



THE
DEVELOPMENT COLLECTIVE

MIXED-USE BUILDING

401-403 Parnell Road, Parnell

Resource Consent Application

Assessment of Environmental Effects

February 2020

Reference 19043

Contents

1.	EXECUTIVE SUMMARY	4
2.	THE SUBJECT SITE	5
	2.1 Site Address and Legal Description	5
	2.2 Zoning and Limitations	5
	2.3 Subject Site Description	8
	2.4 Surrounding Environment Description	8
3.	BACKGROUND	10
	3.1 Auckland Council (Pre-Application)	10
	3.2 Existing Unimplemented Consent (R/LUC/2015/4702)	11
4.	CONSULTATION	11
5.	THE PROPOSAL	12
	5.1 Overview	12
	5.2 Demolition Works	12
	5.3 Proposed Mixed-Use Building	12
	5.4 Earthworks	13
	5.5 Geotechnical Remediation	13
	5.6 Access and Parking	13
	5.7 Infrastructure	14
	5.8 Signage	14
	5.9 Lighting	14
	5.10 Operational Components	14
	5.11 Construction	15
	5.12 Duration of Consent	15
	5.13 Conditions of Consent	15
6.	REASONS FOR THE APPLICATION AND OVERALL ACTIVITY STATUS	18
	6.1 Reasons for the Application	18
	6.2 Overall Activity Status	20
7.	OTHER APPROVALS REQUIRED	20
8.	ACTUAL OR POTENTIAL EFFECTS ON THE ENVIRONMENT	22
	8.1 Positive Effects	23
	8.2 Built Form - Special Character, Visual and Streetscape Effects	23
	8.3 On-Site Amenity	30
	8.4 Transportation and Parking Effects	32
	8.5 Signage	33
	8.6 Effects Arising from Natural Hazards	34

8.7	Infrastructure Effects	34
8.8	Noise Effects	34
8.9	Construction Effects	36
8.10	Summary of Assessment of Environmental Effects	37
9.	RELEVANT STATUTORY DOCUMENTS	38
9.1	National Environmental Standard – Section 104(1)(b)(i)	38
9.2	Other Regulations – Section 104(1)(b)(ii)	38
9.3	National Policy Statement – Section 104(1)(b)(iii)	38
9.4	New Zealand Coastal Policy Statement – Section 104(1)(b)(iv)	38
9.5	Regional or Proposed Regional Policy Statement – Section 104(1)(b)(v)	38
9.6	Plan or Proposed Plan – Section 104(1)(b)(vi)	39
10.	OTHER MATTERS	62
11.	PART 2 OF THE RMA	63
12.	NOTIFICATION ASSESSMENT	65
12.1	Public notification assessment (sections 95A, 95C-95D)	65
12.2	Limited notification assessment (sections 95B, 95E-95G)	68
12.3	Notification Assessment Conclusion	78
13.	CONCLUSION	80

Appendices

- Appendix 1** Certificate of Titles and Relevant Interests
- Appendix 2** Architectural Documentation (Archavium – February 2020)
- Appendix 3** Previously Approved Geotechnical Investigation Report (R/LUC/2015/4702)
(Soil and Rock Consultants – March 2016)
- Appendix 4** Transportation Assessment Report (Stantec – February 2020)
- Appendix 5** Heritage Impact Assessment (Dave Pearson Architects – February 2020)
- Appendix 6** Urban Design Statement (Archavium – February 2020)
- Appendix 7** Sun Study Report (Archavium – January 2020)
- Appendix 8** Construction Management Plan (Building Innovation Group – February 2020)
- Appendix 9** Green Gorilla – Primary Calculations and Layout (Green Gorilla – 2020)
- Appendix 10** Pre-application Meeting Minutes (First Meeting) (Auckland Council – September 2019)
- Appendix 11** Pre-application Meeting Minutes (Second Meeting) (Auckland Council – November 2019)
- Appendix 12** Decision for Previously Approved Resource Consent Application (R/LUC/2015/4702)
- Appendix 13:** Construction Noise and Vibration Assessment (Bladon Bronka Acoustics, June 2020)

Prepared on behalf of **Andra Trading Limited** by:

DATE: 30/06/2020



Olivia Bretherton | Planning Consultant

M: +64 21 023 46974
E: olivia@thedevelopmentcollective.co.nz



Reviewed by:

Bayard McKenzie | DIRECTOR

M: +64 22 674 7822
E: bayard@thedevelopmentcollective.co.nz

1. Executive Summary

The following report presents an assessment of effects on the environment submitted in support of the application to Auckland Council (the Council) by Andra Trading Limited (the Applicant) for a Land-Use at 401 - 403 Parnell Road, Parnell.

The Applicant seeks consent to undertake comprehensive development of the subject site involving the partial demolition of the existing 'Character Supporting' building and the construction of a six-storey mixed-use building, comprising retail activities on the ground floor and five (5) apartment units on the upper floors.

Overall, the proposal is a **Restricted Discretionary** activity and requires consent for the following activities:

The Auckland Unitary Plan – Operative in Part 2016 (AUP: OP)

Land-Use Consent

- Additions to a character supporting building;
- Substantial demolition of a character supporting building;
- New Buildings in the Special Character Areas Overlay;
- Comprehensive development signage;
- Earthworks;
- Construction of a new vehicle crossing on boundary subject Vehicle Access Restrictions;
- The proposed vehicle crossing is located less than 2m from the adjacent vehicle crossing to the south;
- New Buildings in the Town Centre Zone;
- Infringements to the construction noise standards;
- Infringements to the vibration amenity standard;
- Infringement of the occupiable height;
- Infringement of the total building height;
- Infringement of height in relation to boundary;
- Infringements to outlook space; and
- Rear yard setback infringement.

Other

- Consent is also sought for any other consenting matters that the Council may identify when processing this application.

