing or unconfirmed asset data such as invert levels and pipe diameters. The GIS data appears to be missing pipe inverts and it shows a reduction of diameter from 225mm to 150mm. It is also possible that not all manholes may be accessible (one is located in the railway or motorway corridor) but the best attempt to obtain other missing data shall be made. Also of note, it is important to take photographs inside the manholes that can be surveyed to check for any evidence of regular surcharge.

Using this information, Watercare will need to assess the development's proposed demand/flows calculations and the catchment analysis investigation before confirming the impact on the wastewater infrastructure and the required network upgrades.

All local upgrades required to service this development must be fully funded by the developer.

Works Over

The wastewater assets that transverse the site may need to be relocated to achieve Watercare's works over requirements. The relocation of these pipes will be at the developer's cost.

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Asset Owner / Specialist Response

From: Auckland Transport – Prepared by Sarah Jaff, Principal Development Planner

Date: 4 June 2021

Overall Summary:

Site location

Omahu Road functions as a key collector route providing a north-south connection between Remuera Road and Great South Road. Great South Road is an important Arterial route, frequent bus route and is also a high priority route for the cycling network. It is important that the development does not compromise public transport (PT) operations, reliability and travel time. Any effect to PT operations must be assessed and avoided, remedied and/or mitigated. The development should demonstrate the ability to deliver and encourage people's movement using active/shared modes and/or public transport. The applications notes the proposed Omahu Rd accessway will be the main access for the site which will require a complete transportation assessment on all potential effects for users, particularly effects on the safety and operation of the intersection of Great South Rd and Omahu Rd. This is also required for the proposed vehicle access is proposed on Great South Rd which is under a vehicle access restriction (VAR).

Auckland Unitary Plan

Policy E27.3(2) in E27 Transport of the AUP, requires major proposals for discretionary consent to prepare an Integrated Transportation Assessment (ITA). Special information requirement E27.9(5) identifies that an ITA may be required for 'Any new activity or change to an existing activity, which is not specifically provided for in the activity tables in the applicable zone. Under the AUP, non-complying activities require an ITA and therefore it's strongly recommended the applicant submit one, considering the assessment criteria under chapter H6 and E27 of the AUP, potential effects on bus operations, effect of the proposed vehicle access on the transport network, safety and amenity of vulnerable road users, proposed commercial activity and extended construction period.

The proposal will require assessment under the AUP against the relevant THAB zone assessment criteria, in particular, H6.8.2. Assessment criteria (2) for dwellings:(l) traffic (i) the extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the immediate transport network. The assessment is to consider user safety and how potential effects and mitigation measures will not result in any deaths and serious injuries (Vision Zero strategy).

An ITA is considered appropriate in this location given the proximity to PT which will result in an increase in pedestrian and active mode movement generated by the development. Intensive development, especially residential, results in increased movement in the immediate network and hence the potential for vulnerable road user conflict with motorists on an Arterial network. Therefore, the transportation assessment should incorporate user demand management and assess any required infrastructure to support the additional demand. The transport network needs to be considered as to whether it adequately provides for this movement safely (for all modes) and with an appropriate level of amenity.

Assessment will also be required against the relevant chapter E27 criteria, in particular for access within a Vehicle Access Restriction (Standard E27.6.4.1(3)(c)) with relevant assessment criteria, including, (a)adequacy for the site and the proposal; (b)design and location of access; (c)effects on pedestrian and streetscape amenity; and (d)effects on the transport network. The assessment is required to consider user safety and how potential effects and mitigation measures will not result in any deaths and serious injuries (Vision Zero strategy).

Transportation Assessment / CTMP

A full Transportation assessment, Assessment of Environmental Effects (AEE), draft Construction Traffic Management Plan (CTMP) and accompanying roading concept plans, have not been included in the application but will be required as part of the full application and for AT's review. The applicant confirms in the PTAR that these will be submitted in their consent application. The Transportation assessment should include a full effects assessment on the transport network including, but not limited to, a road safety assessment for the proposed vehicular accesses, effect on the operation and reliability of the public transport network, safety and amenity effects of all active mode users (including the vulnerable) and how any effects will be avoided, remedied and mitigated. The CTMP must also include all actual and potential effects on the transport network for the entire length of the construction period and how any effects will be avoided, remedied and mitigated.

Auckland Transport Designation

Designation (1618) is for road widening which extends approx. 2.2km along the eastern side of Great South Road, which considering the scale of the road it is along to be taken into account and considered as part of any development of land subject to the designation;

Any works within the designation require consent from AT pursuant to s176(1)(b) of the RMA: <https://at.govt.nz/about-us/working-on-the-road/road-processes-for-property-owners/consent-for-works-in-an-at-designation-or-notice-of-requirement/>

Stormwater

The site is also within an overland flow path (OLFP) where the application acknowledges the stormwater network lacks capacity whereby the applicant would provide 'hydraulic neutrality' for the 10% AEP event. However, this does not appear to be proposed

for the 1% AEP event. In the full application, the applicant should confirm the development will not increase runoff from the site in the 1% AEP event, given the downstream flooding and OLFP shown to be affecting the road network within the catchment downstream. The development should not adversely affect flow paths and floodplains within the road network downstream.

Initial comments on the PTAR

In addition to the above, the below summarised high level feedback on the PTAR highlights what should also be included in the application for an informed review of associated effects on the transport network.

