

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