2. The Subject Site

2.1 Site Address and Legal Description

Site Address: 401 Parnell Road, Parnell

Legal Description: Lot 10 DP 1967; NA97/193

(Certificate of Title attached as **Appendix 1**)

Total Site Area: 336m²

Locality Diagrams: Refer to Figure 2.1 below

Figure 2.1: Locality Diagrams



Source: Auckland Council GeoMaps

2.2 Zoning and Limitations

2.2.1 AUP: OP (Operative in Part 2016)

The subject site falls within the following zoning and is not subject the following limitations under the AUP: OP:

Zone: Business - Town Centre Zone

Controls: Building Frontage Control - Key Retail Frontage

Height Variation Control - Parnell, 13m

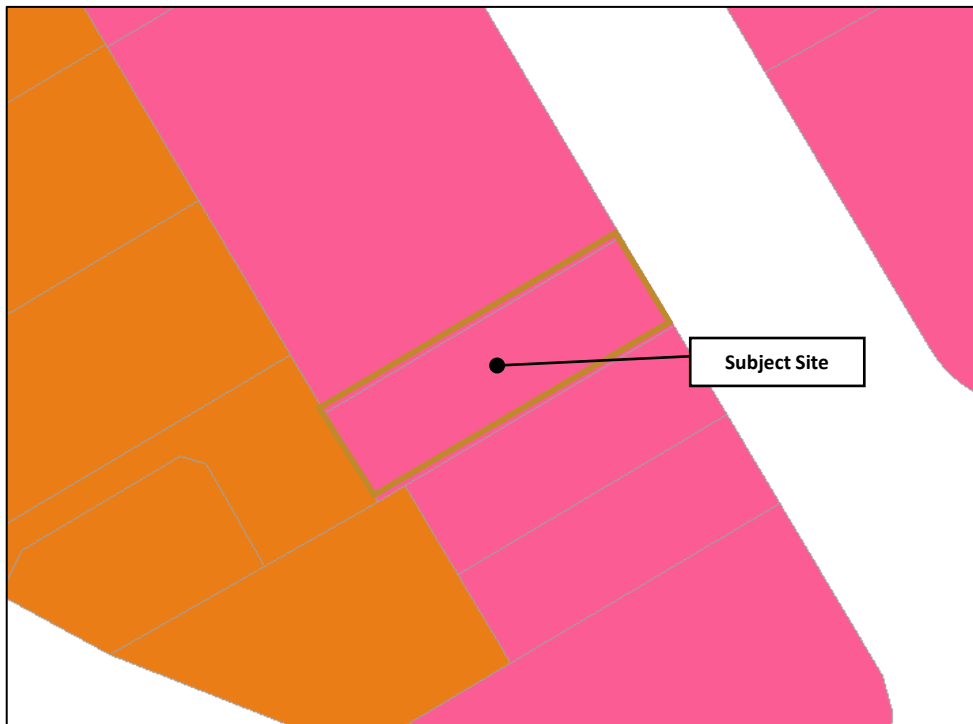
Macroinvertebrate Community Index - Urban

Overlays: Historic Heritage and Special Character: Special Character Areas Overlay Residential and Business - Business Parnell

Designations: N/A

Additional limitations: Character Supporting Building
Frontage to an Arterial Road

Figure 2.2: Excerpt of Zoning Map - AUP:OP



Source: Online AUP:OP Planning Maps

Figure 2.3: Special Character Areas Map: AUP:OP



Source: Online AUP:OP Schedule 15

2.2.2 Certificate of Title Limitations

A copy of the subject site's Certificate of Title and relevant documents are attached as **Appendix 1**. The Certificate of Title contains no limitations.

2.3 Subject Site Description

The subject site is a 336m² regular rectangular shaped lot, located to the south-west of Parnell Road. The front portion of the site is currently occupied by a one-story building, which dates back to the 1920's. The building has been split into two retail tenancies, through a central party wall. The Special Character Areas Map, located in Schedule 15 of The Auckland Unitary Plan (Operative in Part 2016), indicates that the building is a 'Character Supporting' building. This is depicted on Figure 2.3, located in Section 1.2 of this report. To the rear of the site, there is a paved concrete parking area, which has been informally accessed via a vehicle crossing and accessway located along the northern boundary of the adjacent site (405-409 Parnell Road, Parnell).

The subject site contains no vegetation for protection, according to Auckland Council Unitary Maps. Furthermore, there are no overland flow paths or areas of flooding located on-site, according to Auckland Council GeoMaps.

In general terms, the topography of the site is generally flat, displaying a slight incline in gradient from the north-west corner of the site towards the south-east corner of the site

A stormwater line, wastewater line, water supply, power and telecommunications utilities are located within the respective road reserve.

A comprehensive site and context analysis is included in the Architectural Documentation, attached as **Appendix 2**.

2.4 Surrounding Environment Description

The subject site is situated on Parnell Road, the main thoroughfare of Parnell Town Centre. Parnell Road comprises a mixture of activities, including residential, retail, commercial, civic and community facilities. Parnell Road exhibits a mixture of Architectural styles, including Victorian and Edwardian styles (1840's-1920's), Art Deco styles (1930's) and modern and contemporary styles (1980's-present). Buildings along Parnell Road are typically one to two storeys, with some three - six storey buildings evident (i.e 75 Parnell Road Mayfair Apartments, 100 Parnell Road Geyser Building, 162 Parnell Road Heards Building and 258 Parnell Road Apartment).

A more detailed description of the existing streetscape character is provided in the in the Heritage Impact Assessment attached as **Appendix 5**, and the Urban Design Statement attached as **Appendix 6**.

Parnell Kindergarten, Parnell District School and ACG Parnell College are all located within walking distance of the subject site. The site is located within the Parnell Town Centre and is located 1.4km (approx.) from New Market Metropolitan Centre.

The subject site itself is located 10m - 50m (approx.) away from two bus stops, located along Parnell Road. Buses travelling along these routes provide direct access into Auckland's CBD and surrounding suburbs.

Parnell Train Station is located 750m (10-minute walk) away from the subject site. The train services travelling through Parnell Train Station also provide direct access to Auckland's CBD and surrounding suburbs.

3. Background

3.1 Auckland Council (Pre-Application)

The proposed development has evolved during this process following feedback from Auckland Council. Two pre-application meetings were held for the proposed development on the 13/09/2019 and 18/10/2019. A copy of the pre-application minutes received from Auckland Council are attached as **Appendix 10 and 11**. A summary of the consultation undertaken as part of this application is summarised below.

A preliminary design package conveying bulk, location, site layout and floor plans of a proposal was presented to Auckland Council staff. Matters discussed included the removal of the existing character supporting building, the height infringement, the key retail frontage control, car parking, vehicle access, traffic, pedestrian amenity/safety, general development engineering matters and construction.

Some key concerns were raised by Auckland Council, within the initial pre-application meeting, regarding the building façade and its relationship to the public realm, the height infringement, the total demolition of the existing character supporting building and the provision of parking. These concerns were taken on board, and as part of the collaboration process with Auckland Council, it was agreed that the existing parapet wall and shop façade and parapet will need to be retained.

The retention the existing façade and parapet wall, resulted in financial implications for the project, and an additional storey was required in order to make the project financially viable for the Client. This design variation was presented to Auckland Council in a second pre-application meeting, and Auckland Council advised that that the additional height was likely to be supportable, subject to building making a positive contribution to the street. Auckland Council also provided some recommendations surrounding the retention the existing façade and parapet wall and how the character values of the building and the wider streetscape could be further maintained. These recommendations included setting the building back from the existing parapet wall, setting back upper floors to clearly delineate the existing and proposed building and further articulation and detailing to ensure the building successfully references the special character area.