- With relation to the VAR and vehicle access on Omaha Rd, further information is required on the level of trips generated to the proposed vehicle accessways, Great South Rd, intersection of Great South Rd and Omaha Rd, and any actual and potential effects on all users and the transport network. Assessment to include trip rates from the various proposed activities and include how any and all effects will be avoided, remedied and mitigated;
- No roading or tracking plans have been provided as part of the application. Drawing(s)/plans are required and should clear show where all vehicular accessways are in relation to other existing accessways on Great South Road. Plans to include dimensions and to be included on an aerial background;
- With relation to the construction period, the applicant would need to comprehensively assess the potential effects on the transport network for the entire length of the construction period and how any effects will be avoided, remedied and mitigated. The assessment is to ensure that the bus stops, bus services and user safety are not impacted by the construction for the entire period. This is a critical aspect to the effects and needs to be clearly assessed in the CTMP and transportation assessment;
- With relation to the assessment required under the AUP, the transport assessment should address any potential operational and safety effects at the Great South Road / Omaha Road intersection and Great South Road / Karetu Road with consideration to the intersection with Otahuri Crescent and Cornwall Park Ave. (e.g. right-turning movements into and out of Great South Road with the additional trips generated by the proposal);
- Transportation assessment should include assessment of all effects on the existing mid-block signalised crossing on Great South Rd. The effects on the existing signalised pedestrian crossing should be reviewed and considered in conjunction with the proposed vehicle accessway on Great South Road and any proposed measures at the intersection with Omaha Rd;
- Bicycle facilities need to comply with AUP minimum; however, it's recommended to provide a higher number of spaces to encourage active modes and given the location of the development, and bicycle parking requirements both for residents and visitors. The assessment should look to integrate the internal cycle route with bike facilities/parking location and consider the short-term (visitor) and long-term (resident) bicycle parking requirements (with reference to the Transport Design Manual);

Section 7.2 of the PTAR includes a calculation of how many bike parking spaces are needed to comply with the AUP for the residential aspect but the commercial development is not included in the calculation. Further assessment is required to this effect including the provision of secure bike parking spaces.

- Design layout should create a safe environment for walking, cycling and micro mobility. Assessment to include providing for, and improving pedestrian safety and amenity for the site;
- The development should provide for loading and servicing activities within the site/premises. There should be no expectation for such on-street provisions;
- It is accepted that this site has good access to public transport however, the Transportation assessment should address whether a safe and convenient pedestrian connection/amenities exist/will be established between the bus stops/train station and the development from all directions;
- Section 8.2 of the PTAR covers vehicle access. While AT's full comments are subject to viewing of the full transportation assessment/ITA and assessment of effects regarding the VAR, the proposed left in / left out (LILO) restriction at the proposed Great South Road access should be assessed from the outset (and not if the flush median would be removed in the future) including any mitigation measures. Any changes to the existing flush median may affect turning movements of the accessway. A full informed review of vehicular accessways is required to be provided prior to an informed final review on acceptability of the access by AT;
- Section 5 of the PTAR contains an analysis of the recorded crash history based on Waka Kotahi CAS data. A greater level of detail is required in the assessment, especially at the Great South Road / Omaha Road intersection. The crash analysis should be assessed comprehensively for all affected intersections and accessways. A full road safety assessment will be required in the transportation assessment and how the increase in trips generated by vehicle, walking, cycling and other modes are affected;
- Section 7.1 of the PTAR contains an assessment of the parking provided. Since this location is zoned Residential – Terrace Housing and Apartment Buildings Zone AUP Table E27.6.2.3 applies. Further assessment and clarification is required on buildings that will be used as commercial/office space, the level of parking proposed for the commercial space and whether this will comply with the AUP standards.

Memo

Date: 16 Feb 2021
To: Jin Lee, Development Engineer, Regulatory Engineering
From: Maree Gleeson, Growth & Developments, Healthy Waters

Healthy Waters Response to Resource Consent Application information
Address: 49-53A Omaha Rd and 224 Great South Road
Application Reference: PRR00036062

Specialist Input request	HWD Response Dated 16-02-21	Status
The applicant is proposing a site redevelopment to construct a series of new buildings, which vary between four – eight storeys, including approximately 200 units and ground floor commercial activity, and all associated site preparatory works. The site has two overland flow paths and appears to be serviced by existing public stormwater networks. The total site area is 1.567 Ha.	I have reviewed the above information and have the following comments for discussion at the pre - lodgment meeting: 1) the site is affected by two OLFP's these will require assessment i.e. max flood depth & extent, max flow rate and velocity for 100yr ARI +CC. An E36.9.2 assessment should be carried out. The assessment should include proposed freeboards to underground car parks, habitable floors and commercial floors and demonstrate compliance with SWCOP freeboards. 2) Provide information on the proposed SW discharge point for the development. There is an existing stormwater network in 224 Great South Road, however no SW network to service 49 to 53 Omaha Road. 3) Assessment of off-site flooding effects - provide an assessment of the capacity of the downstream stormwater network. How will the increased impervious area and additional stormwater flows to the downstream flood plains in Cornwall Park Road and Karetu Road for 10 and 100yr ARI be mitigated. Non RMA matters – demonstrate compliance with HWD Regional Network discharge consent 4) The development site is over 5000m2 and therefore the applicant should provide a SMP to demonstrate compliance with the region wide NDC for Brown Fields Large.	Closed

Asset Owner / Specialist Response

From: Ainsley Verstraeten, Principal Landscape Architect, Urban Design Unit, Auckland Council

Date: 04.06.2021

Overall Summary:

Overall, from a landscape and visual effects perspective the proposal is likely to be supportable. Generally, the height infringements have been appropriately located towards the centre of the site away from sensitive residential neighbours.