The final proposed design is considered to adequately address Auckland Council's concerns. A full assessment of effects of the proposal on wider environment adjacent sites and the, can be found in Sections 8 and 12 of this report. Full details of the feedback received from Auckland Council are contained in **Appendix 10 and 11**.

3.2 Existing Unimplemented Consent (R/LUC/2015/4702)

The subject site has an existing unimplemented resource consent to construct a new four storey apartment building with six residential units and a ground floor retail tenancy, reference number R/LUC/2015/4702 dated 18th of August 2016 (attached as **Appendix 12**). While this consent was approved for a lower intensity development (four storeys as opposed to six), a number of the issues addressed are relative (for a point of comparison to a development baseline) to the current proposal. These issues include the total the demolition of a character supporting building, a new vehicle crossing and the provision of parking on the ground floor.

As such, it is deemed appropriate to establish that a development baseline exists for the demolition of the existing 'Character Supporting' building, the construction of a new mixed-use building, and the resulting effects on the surrounding environment. In particular, a level of visual, character, amenity, traffic, engineering/construction, infrastructure and operational management effects (associated with the approved four storey apartment building), are considered acceptable.

4. Consultation

Section 36A of the RMA states that there is no duty to consult any parties with respect to a resource consent application, however an applicant may undertake consultation if they deem it to be necessary. In this case, consultation has been undertaken with Auckland Council and , which is summarised above in Section 4 of this report.

The applicant has also consulted the adjacent sites at 400, 381-389 and 405-409 Parnell Road, Parnell, 14, 14A, 16 and 2/16 Birdwood Crescent, Parnell). The only response received from this consultation was from the Body Corporate of 381-389 Parnell Road, who raised the following concerns in a Body Corporate committee meeting held on the 10/02/2020.

- Privacy (windows on Northern wall)
- Construction noise/operation hours
- Appearance of the new building from their courtyard
- Building maintenance

These concerns have been addressed in the limited notification assessment, located in Section 12 of this report.

5. The Proposal

5.1 Overview

The Applicant seeks consent to undertake comprehensive development of the site involving the partial demolition of the existing 'Character Supporting' building and the construction of a six-storey mixed-use building, comprising commercial activities on the ground floor and five (5) apartment units on the upper floors. The various components of the proposal are discussed in further detail below in Sections 5.2 - 5.12. More detailed descriptions on particular aspects of the proposal are set out in the expert reports and plans accompanying the application.

5.2 Demolition Works

As previously mentioned, the building is located within the Historic Heritage and Special Character: Special Character Areas Overlay Residential and Business - Business Parnell and is identified as "character supporting" under Schedule 15 Special Character Schedule, Statements and Maps of The Auckland Unitary Plan (Operative in Part 2016)

A baseline for the demolition of the existing 'Character Supporting' building has been established for the site under the existing unimplemented consent (R/LUC/2015/4702). Nonetheless, 'facadist' approach to the development was agreed upon by Auckland Council and the Team as part of the collaboration process, in order to preserve the character and aesthetic interests of the building and ensure that the building makes a positive contribution to the special character values of the area. This 'facadist' approach to development will involve the retention of the existing shop façade and parapet wall and demolition the remainder of the existing 'Character Supporting' building.

As the proposal involves the partial demolition of a 'Character Supporting' building and building in the Special Character Area Overlay, Mr Dave Pearson (a leading heritage Architect) of Dave Pearson Architects Limited has been commissioned to undertake a Heritage Impact Assessment to ascertain the potential character effects generated by the proposal. Full details of this report can be found in **Appendix 5**. A summary of this Heritage Impact Assessment is provided in Section 8 of this report

5.3 Proposed Mixed-Use Building

The proposal comprises a six-storey mixed-use building with commercial activities on the ground floor and five (5) apartment units on the upper floors.

The ground floor of the proposed mixed-use building will comprise of a 33.71m² commercial tenancy, a lobby atrium with a lift, individual storage lockers and rubbish disposal facilities and a ground floor parking area.

The residential units will be located on the upper floors and have been designed to cater for a range of residents and family types. Each unit will also have direct access to generously sized balcony, with easterly, northerly or westerly aspect.

The unit layouts are accurately depicted on the Architectural Plans, attached as **Appendix 2**.

5.4 Earthworks

The proposed development requires modification of the existing site contours to form the necessary building platform, construct the site access and install all services including the parking area. The volume of earthworks required, will exceed the permitted thresholds of the AUP:OP.

The proposed earthworks will be carried out in accordance with TP90 and appropriate sediment control measures will be implemented during the earthworks period in accordance with the previously approved sediment and erosion control plan (R/LUC/2015/4702). It is noted that the current proposal involves less earthworks than what was previously approved, therefore an additional erosion and sediment control plan is not considered necessary for this application.

5.5 Geotechnical Remediation

A Geotechnical Investigation Report was prepared by Sean Berry of Soil & Rock Consultants as part of the previous Resource Consent Application (R/LUC/2015/4702) is attached as **Appendix 3**. Overall, the report concludes that the site is considered suitable for the proposed development subject to the engineering recommendations contained in Section 9.0 of the report.

5.6 Access and Parking

Vehicles will access the site via new accessway and vehicle crossing (3.10m wide), entering from the northern (front) boundary of the site (Parnell Road) along the eastern boundary of the site. The accessway will lead into a ground level parking area, comprising six (6) car parks and a mechanical vehicle turn table. The proposed access arrangements are accurately depicted on the Architectural Plans, attached as **Appendix 2**.

It is noted that the proposed vehicle crossing is not setback 2m from the adjacent vehicle crossing to the south. In addition, the proposal involves the construction of a

new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1). However, a comprehensive assessment of this infringement is provided in the Transportation Assessment Report attached as **Appendix 4** and is summarised in Section 8 of this report.

5.7 Infrastructure

The previous application (R/LUC/2015/4702) included an assessment of the infrastructure available to service the site. Taking this assessment into account, it is considered the site can be adequately serviced. Engineering certification and detailed designs of the proposed servicing arrangement will be provided at Building Consent stage.

5.8 Signage

The proposal includes the provision of comprehensive development signage, consisting of individual concrete letters fixed to the building façade, with a painted finish. The proposed sign measures a total height of approximately 0.4m and is 3m in width. Refer to Architectural Plans at **Appendix 2** for further detail.