From a landscape character perspective, this site is an appropriate location for high density urban built character. Its scale, proximity to the motorway and two street frontages results in the sites ability to absorb the additional height. The different characters of Omahu Road and Great South Road has been appropriately addressed. This is by complying with the height standard and having a greater setback along Omahu Road, which is more residential in character and has a narrower street width.

The masterplan demonstrates a potentially high-quality level of outdoor living and pedestrian spaces, however as much of these areas are above basement parking, careful consideration will need to be had in the design of these spaces. This includes how privacy is managed for ground floor residential units and how the hierarchy between public and private spaces are treated. Care should be taken to ensuring the publicly accessible areas feel intimate in scale rather than civic.

Further information:

1. Further confirmation and details are required in order to understand whether the proposed works within the dripline of the scheduled tree is acceptable as works (driveway and basement) appear fairly close at the moment.
2. Further architectural detail to ensure the final façade elements appear residential in nature rather than commercial.
3. Visual simulations to understand how the development will sit within its context.
4. Detailed landscape plans to ensure the balance between public, semi public and private outdoor areas are designed safely and of a high quality for the scale of the development. This is also important given the large area of basement parking and whether the proposed planting will be able to be achieved.
5. Cross sections along all external boundaries to understand potential adverse effects at a smaller scale.

Asset Owner / Specialist Response

From: Chris Butler, Team Leader, Design Review, Urban Design Unit, Auckland Council

Date: 04.06.2021

Overall Summary:

Overall, I consider the proposal has the potential to achieve a high-quality mixed-use development. The site is well located with easy access to public transport, local retail, schools and recreational amenities.

The site is zoned for higher density and whilst several buildings exceed the THAB zone height standard, these are positioned away from sensitive neighbouring boundaries and initial shading analysis indicates external effects to be acceptable. Furthermore, I consider the height enables for much needed variation of roof form and architectural expression which is important to avoid a monotony of scale and form. I am satisfied that the number of buildings and overall massing across the site can be adequately accommodated due to the generous site size and the extent of direct street / rail corridor frontage that can more readily absorb the scale.

At a site planning level, the development proposes a number of laneways and open spaces. These spaces serve to spatially separate larger building forms, but it is clear that consideration has also been given to how the spaces can support the movement of people through the site and contribute to the overall amenity and wellbeing offer for future residents. The buildings are largely oriented to maximise solar orientation while a mix of both single aspect and look through apartments continue this philosophy at the individual unit level which is supported.

Whilst there is some uncertainty around the viable quantum of business activity proposed, the concept is sound and allows for an active ground level that supports opportunities for passive surveillance along the primary laneway axis and minimises potential for adverse privacy impacts on more sensitive activities (e.g. residential). The design team is aware of the need for the ground plane to be flexible and for the application to outline a robust threshold strategy that allows for residential to potentially occupy space at ground level along the laneway with no, or limited impacts. Notwithstanding this matter, I also consider it important to acknowledge the intent to provide for public access along the primary laneway network as a commendable means of 'connecting' the site into the existing neighbourhood fabric.

The built form response to both Omaha Road and Great South Road have been designed and scaled specifically to respond to these very different environments, while a clear move has been to reinforce the prominence of site entries to aid legibility and wayfinding. Several changes have occurred following pre-application discussions to secure an adequate laneway height to width proportion, I consider the landscape strategy will be key to the successful delivery of this element of the proposal¹.

At a detailed level, further resolution of building colours and materials including the extent of curtain wall glazing will be necessary to ensure the development supports the higher order moves outlined above, particularly in respect of the building massing strategy.

¹ Auckland Urban Design Panel Package 27 May 2021

Further Information:

Parts of the proposal are still very much in the conceptual phase and further testing / development is required. This includes the following areas relevant to urban design.

1. A full set of floor plans for each building.
2. A full set of building elevations that illustrate the materiality and colour proposed for all buildings. The building elevations should also demonstrate progression around the extent of glazing and the design of balcony balustrades to achieve greater privacy and residential character.
3. Detailed cross sections that are dimensioned and scaled to clearly demonstrate building and laneway separations as well as relationships to adjoining site boundaries and existing buildings where relevant.
4. A laneway threshold strategy that identifies a range of methodologies to manage different ground level interface scenarios.
5. A set of detailed landscape plans that further elaborate on the conceptual strategies shared to date. This should include both hard and soft landscaping, fencing, lighting, rubbish and cycling amenities etc.
6. A signage strategy that sets out at a high level how wayfinding and the delineation of public / private space will be supported across the site, but also how business signage can be complimentary to the context and the overall design philosophy.

Asset Owner / Specialist Response

From: Vinh Bui, Principal Traffic Engineer, Regulatory Engineering

Date: 31 May 2021

Overall Summary:

In preparation of my traffic peer review memo, I have taken into consideration the traffic report from Commute Transportation, AEE and architectural plans.

1.0 Car Parking Number

The applicant proposes to provide 65 parking spaces for commercial activities and 250 parking spaces for the 205 residential units. This complies with the requirements of the Unitary Plan.

2.0 Car Parking Layout

No assessment was provided for the proposed car parking layout. I recommend the car parking space dimensions, manoeuvring dimensions, vertical clearance and gradients shall comply with requirements of the Unitary Plan.

3.0 Bicycle Parking

The applicant did not mention how many bicycle parking spaces will be provided for the development. I recommend the number of bicycle parking spaces proposed for the commercial activities and apartment units shall comply with the requirements of the Unitary Plan.

4.0 Disabled Parking

No assessment was provided for disabled parking, however I recommend a minimum of two disabled parking spaces shall be provided for the commercial activities in compliance with the requirements of the Unitary Plan and NZS 4121:2001.

5.0 Loading

I recommend one loading space is provided for the commercial activities in compliance with the requirements of the Unitary Plan. The loading space shall be 3.5m wide, 8m long and vertical clearance of 3.8m.

6.0 Vehicle Crossing and Vehicle Access

No assessment was provided on the widths of the vehicle crossings and vehicle accesses on Great South Road and Omahu Road. I recommend the vehicle crossing widths and vehicle access widths on Great South Road and Omahu Road shall comply with the requirements of the Unitary Plan.

7.0 Vehicle Access Gradients

No assessment was provided on the gradients of the vehicle accesses on Great South Road and Omahu Road. I recommend the vehicle access gradients on Great South Road and Omahu Road shall comply with the requirements of the Unitary Plan.

8.0 Number of Vehicle Crossing and Separation Distance

No assessment was provided on the number of vehicle crossings along the site frontage and the separation distance. I recommend the vehicle crossings Great South Road and Omahu Road shall have a minimum separation distance of 2m from the neighbouring vehicle crossings.

9.0 Vehicle Access Restriction

The vehicle crossing located on Great South Road (arterial road) is non-compliance with standard E27.6.4.1.3(c) of the Unitary Plan. The applicant mentioned both vehicle crossings are anticipated to operate unrestricted, however in the long term the Great South Road vehicle crossing will operate as left in/left out only when the central flush median is removed. This is considered acceptable from a traffic perspective.

10.0 Lighting

No assessment was provided on lighting. I recommend that suitable lighting is provided in the car parking area in compliance with section E24 of the Unitary Plan.

11.0 Construction Traffic Management Plan

No assessment nor information was provided on construction traffic management plan. I recommend the traffic management plan and pedestrian management plan are implemented in accordance with the NZ Transport Agency "Code of Practice for Temporary Traffic Management" (COPTTM) document.

Released under the Official Information Act 1982

Specialist Response - Omahu: 224 Great South Road Development

From: Andrew Gordon, Specialist, Specialist Input, Resource Consents Department

Date: 2 June 2012

Overall Summary:

The proposal is for a large mixed use development (i.e. residential/commercial/retail) located within a Residential – Terrace Housing and Apartment Building Zone. The application site is bound by significant noise generating activities with the railway corridor and southern motorway to the north east, and Great South Road to the south west.

Construction noise and vibration (E25.6.27 and E25.6.30 (1)):

The proposal appears to include works similar to other large scale developments where underlying basalt rock may be encountered. The potential for rock breaking is likely to create the highest noise and vibration levels. Sufficient information should be provided to indicate the area, volume and depth of rock.

The level of effects is increased due to the design including basement level car parks and associated requirements for increased excavation and piling for retaining structures. It is likely there will be noise and vibration exceedances at the nearest neighbouring buildings even with best practice mitigation in place.

As is normal for large projects, a Draft Construction Noise and Vibration Management Plan (CNVMP) should be prepared as part of the application to inform the best practicable option approach. Effects must consider the potentially long construction period duration.

Operational noise (E25.6.2 and E25.6.9)

As commercial activities are unlikely to be finalised during the application stage, a preliminary assessment can only be undertaken based on typical noise levels expected to be generated by activities such as bars, restaurants, gyms and other entertainment activities.

Given the stringent residential noise standards there is potential for noise exceedances within adjoining sites around the Great South Road and Omahu Road corner, in particular for any commercial activities operating during the night time period. The effects assessment would need to consider the receiving environment (existing and future) and the existing noise environment.

Commercial activities sharing common building elements with other commercial units and residential apartments must demonstrate compliance with internal noise standards.

All mechanical plant and equipment will require acoustic design input. Noise from onsite vehicle movements must be assessed. An acoustic engineer will need to be involved in the detailed design process to ensure best practice is adopted to control noise emissions.

Noise sensitive spaces

The site is zoned residential and therefore internal noise standards in AUP (OP) E25.6.10 do not apply to noise sensitive spaces. However, due to noise and vibration effects from road traffic and rail, noise sensitive spaces in affected buildings will need to incorporate acoustic mitigation to ensure reasonable internal noise levels are achieved and vibration at building foundations is adequately mitigated. A survey of existing noise and vibration levels at the application site is required.

Reverse sensitivity

Overall, the potential for adverse effects can be avoided and/or adequately mitigated through good site design and acoustic mitigation/insulation of buildings. Good site design includes maximising setback

distances from apartments to the southern motorway, appropriate façade design and/or construction of physical mitigation (e.g. earth bunds and/or acoustic barriers) along the motorway site boundary.