5.9 Lighting

A carefully considered lighting design response will be required for the proposed development for both safety of residents and for aesthetic purposes. The lighting design response will also need to ensure that adverse effects from potential glare and lighting overspill are avoided to maintain the amenity of both future residents and adjoining landowners.

The final lighting design response will ensure compliance with Rule E24.6. It is considered appropriate for Auckland Council to impose a consent condition requiring the final lighting design to be provided to Council for approval.

5.10 Operational Components

5.10.1 Waste Management

The subject site contains in-sufficient space on the council berm for 18 rubbish bins (3 per unit), as such, Green Gorilla has been engaged to manage on-site waste disposal.

With respect to the bin size and location requirements, Green Gorilla have prepared a Primary Calculations and Layout report, which is attached as **Appendix 9**.

A shared bin enclosure has been provided at ground level and has been designed in accordance with the bin specifications recommended by Green Gorilla. The bin enclosure location has also been selected to minimise odour effects on habitable rooms and ensure convenient access for Green Gorilla staff. The bins will also be appropriately screened, to ensure the bins to not negatively impact the proposed development.

On collection day, Green Gorilla staff will park on the roadside and will wheel/carry bins up the accessway for collection. It is noted that there is a 5-minute loading zone parking area located directly outside the subject site, which ensure that the bins can be collected by Green Gorilla staff in a safe and efficient manner and will cause no disruption to the surrounding road network.

5.11 Construction

A construction management plan has been prepared by Building Innovation Group Limited and is attached as **Appendix 8**. As noted in the report, the Construction Management Plan not intended to be a complete construction management program for the project but is intended to be a guideline setting down parameters for a comprehensive integrative construction management plan. As such, we consider it appropriate for Auckland Council to impose a consent condition, for a final construction management plan to be undertaken by a suitably qualified person in line with the Good practice Guidelines published by Worksafe New Zealand, prior to the commencement of any construction work.

It is further noted that the Geotechnical Investigation Report (attached as **Appendix 3**) states that rock was encountered at a depth of 800mm. However, there are some uncertainties regarding the site conditions and whether rock breaking will be required, due to existing structures being in place on site limiting further advanced geotechnical testing. As such we consider it acceptable for Council to impose a condition of consent, which requires works to stop and an acoustic and vibration assessment to be provided, should rock breaking equipment be required during construction.

5.12 Duration of Consent

Section 123(d) of the RMA prescribes a standard Consent period. In this case, it is requested that a 5-year consent period be imposed to give effect to the consent.

5.13 Conditions of Consent

Section 108 of the RMA enables Council to impose Conditions of Consent on any granted Resource Consent. It is requested that conditions appropriate to the scale

and nature of the proposed development. It is requested that draft conditions of consent are provided to the applicant for review prior to the release of the Resource Consent (if granted).

The following are offered as conditions of consent, as recommended at **Appendix 13**, should Council grant consent:

1. All noise generated from the construction activities, including (but not limited to) the demolition, earthworks and construction activities shall not, as far practicable, exceed the noise limits stipulated within AUP (OP) Table E25.6.27.1 for noise sensitive receivers and Table E25.6.27.2 for other receivers subject to a 5 dB decrease in all cases as provided for in E25.6.27 (4). Noise levels must be measured and assessed in accordance with NZS 6903: 1999 Acoustics – Construction Noise;
2. The use of the electric spider crane during evening periods is limited to a maximum of six (6) days in total, between the hours of 6pm until 10pm Monday to Friday only;
3. The use of all excavator, plate compaction and piling activities are restricted to Monday to Friday 9am to 6pm only;
4. Construction works on Sunday are permitted for up to two days only, for loading of trucks parked at the site entrance with demolition or excavated material only, no mechanical plant may be used on these days. Works on Sundays are permitted between 10am and 5pm only;
5. Where practicable, a localised noise screen shall be used to surround the excavator, plate compactor or piling rig when in use. The localised noise screen must have a minimum surface mass of 10kg/m² (such as 18mm plywood or similar) or via the use of an effective proprietary construction noise barrier (Duraflex, Echobarrier etc). When the external masonry walls are constructed, any holes or gaps must be fully closed using a noise screen of the same material;
6. At the receivers where noise levels are predicted to exceed the AUP-OP construction noise limits, property owners of the affected properties must be notified at least 10 working days prior to all excavator, plate compactor and piling works, or any evening works;
7. Vibration arising from construction must not exceed the vibration limits set out in the German Standard DIN 4150-3:1999 Structural vibration – Effects of vibration on structures when measured from any surrounding building in accordance with the Standard;
8. Should demolition of connected (to buildings on another site) masonry elements be required, a pre and post condition inspection must be carried out for all connected neighbouring buildings. If demolition is required for connected masonry structures within 5m of the neighbouring building, vibration monitoring should be carried out to ensure the vibration limits specified within DIN 4150-3

- Line 1 (commercial) or Line 2(residential) are not exceeded. Vibration monitoring must be carried out by a suitably qualified/experienced acoustic consultant;
9. The consent holder shall submit a Final Construction Noise and Vibration Management Plan (CNVMP) based on the Draft CNVMP prepared by Bladon Bronka Acoustics Ltd dated 08/06/2020 to the Team Leader Compliance Monitoring Central a minimum of five (5) days) prior to the commencement of works. The objective of the CNVMP is to set out the Best Practicable Option for the management of noise and vibration effects. The CNVMP must be prepared with reference to Annex E, New Zealand Standard NZS6803:1999 Acoustics – Construction noise. The construction works shall be carried out in accordance with the Final CNVMP and a copy of the CNVMP shall be kept on site during construction hours.

6. Reasons for the Application and Overall Activity Status

Resource Consent is sought under the provisions of the RMA and AUP: OP. The reasons for the application, associated Permitted activities, and overall activity status of the application are detailed in Sections 6.1 – 6.2 (below).

6.1 Reasons for the Application

6.1.1 Auckland Unitary Plan (Operative in Part 2016)

Land-Use Consent

D18. Special Character Areas Overlay - Residential and Business

- Pursuant to Rule (A16) of Activity Table D18.4.2 consent is required as a **Restricted Discretionary** activity for additions to a character supporting building.
- Pursuant to Rule (A18) of Activity Table D18.4.2 consent is required as a **Restricted Discretionary** activity for substantial demolition of a character supporting building.
- Pursuant to Rule (A20) of Activity Table D18.4.2 consent is required as a **Restricted Discretionary** activity for new buildings.

E12. Land Disturbances - District

- Rule (A9) of Activity Table E12.4.1 states that earthworks greater than Greater than 250m³ up to 1000m³ is a Restricted Discretionary activity. The proposed earthworks will be within this threshold; therefore, consent is required as a **Restricted Discretionary** activity.