Recommendations

- 1) A Draft CNVMP should be prepared as part of the application to inform the best practicable option approach. Effects must consider the expected long construction period duration.
- 2) To enable a robust assessment of the existing environment I suggest noise and vibration monitoring of road traffic and rail is carried out. I recommend this include: -
 - A noise logger to measure the daily variation over at least one week. Given the site area this may involve monitoring in more than one location
 - A vibration logger located to represent the worst case vibration effects over at least one night time period (10pm – 7am)
- 3) The standards/limits adopted for road traffic/rail effects assessment purposes must be justified with a brief review of NZ and/or international criteria and justification provided on the project criteria selected for this site.
- 4) The acoustic assessment must clearly demonstrate that acoustic effects were considered as part of the overall site design, the building design and layout and, location of noise sensitive spaces within the application site to ensure the best practicable option will be adopted to minimise noise and vibration effects as far as practicable (e.g. satisfying section 16 of the RMA).
- 5) An acoustic engineer must be involved during the detailed design process to ensure that noise from mechanical plant and equipment, commercial activities and onsite vehicle movements are controlled such that compliance is achieved. If it is not practicable to achieve compliance, the assessment of effects must consider the receiving environment and the existing noise environment.

Parks Asset Owner / Specialist Response

From: Hester Gerber, Parks Planning Team Leader

Date: 1.06.2021

Overall Summary:

Background information:

The site is within the Terrace Housing and Apartment Building Zone and adjoins Kiwirail railway network land.

Positives of application

From the site context and concept design provided by the applicant it can be determined that:

- The proposal will provide open space land including a central park and some pocket parks. It is unknown what the intended ownership is for these parks however.

Key Issues from a Parks Planning Perspective

The key issue with the project going through the COVID-19 Recovery Act 2020 fast track consenting process is the potential for inappropriate development and management of private open spaces for public use. There is a risk that the public access links through private open space are not clearly identified as such and are not managed by the appropriate mechanisms. The application form notes that the development will be unit titled, so it is expected that the open space is likely to be private and treated as common area to the development, not as separate lots. It also appears that the "public" central park area will be used for commercial amenity space such as café seating. It is not understood what any time restriction/public access limitations there might be on access to the open space areas if they are to be private.

However, if the open spaces are intended to be Council owned, there is a risk that the vested assets Council may inherit are not to the same standard or consistent with those assets which go through the normal resource consent and engineering plan approval process, resulting in a financial burden not anticipated.

Parks Planning information, reports, and assessment requirements:

- a) subdivision plans identifying any public assets to be vested, and for private open space assets, whether there will be public access easements provided to allow public access through the private open space and through the site.
- b) landscape plans sufficiently detailed to properly assess any proposed assets in the streetscape, accessway's, or any public open space to be vested.
- c) consideration of a body corporate or other management structure plan for the maintenance of private open space.

This would provide Council with the means to determine factors such as:

- Whether open space assets are to be public or privately owned.
- Whether open space planting and landscaping is appropriate. Council has significant experience in this area as an asset owner and promotes tree planting as part of its Urban Ngahere (Forest) Strategy, and landscaping to provide attractive open spaces but species which are also suitable from a maintenance perspective and are practical in their chosen location e.g. will not reduce usability of areas over time.
- Whether any aspects of the design would require the approval of the Local Board or Governing Body to accept any proposed assets as delegated decision makers.
- Whether access ways to public open space are suitable from a crime prevention through environmental design (CPTED) perspective. This includes assessing building orientation and fencing on properties adjoining such spaces to ensure appropriate passive surveillance over

these areas is provided. Accessway widths and gradients are also important for the safe movement of walkers and cyclists.

- Whether Parks and Community Facilities have the budget to maintain assets proposed to be vested.
- Consideration of whether the private assets will be appropriately managed by the private entity.
- Identification of clearly demarcated public access links through the private open space from the roads in the form of public access easements.

Acquisition of land

Should public open space be proposed to be vested, the Community and Social Policy team would undertake an assessment of the acquisition of such land. A decision on whether to acquire any proposed reserve would be made by the relevant Local Board and Council's governing body.

It is not clear whether the open space is to be retained as private, however if it was to be vested to Auckland Council, the open spaces would appear to be classified as a pocket parks according to Auckland Council's Open Space Provision Policy. The policy states that pocket parks can be voluntarily provided at no capital cost to Council and only on agreement by Council.

Overall position of Parks Planning

Overall, it is considered that measures will need to be put in place under the COVID-19 Recovery Act 2020 fast track consenting process to ensure Council is able to provide sufficient input to decisions around the management of private open spaces for public use or acceptance of vested assets. This is to ensure public open spaces are safe and appropriately managed and any assets Council receives are to the normal standard and consistent with those that have gone through a normal resource consent process.

Conclusion

Should the EPA decide to allow the development to go through the Covid-19 Fast Tack process, it is recommended that the proposal address all information requirements from a Parks perspective supplemented by a suitable assessment for the matters of concern. The applicant should also be made aware of any political decisions that are required for proposed vested assets (land acquisition, easements etc.) which may impact on the delivery of the project.

Prepared by:



Maylene Barrett, Principal Specialist Parks Planning,
Parks, Sports and Recreation, Auckland Council

Parks Agency Lead:



Hester Gerber, Parks Planning Team Leader
Parks Sports and Recreation, Auckland Council

Appendix B: Regulatory Compliance History

Urban Resort Limited:

- No environmental regulatory compliance records with Auckland Council.

Shareholder of Urban Resort Limited:

- James Robert Castiglione:
 - See below under Ormiston Rise Limited (in receivership).