E23. Signage

- Rule E23.4.2(A53) states that comprehensive development signage requires consideration as a **Restricted Discretionary** activity.

E25. Noise and Vibration

- Rule E25.4.1(A2) states that activities that do not comply with a permitted activity standard requires consideration as a **Restricted Discretionary** activity. The following standards are not met:
 - **E25.6.27. Construction noise levels in all zones except the Business - City Centre Zone and the Business - Metropolitan Centre Zone:** the proposal will infringe the permitted construction noise levels under Table E25.6.27.1 and Table E25.6.27.2 at the following properties:
 - 405-409 Parnell Road;

- 12C Birdwood Crescent;
 - 14 and 14A Birdwood Crescent;
 - 16 Birdwood Crescent; and
 - 389 Parnell Road.
- **E25.6.30. Vibration:** the proposed construction and demolition activities will infringe the permitted vibration levels under Table E25.6.30.1 Vibration limits in buildings.

E27. Transport

- Rule E27.4.1(A2) states that parking, loading and access which is an accessory activity, but which does not comply with the standards for parking, loading and access requires consideration as a **Restricted Discretionary** activity. The following standards are not met:
 - **E27.6.4.1. Vehicle Access Restrictions:** the proposal involves the construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1)(b)(ii) and Standard E27.6.4.1(3)(c).
 - **E27.6.4.2. Width and number of vehicle crossings:** The proposed vehicle crossing is not setback 2m from the adjacent vehicle crossing to the south, as specified under Rule (T144) of Table E27.6.4.2.1.
- Pursuant to Rule (A7) of Activity Table H5.4.1 consent is required as a **Restricted Discretionary** activity for the construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1)(b)(ii) and Standard E27.6.4.1(3)(c) and there is no other means of accessing the site.

H10. Business - Town Centre Zone

- Pursuant to Rule (A35) of Activity Table H10.4. consent is required as a **Restricted Discretionary** activity for the construction of a new building.
- Pursuant to rule C1.9(2) **Restricted Discretionary** activity consent is required as the proposal does not meet the following standards:
 - **H10.6.1. Building height:** The proposed development exceeds the maximum occupiable height of 11m by a maximum vertical height of 10.329m.
 - **H10.6.1. Building height:** The proposal exceeds the total building height shown on Height Variation Control on the planning maps of 13m by a maximum vertical height of 8.329m.
 - **H10.6.2. Height in relation to boundary:** The proposal breaches the recession plane on the fourth floor along the south-western boundary as

depicted on the Architectural Plans.

- **H10.6.6. Yards:** The ground level of proposed building encroaches into the 3m rear yard setback, as depicted on the Architectural Plans.
- **H10.6.10. Outlook space:** The proposal does not provide compliant outlook from the following rooms:
 - At the first level, a 3m x 3m outlook space is not provided for Bedroom 2 of Apartment 1, as this is restricted by the existing building façade;
 - At the first level, a 3m x 3m outlook space is not provided for Bedroom 3 of Apartment 2;
 - At the second level, a 3m x 3m outlook space is not provided for the office/guest room within Apartment 1;
 - At the second level, a 6m x 4m outlook space is not provided for the principle living area of Apartment 2, as this would extend over the rear boundary onto the adjacent site at 14A Birdwood Crescent;
 - At the third level, a 3m x 3m outlook space is not provided for Bedroom 3 as this would extend over the side boundary onto the adjacent site at 389 Parnell Road;
 - At the fourth level, a 3m x 3m outlook space is not provided for Bedroom 3 as this would extend over the side boundary onto the adjacent site at 389 Parnell Road;
 - At the fifth level, a 3m x 3m outlook space is not provided for Bedroom 3 as this would extend over the side boundary onto the adjacent site at 389 Parnell Road.

Other

- Consent is also sought for any other consenting matters that the Council may identify when processing this application.

6.2 Overall Activity Status

Overall, this resource consent application requires assessment as a **Restricted Discretionary** activity.

7. Other Approvals Required

Clause 2(1)(d) of the Fourth Schedule of the RMA requires the applicant to identify other activities that form part of the proposal and require approvals under legislation outside of the RMA.

The following approvals will be required for the proposed development:

- Building Consents under the Building Act 2004

- Code of Compliance under the Building Act 2004
- Vehicle Crossing Permits under the Local Government Act 2002

8. Actual or Potential Effects on the Environment

The Fourth Schedule of the RMA sets out the matters to be considered when preparing an assessment of effects on the environment. In particular, Clause 6 and 7 of Schedule 4 sets out the information to be provided in assessment of the activity's effect on the environment. Clause 6 of Schedule 4 requires that the effects assessment must address the actual or potential effects on the environment of an activity, a description of mitigation measures, identification of any consultation undertaken, and any monitoring to be undertaken. Furthermore, Clause 7 of Schedule 4 sets out that an assessment of the activity's effects on the environment must address the following matters:

- (a) *Any effect on those in the neighbourhood and, where relevant, the wider community including any socio-economic and cultural effects;*
- (b) *Any physical effect on the locality, including any landscape and visual effects;*
- (c) *Any effect on ecosystems, including effects on plants, animals and any physical disturbance of habitats in the vicinity;*
- (d) *Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural or other special value for present or future generations;*
- (e) *Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants;*
- (f) *Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

Section 104(1)(a) of the RMA states that in assessing an application, subject to Part 2, regard must be had to any actual and potential effects on the environment of allowing the activity. An assessment of the proposal against the requirements of Section 104(1)(a) is provided below.

As set out in Section 4 of this report, the proposal overall is a **Restricted Discretionary** activity under the AUP: OP. In this case, it is considered that the principal effects of the proposed development relate to:

- Positive effects;
- Built form – special character, visual and streetscape effects
- On-site amenity;
- Transportation and parking effects;
- Signage;
- Effects arising from natural hazards;

- Infrastructure effects;
- Noise effects; and
- Construction effects.

8.1 Positive Effects

It is considered that the proposal will deliver the following positive effects:

- A new mixed-use building that directly adjoins Parnell Road that is considered to make a positive contribution to the special character values of the area through a high-quality architectural response.
- An active frontage to Parnell Road with a fully glazed commercial tenancy and the provision of a verandah to provide amenity for pedestrians; and
- Five generously sized apartments that have been designed to provide a high-level of amenity, in a central location that is well-served by public transport

8.2 Built Form - Special Character, Visual and Streetscape Effects

8.2.1 Built Form - Special Character Effects

The Special Character Area statement provided in Schedule 15 of the AUP: OP describes Parnell Road (Special Character Areas Overlay – Business: Parnell) as one of the earliest established suburban commercial main streets, encompassing a substantial group of mid to late 19th and early 20th century development, which includes a mixture of commercial, residential, civic and community buildings. Parnell is identified as largely being developed between 1880s – 1920s, comprising predominantly commercial buildings, as well as well as early residences, hotels, and public buildings.