Directors of Urban Resort Limited:

- Murray Reginald Barclay:
 - No environmental regulatory compliance records with Auckland Council.
- James Robert Castiglione:
 - See above.
- Andrew William Bentham Morris:
 - No environmental regulatory compliance records with Auckland Council.
- Michael Richard Newby:
 - See below under Ormiston Rise Limited (in receivership).
- Anne-marie Yannaghas:
 - No environmental regulatory compliance records with Auckland Council.

Icon Co Pty (NZ) Limited:

- No environmental regulatory compliance records with Auckland Council.

Shareholder of Icon Co Pty (NZ) Limited:

- Icon Co Holdings PTY Limited (Australian company):
 - No environmental regulatory compliance records with Auckland Council.

Directors of Icon Co Pty (NZ) Limited:

- Daniel Raymond Ashby:
 - No environmental regulatory compliance records with Auckland Council.
- Tatsuya Ashida:
 - No environmental regulatory compliance records with Auckland Council.
- Evan James Byrne:
 - No environmental regulatory compliance records with Auckland Council.
- Tatsuru Isano:
 - No environmental regulatory compliance records with Auckland Council.
- Keisuke Koshijima:
 - No environmental regulatory compliance records with Auckland Council.
- Motohiro Umehara:
 - No environmental regulatory compliance records with Auckland Council.
- Yo Yatsuzuka:
 - No environmental regulatory compliance records with Auckland Council.

Ormiston Rise Limited (in receivership):

- James Robert Castiglione is a shareholder of this company via Urban Resort investments Limited.
- Michael Richard Newby is a director of this company.
- On 26 November 2020, Ormiston Rise Limited was issued four Notice to Fix under the Building Act for constructing foundations, drainage, timber floors and timber framed walls for multiple units without obtaining building consent approval at 125C Murphys Road, Flat Bush.

Urban Resort investments Limited:

- No environmental regulatory compliance records with Auckland Council.

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the Official Information Act 1982

**Albert-Eden Local Board Submission on the
Resource Consent for the Proposed Development
at 224 Great South Road and 49-53 Omaha Road, Greenlane
for which the Developers have applied to use Fast-Track Consenting**

The Albert-Eden Local Board is strongly opposed to the Fast-Track Approval Process being used for this application as there is no particular urgency or national interest in progressing the proposed development. The rationale used last year to justify the new Fast-Track process was the wide-spread perception that Covid-19 restrictions might "tank" the economy so we urgently needed special measures to accelerate construction projects. But much of the economy has now largely recovered, and the construction sector in particular is already beginning to face shortages of materials and skilled workers. We note that this development appears to be aimed at the upper end of the housing market rather than at the lower end where there is a genuine under-supply that might benefit from Fast-Tracking. Accordingly, we suggest that this application be processed in the usual way, including an opportunity for affected or interested parties to make submissions.

Having said that, based on the information available so far, this appears to be a well-considered proposal. Particular points that we support are:

- *"Omahu aspires to a minimum Homestar 6 rating through proven sustainability measures that include water conservation and re-use, energy efficiency, sustainable and locally sourced materials and renewable energy ..."* [page 6 of Master Plan]
- Well-modulated buildings of varying heights across the site
- Generous and varied open space areas between the proposed buildings
- Emphasis on accessibility (*"a highly permeable village - a non-gated" community*)
- Preservation of a large scheduled tree at 53 Omaha Road

However, we do have some concerns:

- Some contradiction with Unitary Plan Rules - exceeding the maximum height for the THAB Zone and also the Height-in-relation to Boundary (HIRB) rules.
- We question the extent of non-residential activities proposed on site, which appear to exceed the THAB Zone rules. While some of the proposed commercial activities will primarily serve the Omaha residents (e.g. 2 cafes, a convenience store and a local grocer) others seem to be aimed at a wider audience (e.g. a 291 m² restaurant, a spa, hair salon and clinic). This appears to run contrary to rule H6.3.7 providing *"for non-residential activities that do not detract from the vitality of (neighbouring) Business Town Centre Zone."* While we support some minor business activity to serve the hundreds of new residents, we do not support activities better placed in local town centres and which will generate extra traffic in and out of the site.
- Excessive shading of neighbouring houses on the South and West boundaries.
- Traffic impacts from the large number of car parks in the basement. Although the main vehicular access is proposed to be off Omaha Road, there is a lack of clarity about the access off Great South Road. [4 diagrams on pp.17-18 are contradictory, as are the Master Plan diagrams on pp. 23-25 & 30-31].

- Overly generous car parking (305 spaces for 205 apartments - not clear how many are required for the restaurant) and no explicit provision for bicycle parking.
- No apparent provision of affordable housing within this development. Under whatever process this application is processed there should be a requirement for at least some affordable housing on this site, but if it cannot be made to fit then the developer should be required to contribute to affordable housing on another site.
- Although mainly outside of the subject site, a future pedestrian & cycling link to Patey Street would reduce the distance between the Omahu development and the Remuera Train Station. It would be useful if the Omahu Master Plan provided for future insertion of a path between blocks A and G to connect with a potential link through future re-development of properties between Omahu and Patey Street.

In summary, although we see some merit in the application itself, we strenuously oppose this case being processed through the Fast-Track process.

The Board would appreciate an opportunity to speak to their concerns at the hearing for this application.

Released under the provisions of
the Official Information Act 1982

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Auckland Transport
Contact person (if follow-up is required)	Sarah Jaff – Principal Development Planner
	s 9(2)(a)
	Click or tap here to enter text.

Comment form

Please use the table below to comment on the application.

Project name	Omahu Residential Development
General comment	Auckland Transport appreciates the opportunity to provide assistance to the Minister in the assessment of this proposal. Auckland Transport has reviewed the application documents submitted with the Project. Auckland Transport is neutral as to whether the Project is approved for referral. From an initial review, the proposal appears to be in accordance with the purpose of the COVID 19 (Fast Track Consenting) Act 2020. The site is zoned Terrace Housing and Apartment Building (THAB) under the Auckland Unitary Plan Operative in Part (AUP) and, therefore, intensified development is anticipated. If the Minister were to decide to accept the application for referral, Auckland Transport requests that information is provided to the expert consenting panel with any consent application lodged to address the matters identified in this response, and that direction is provided to the Panel to invite comment from Auckland Transport. There are some outstanding matters and specialist input required to inform the determination of the application by the expert consenting panel for decision-making for which engagement with Auckland Transport would be beneficial. As outlined below, Auckland Transport requests that the applicant is required to provide an Integrated Transport Assessment to support their development and that this is requested under s24(2)(d) of the Act. This is considered particularly relevant in this scenario as Auckland Transport does not currently have the level of assessment required (AEE, an Integrated Transportation Assessment (ITA) and Road Safety Audit) to determine the effects of the proposal. The site frontage along Great South Road is within Auckland Transport Designation 1618 for road widening, which extends for approximately 2.2km. Auckland Transport also, therefore, requests that the applicant is required to apply to Auckland Transport as Requiring Authority pursuant to s176(1)(b) of the Resource Management Act 1991 (RMA) for works within a designation, prior to lodging a consent application with the Environmental Protection Agency (EPA). This is prudent given consideration needs to be undertaken on the relevant RMA tests for such and resource consent will not be able to be exercised without having approval from Auckland Transport under s176, defeating the purpose of the Fast Tracking Consent process.
Other considerations	Auckland Transport was engaged by Auckland Council in April 2021 as part of a pre-application process. A draft Masterplan and Preliminary Traffic Assessment Report (PTAR) was provided for comment. The PTAR included in the Fast Track application is the same version previously reviewed by Auckland Transport and, therefore, the same comments made at the pre-application stage are applicable.

Site location

The THAB zone is predominantly located around metropolitan, town and local centres and the public transport network to support the level of intensification intended and ensure residents have convenient access to public transport, promoting walkable neighbourhoods and increasing the vitality of centres. This is an integral purpose of the zone and it is, therefore, important to ensure the development does not generate traffic effects that impact the effectiveness and efficiency of the public transport network.

Omahu Road functions as a key collector route providing a north-south connection between Remuera Road and Great South Road. Great South Road is an important Arterial route, frequent bus route, and is also a high priority route for the cycling network. It is important that the development does not compromise public transport operations, reliability and travel time. Any effect to public transport operations must be assessed and avoided, remedied and/or mitigated. The development should demonstrate the ability to deliver and encourage people's movement using active/shared modes and/or public transport.

The application notes the proposed Omahu Road accessway will be the main access for the development which will require a complete/robust transportation assessment on all potential effects for users, particularly effects on the safety and operation of the intersection of Great South Road and Omahu Road. This is also required for the proposed vehicle access on Great South Rd which is subject to vehicle access restriction provisions (VAR).

Auckland Unitary Plan

Special information requirement E27.9(5) identifies that an ITA may be required for 'Any new activity or change to an existing activity, which is not specifically provided for in the activity tables in the applicable zone.' Under the AUP, non-complying activities require an ITA and therefore it's strongly recommended the applicant is required to provide one, and that it considers the assessment criteria under chapter H6 and E27 of the AUP, including but not limited to the potential effects on public transport operations, effect of the proposed vehicle access on the transport network, safety and amenity of vulnerable road users, proposed additional commercial activity and extended construction period.

The proposal will require assessment under the AUP against the relevant THAB zone assessment criteria, in particular, H6.8.2. Assessment criteria (2) for dwellings: (i) traffic (i) the extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the immediate transport network. The assessment should include a focus on user safety and how potential effects and mitigation measures will not result in any deaths and serious injuries (Vision Zero).

An ITA is also considered appropriate given the reliance on public transport that will result in an increase in pedestrian and active mode movement generated by the development. Intensive development, especially residential, results in increased movement in the immediate network and hence the potential for vulnerable road user conflict with motorists on an Arterial network. The assessment, therefore, should consider user demand management and assess any required infrastructure to support the additional demand of 'people movement' by active modes; including how movement is optimised, reducing vehicle capacity and conflicts between vehicles and vulnerable road users. The transport network needs to be considered as to whether it adequately provides for this movement safely (for all modes) and with an appropriate level of amenity.

Assessment will also be required against the relevant Chapter E27 criteria, in particular, for access within a Vehicle Access Restriction (Standard E27.6.4.1(3)(c)) with relevant assessment criteria, including, (a) adequacy for the site and the proposal; (b) design and location of access; (c) effects on pedestrian and streetscape amenity; and (d) effects on the transport network. The assessment is required to consider user safety and how potential effects and mitigation measures will not result in any deaths and serious injuries (Vision Zero).

Transportation Assessment / CTMP

An ITA, Assessment of Environmental Effects (AEE), draft Construction Traffic Management Plan (CTMP) and accompanying roading concept plans have not been included in the application but will be required as part of the full application and for Auckland Transport's review. The applicant confirms in the PTAR that a full assessment will be submitted in their consent application. This should include a full effects assessment on the transport network including, but not limited to, a road safety assessment for the proposed vehicular accesses, effect on the operation and reliability of the public transport network, safety and amenity effects of all active mode users (including the vulnerable) and how any effects will be avoided, remedied and mitigated. The CTMP must also include all actual and potential effects on the transport network for the entire length of the construction period and how any effects will be avoided, remedied and mitigated.