The Special Character Area statement states that buildings in the Special Character Areas Overlay – Business: Parnell area are typically one to two storeys, with some larger three – six storey buildings evident (e.g. 100 Parnell Road Geyser Building, 162 Parnell Road Heards Building and 258 Parnell Road Apartment). The 19th and 20th century commercial buildings generally have parapet walls, which increases their apparent scale when viewed from the street. Buildings along Parnell Road reflect the narrow lot widths that occurred as part of an early period of subdivision.

As previously discussed, the subject site is located in Special Character Areas Overlay – Business: Parnell area and is identified as a ‘Character Supporting’ building. As identified on Page 8, of Chapter D18 Special Character Areas Overlay – Residential and Business of the AUP: OP, character buildings are considered to make “...a

moderate contribution to the character of the area. The building should contribute to the appearance, quality, and identity of the area and should be consistent with the values of character-defining places.”

With regard to the proposed development, Section 15.1.1 of the Schedule 15, outlines that the intent of the overlay is to retain and manage the character of traditional town centres and residential neighbourhoods by retaining intact groups of character buildings, enhancing existing traditional buildings and designing compatible new building infill and additions that reinforce the predominant streetscape character, as opposed to replicating older styles and construction methods.

Mr Pearson (a leading heritage Architect) of Dave Pearson Architects Limited has comprehensively assessed the proposal to partially demolish of the existing ‘Character Supporting’ building and construct a new building in the Special Character Areas Overlay Business: Parnell, against the Special Character Statement and overlay provisions. The Heritage Impact Assessment, including a Site and Context Analysis of the area, is attached as **Appendix 5**, and should be referred to for a complete analysis of the character effects associated with this project.

When taking into consideration the characteristics of the site, the surrounding environment, and carefully considered design response, Mr Pearson summarises on Page 21 that the proposal is appropriate for the following reasons:

“In summary, the substantial demolition of the existing Character Supporting building at 401 Parnell Road, the removal and replacement of original fabric to the shop front and the erection of a new six storey building behind the retained façade will have an impact on the character of the Parnell Special Character area.

The impact will be mitigated by the general retention of the facade, the continuing use of part of the ground floor as a commercial tenancy, the stepping back of the new building and its Art Deco influences which will enhance the architectural character of Parnell Road.

Although the new building will be taller than its immediate neighbours, it is considered that it will not look out of place. It is noted that there is at least one other six storey building in the area at 258 Parnell Road and a number of five storey buildings, particularly towards the lower end of Parnell Road.

Overall, it is considered that the proposed development will have a minor effect only on the character of Parnell Road.”

The Development Collective concurs with this assessments and further note that in our view, the proposal achieves the intent of the Special Character Areas Overlay – Business: Parnell. In particular, the proposal has adopted a ‘facadist’ approach, to ensure the character and aesthetic interests of the building are preserved. The proposed building has also been carefully designed by Mr Dave Pearson’s of

Pearson's Architects to ensure it reinforces the predominant streetscape character. The proposed building takes Architectural cues from the original building, merging Art Deco elements (stepped openings with balconies, and horizontal and vertical bandings) with contemporary design elements. These design elements, in conjunction with the articulated facades, expression of different vertical elements (base, middle and top), the setback of upper floors, decorative detailing, the provision of balconies and the high quality materiality, results in a well-modulated appearance, that respond to and reinforces the special character values of Parnell Road.

Furthermore, whilst not necessarily a material environment concern under the RMA, in order to make efficient use of developable land and also considering the financial implications of development and the costs of a multi-storey mixed-use building, a level of pragmatism is required to acknowledge that the partial demolition of the existing dwelling is appropriate, given the characteristics of the site and surrounding environment mentioned above. For development of the site to be financially viable, it requires a clever approach to intensify the site, whilst maintaining and enhancing the special character values of the overlay, which the proposal is considered to achieve through a 'facadist' approach.

In addition, a baseline for the removal of the existing character supporting building and the construction of a new four-storey apartment building has been established for the site under the existing unimplemented consent R/LUC/2015/4702 dated 18th of August 2016, establishing to a degree that the partial demolition of the existing 'Character Supporting' building and the construction of a new mixed-use building is deemed appropriate.

8.2.2 Built Form – Visual and Streetscape Effects

The proposal has been carefully designed to provide a high quality and well-modulated building form, that responds to and respects the context of the site and surrounding area. As previously noted, the proposal exceeds the occupiable building height and the total building height, specified under Table H10.6.1.1 of Standard H10.6.1. Building height. The proposed building also infringes Standard H10.6.2. Height in relation to boundary and Standard H10.6.6. Yards. However, the proposal has been comprehensively assessed by Archavium Limited, in the Urban Design Statement attached as **Appendix 6**, and should be referred to for a complete analysis of the proposal. On Page 24 and 26, Archavium considers the proposed development to be appropriate for the following reasons:

- *“Prior to the Ridge being constructed, the streetscape featured a series of standalone 2 storeys buildings.*

- *Although the Ridge building's cladding supplies depth and texture to the facade, the building is read as one wide 4 storey contemporary structure that dominates the existing single level 9m wide Marriotts Limited façade at 401-403 Parnell Road.*
- *Unlike the approved LUC for 401-403 Parnell Road this design proposes to save one of the few period facades left at this end of Parnell Road. This proposed design will compliment the existing façade whilst providing some much needed visual dominance over the more contemporary apartment building so that the eye is drawn to the existing facade and it does not remain lost in the shadow of contemporary building as it is now.*
- *The original architectural pattern of this portion of Parnell Road had a combination of short single storey buildings, 2 storey buildings and one wide two storey building. The street view had a distinctive pattern typical of Parnell. The Ridge apartment building breaks this pattern. It is reasonable to assume that the building located at 405-409 Parnell Road will be developed to be at least a 20m wide by 13m high building. This will only help to restore the variable height and bulk streetscape that is a documented character defining factor for Parnell Road.*
- *401-403 Parnell Road is an ideal opportunity to restore the distinctive vertical rhythm back to Parnell Road by adding a tall building between two wide neighbours*
- *The proposed 6 storey building in conjunction with existing 4 storey Ridge building are recreating the pattern that was similar to the original streetscape...*
- *... The proposed design creates a bold full stop to the contemporary design of the Ridge apartment building. The scale of the new design and the Art Deco inspired detailing celebrates the history of the site and mitigates the dominance of the contemporary building between these three Southern buildings and the rest of Parnell Road...*
- *...Due to the project site being the narrowest between its neighbours, the proposed design adds rhythm and diversity to the streetscape which is typical for Parnell Road. The decorative facade of the proposed building will also complement the existing character defining buildings..."*

Mr Pearson also notes the following on Page 21 of his Heritage Impact Assessment attached as **Appendix 5**:

“The proposed new multi storey residential apartment block will exceed the allowable height in the area and the current scale of the immediate streetscape, however the proposed building is sympathetically designed and respects the architectural styles, history and diversity of the special character area in which it is located. It is noted that there is at least one other six storey building in Parnell Road and a number of five storey buildings. The height of the proposed building is therefore not considered excessive.