Auckland Transport Designation

Designation 1618 is for road widening and extends 2.74m depth from the road boundary for approximately 2.2km along the eastern side of Great South Road. Considering the scale of the road it is along, this must be taken into account and considered as part of any development of land subject to the designation. Auckland Transport requests the applicant be required to apply to Auckland Transport as Requiring Authority under s176 of the Resource Management Act 1991 (RMA) for works within a designation, prior to lodging a consent application with the EPA.

Any works within the designation require approval from Auckland Transport pursuant to s176(1)(b) of the RMA: <https://at.govt.nz/about-us/working-on-the-road/road-processes-for-property-owners/consent-for-works-in-an-at-designation-or-notice-of-requirement/>

Stormwater

The site is also within an overland flow path (OLFP) - the application acknowledges the stormwater network lacks capacity whereby the applicant would provide 'hydraulic neutrality' for the 10% AEP event. However, this does not appear to be proposed for the 1% AEP event. In the full application, the applicant should confirm the development will not increase runoff from the site in the 1% AEP event, given the downstream flooding and OLFP shown to be affecting the road network within the catchment downstream. The development should not adversely affect flow paths and floodplains within the road network downstream.

Initial comments on the PTAR

In addition to the above, the below summarised high level feedback on the PTAR highlights what should also be included in the ITA for an informed review of associated effects on the transport network.

- With relation to the VAR on Great South Road and vehicle access on Omaha Road, further information is required on the level of trips generated to the proposed vehicle accessways, Great South Road, intersection of Great South Road and Omaha Road, and any actual and potential effects on all users and the transport network. Assessment should include trip rates from the various proposed activities and how any and all effects will be avoided, remedied and mitigated;
- No roading or tracking plans have been provided as part of the application. Drawing(s)/plans are required and should clearly show where all vehicular accessways are in relation to other existing accessways on Great South Road. Plans should include dimensions and be included on an aerial background;
- With relation to the construction period, the applicant would need to comprehensively assess the potential effects on the transport network for the entire length of the construction period and how any effects will be avoided, remedied and/or mitigated. The assessment is to ensure that the bus stops, bus services and user safety are not impacted by the construction for the entire period. This is a critical aspect to the effects and needs to be clearly assessed in the CTMP and transportation assessment;
- With relation to the assessment required under the AUP, the transport assessment should address any potential operational and safety effects at the Great South Road / Omaha Road intersection and Great South Road / Karetu Road with consideration to the intersection with Otahuri Crescent and Cornwall Park Ave. (e.g. right-turning movements into and out of Great South Road with the additional trips generated by the proposal);
- A transportation assessment should include assessment of all effects on the existing mid-block signalised crossing on Great South Road. The effects on the existing signalised pedestrian crossing should be reviewed and considered in conjunction with the proposed vehicle accessway on Great South Road and any proposed measures at the intersection with Omaha Road;
- Cycle facilities need to comply with AUP minimums, however, provision for a higher number of spaces is recommended to encourage active modes given the location of the development, and for cycle parking requirements both for residents and visitors. The assessment should look to integrate the internal cycle route with bike facilities/parking location and consider the short-term (visitor) and long-term (resident) bicycle parking requirements (with reference to Auckland Transport's Transport Design Manual).
- Section 7.2 of the PTAR includes a calculation of how many bike parking spaces are needed to comply with the AUP for the residential aspect however the commercial development is not included in the calculation. Further assessment should be required on this matter, including the provision of secure bike parking spaces.
- Design layout should create a safe environment for walking, cycling and micro mobility. The assessment should include providing for, and improving pedestrian safety and amenity for the site;
- The development should provide for loading and servicing activities within the site/premises. There should be no expectation for such on-street provisions;
- It is accepted that this site has good access to public transport, however, the transport assessment should address whether a safe and convenient pedestrian connection/amenity exists or will be established between the bus stops/train station and the development from all directions;
- Section 8.2 of the PTAR covers vehicle access. While Auckland Transport's full comments are subject to viewing of the transport assessment and assessment of effects regarding the VAR, the proposed left in / left out (LILO) restriction at the proposed Great South Road access should be assessed from the outset (and not if the flush median would be removed in the future) including any mitigation measures. Any changes to the existing flush median may affect turning movements of the accessway. A full informed review of vehicular accessways is required to be provided prior to an informed final review on acceptability of the access by Auckland Transport;
- Section 5 of the PTAR contains an analysis of the recorded crash history based on Waka Kotahi CAS data. A greater level of detail is required in the assessment, especially at the Great South Road / Omaha Road intersection. The crash analysis should be assessed comprehensively for all affected intersections and

	accessways. A full road safety assessment will be required in the transport assessment and how the increase in trips generated by vehicles, walking, cycling and other modes are affected; • Section 7.1 of the PTAR contains an assessment of the parking provided. Since this location is zoned Residential – Terrace Housing and Apartment Buildings Zone AUP Table E27.6.2.3 applies. Further assessment and clarification should be required on buildings that will be used as commercial/office space, the level of parking proposed for the commercial space and whether this will comply with the AUP standards where relevant.
[Insert specific requests for comment]	

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

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