The proposed development will have some impact on the character values of the area due to the additional height of the new building, however, it is considered that this will be mitigated by the retention of the existing façade which will provide continuity to the area. The new building is also set back from the line of the façade and the top floor is set further back to reduce the proposed building’s bulk.

Despite the additional height, the new building will enrich the positive relationship between the public and private realm and be in tune with the historical development of Parnell as a special character area. It will also illustrate a continuation in patterns of urban development of the area into the 21st century.”

The Development Collective concurs with these assessments and further note that in our view, the proposal will result in adverse visual and streetscape effects that are no more than minor for the following reasons:

- The building will not appear visually dominant or out of character with the existing and planned built environment for the area, and the surrounding environment, due to its design, high quality materiality, articulation and the set back of the upper two levels (which is where most of height exceedance is). It is noted that there are five to six storey buildings evident along Parnell Road, therefore the proposed development is considered to be commensurate with the existing built-form.
- The increased building height supports efficient use of land, as it allows 5 residential units to be established in a central location which is in close proximity to an abundance of services and amenities;
- The building mass has been organised to express different vertical elements, including a base (existing facade), middle (building bulk) and top (recessed upper levels), which helps break the bulk and scale of the building and minimise visual impact.
- The increased vertical height and narrow width (10m) of the site, restores the rhythm and diversity of early subdivision patterns along Parnell Road, which was previously eroded with the establishment of a 40m wide apartment to the north. The increased vertical height in this location, also provides visual balance to the wide (40m) apartment to the north.

- The increased height provide a transition in volume, which to helps integrate the development with the adjacent buildings to the north-west and south-east.
- The existing facade on the ground floor has been clearly delineated from the proposed development, through the use of colour and the setback of upper levels from the existing parapet wall, to ensure the integrity of the existing building is maintained.
- Horizontal emphasis has been placed on the building through window alignment and horizontal decorative features, which balances the overall height of the building and minimises visual impact;
- The recessive treatment of the upper two levels, ensures the infringing portion of the building it is setback from Parnell Road and adjacent sites.
- The building articulation and high-quality materiality ensures the proposed building has a positive effect on the site and surrounding environment.
- With respect to shading effects, the intent of H10.6.1. Building height and Standard H10.6.2. Height in relation to boundary is to allow reasonable sunlight and daylight access to public open space excluding streets and nearby sites. No public open spaces are located within the immediate vicinity of the subject site, therefore shading effects in this respect will be avoided. Sunlight and daylight access to nearby sites and streets do not form part of the intent of Standard H10.6.1. Building height and Standard H10.6.2. Height in relation to boundary. Nonetheless, Building Innovation Group have prepared a shading study to ascertain the potential shading effects on adjacent sites and the surrounding environment. The shading analysis concludes that the shading effects generated the proposed building will be indiscernible in comparison to a complaint-built form. These findings are concurred with. Full details of this analysis and the methodology used, can be found in the Sun Study Report attached as **Appendix 7**.
- Any visual effects generated by the infringement of H10.6.6. Yards are limited to adjacent sites and have been assessed in Section 12 of this report.

- The proposal will enhance, rather than detract from, the streetscape and will positively contribute to pedestrian amenity, movement, safety and convenience for people of all ages and abilities, for the following reasons
 - The ground floor commercial tenancy provides extensive areas of glazing, which will provide for a strong visual connection between the public realm and the building interior and will encourage passive surveillance of the street.
 - The provision of a commercial tenancy ('active use') on the ground floor supports activation of the street frontage.
 - The visual prominence of the vehicular accessway is minimised through its width and through the provision of a garage door. The garage door also supports visual continuity of building frontage at street level, as it has been designed to conceal with the building frontage. The concealed garage door also provides visual interest when viewed from the street.
 - The movement caused by the concealed garage door opening, will alert pedestrians that vehicles are approaching. This will ensure pedestrians have sufficient time to find refuge from oncoming vehicles.
 - When exiting, vehicles will need to stop and wait for the garage door to open. This provides drivers with sufficient time to stop and check for pedestrians. This also encourages a low speed environment, and in turn, will support a safe pedestrian environment.
 - The design includes a verandah along the full length of the street frontage (Parnell Road) to provide for weather protection for pedestrians.
 - The residential units above include a glazed façades and balconies along the north-eastern façade (street facing) which supports passive surveillance of Parnell Road;
 - Building entrances have been clearly delineated through a recessive treatment.

8.2.3 Conclusion

Overall, the effects of the development on streetscape character and special character values are considered to be no more than minor.

8.3 On-Site Amenity

8.3.1 Future Occupants

The high quality architectural, landscape and hardscape design responses will ensure that an attractive, comfortable, enjoyable and safe residential environment is created for future residents. The following components of the proposal are considered critical in achieving this for future residents:

- All proposed units have been designed to ensure an adequate amount of floor area is provided in a convenient and efficient layout. As such, it is considered that the proposed residential units will provide comfortable and convenient living spaces for future residents that have a range of specific living requirements.
- Each unit is provided with an outdoor living area, via a balcony, that is directly accessible from the principle living area of the respective units.
- The placement and size of external windows and the light well, ensures all units have adequate access to natural light/ daylight.
- Safe and convenient access to public transport networks is available to all future residents.

With regards to the proposed infringements to outlook space, it is considered that future occupants of the proposed dwellings will be provided with an adequate sense of spaciousness through the generous internal floor areas and layout and interior design. The following comments are made with respect to the specific infringements proposed:

- The outlook space for Bedroom 2 of Apartment 1 is restricted by the existing building façade, such that the required outlook of 3m x 3m cannot be achieved. However, it is considered that the secondary glazing added to the north wall of this bedroom will aid in providing additional outlook and access to natural light. In addition, considering that this bedroom front onto Parnell Road, the parapet of the existing building will aid in providing necessary sound and privacy protection from the road. Overall, any adverse on amenity resulting from this infringement are considered to be less than minor;
- A 3m x 3m outlook space is not provided for Bedroom 3 of Apartment 2. As this room is located on the southern side of the building, it is anticipated that the neighbouring site will be developed in the future and a boundary wall may be

built. Therefore, only glass blocks window is provided in this location to allow sunlight into the room and eliminate privacy issues. It is anticipated to have two layers of glass blocks with LED strips in between, in order to “light” this window at the time when it will be blocked by new building. As such, it is considered that the proposed mitigation measures are sufficient to ensure any adverse on amenity resulting from this infringement are less than minor;

- A 3m x 3m outlook space is not provided for the office/guest room within Apartment 1. As this room is located on the southern side of the building, it is anticipated that the neighbouring site will be developed in the future and a boundary wall may be built. Therefore, no window is provided in this location. In order to compensate for the lack of natural light in this room, it is proposed to utilise technology such as a Coelux “artificial skylight” or similar. Considering this, it is concluded that any adverse on amenity resulting from this infringement on future occupants will be less than minor;
- A 6m x 4m outlook space is not provided for the principle living area of Apartment 2, as this would extend over the rear boundary onto the adjacent site at 14A Birdwood Crescent. In this regard, considering the small scale of the infringement and the proposed internal layout and design, it is considered that any adverse effects on the amenity of future occupants will be less than minor;
- A 3m x 3m outlook space is not provided for Bedroom 3 of Apartment 3 as this would extend over the side boundary onto the adjacent site at 389 Parnell Road. In this case, the roof of the adjacent building is lower than the window proposed for this bedroom, and it is considered that views over this adjacent building from this bedroom would be limited. In addition, this bedroom is not a main bedroom, and provides a generous internal floor area so as to mitigate any adverse effects on amenity. Overall, any adverse on amenity resulting from this infringement are considered to be less than minor;
- A 3m x 3m outlook space is not provided for Bedroom 3 of Apartment 4 as this would extend over the side boundary onto the adjacent site at 389 Parnell Road. As noted for Apartment 3 above, the roof of the adjacent building is lower than the window proposed for this bedroom, therefore views over this adjacent building from this bedroom would be limited. Considering this in conjunction with the generous internal floor area provided, it is considered that any adverse effects resulting from this infringement on amenity will be less than minor;
- A 3m x 3m outlook space is not provided for Bedroom 3 of Apartment 5 as this would extend over the side boundary onto the adjacent site at 389 Parnell Road. For the reasons outlined for Apartments 3 and 4 above, it is considered that any adverse on amenity resulting from this infringement are considered to be less than minor.

Overall, it is considered that future occupants will experience an attractive, comfortable, enjoyable and safe residential environment, and any adverse amenity effects will be less than minor.

8.4 Transportation and Parking Effects

The transportation effects of the proposed development have been assessed in detail by Mr Martin Huang of Stantec. Full descriptions of their findings are contained within the transportation assessment attached as **Appendix 4** and should be referred to for a complete analysis of the transportation effects associated with the proposed development. On Page 8, the report makes the following conclusions, which are concurred with:

“The proposal is to redevelop the site at 401-403 Parnell Road to provide five new residential apartments and a commercial outlet.

One vehicle access will be provided off Parnell Road. The access arrangements comply with most of the requirements of the permitted activity standards of the AUP except that the separation to the adjacent vehicle crossing at the site boundary and the manoeuvring space are less than the minimum distances. However, there are mitigating circumstances and the proposed arrangement is considered appropriate to serve the development. A car tracking curve assessment at the access has been undertaken using the AUP 85th percentile car to confirm the adequacy of the arrangements.

A total of five residential parking spaces are proposed for the site. This provision meets the minimum requirements of the AUP. Parking space dimensions satisfy the requirements of the AUP for regular users.

No loading space is required for a development of this size.

The additional traffic expected to be generated by the development is low from a traffic engineering perspective and can be readily accommodated on the adjacent road network without noticeable effects on the capacity and safety of the surrounding roads.

Based on the assessment which has been undertaken, it is concluded that there are no transport engineering or planning reasons to preclude approval of the development as intended.”

The proposal also involves the construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1)(b)(ii) and Standard E27.6.4.1(3)(c). The following comments are made in this regard:

- The construction of a new vehicle crossing where a Vehicle Access Restriction applies is unavoidable as Parnell Road is the only road frontage for the site;

- Clear sightlines are available at the road interface and along the proposed accessway, ensure vehicles entering or exiting the site do not come into conflict with other vehicles or pedestrians;
- There are no specific crash patterns that would suggest that turning vehicles could create a safety problem;
- The proposed garage door has been innovatively designed, to conceal with the front façade. This design feature supports continuity of building frontage and associated activities at street level.
- The movement caused by the concealed garage door opening, will alert pedestrians that vehicles are approaching. This will ensure pedestrians have sufficient time to find refuge from oncoming vehicles.
- When exiting, vehicles will need to stop and wait for the concealed garage door to open. This provides drivers with sufficient time to stop and check for pedestrians. This also encourages a low speed environment, and in turn, will support a safe pedestrian environment.
- A baseline for the construction of a new vehicle crossing has been established for the site under the existing unimplemented consent R/LUC/2015/4702, dated 18th of August 2016, which established that despite site constraints, it is appropriate to construct a new vehicle crossing on-site.

Overall on the basis of Mr Huang's advice and the assessment above, it is considered that any adverse effects with respect to transportation related matters will be less than minor.

8.5 Signage

The proposed wall mounted signage is shown on the Architectural Drawings attached at **Appendix 2**, and consists of individual letters composed of AAC concrete, which will be fixed to the eastern façade of the proposed building. The proposed sign will have a painted finish, in line with the existing verandah signage on the ground floor of the building.

The site is located within a commercial environment whereby signage is a common feature. The proposed signage is therefore considered to be appropriate in this locality, without creating cumulative effects. The proposed sign uses a consistent colour scheme and materials to the proposed building and the existing sign at the site, so as to integrate with the building design and surrounding development. Whilst the proposed sign is located on the same façade as the existing signage at the site, it is considered that the simple and complimentary design of the proposed sign, in conjunction with its position on the façade will avoid visual clutter. The sign will have

low levels of visual intrusion due to the flush nature of the lettering with the building façade and low levels of reflectivity. Further, the proposed signage is considered to be of a scale that is appropriate for and in proportion with the proposed building. Overall, it is considered that the scale, materiality and location of the proposed sign relate well to the architectural design and will integrate well with the building, and therefore will not detract from the character of the streetscape or any public place.

Although the signage will be visible from the road it is not considered to be out of character of visually dominant in the streetscape in this location when taking into account the extent and design of signage within the surrounding area. In addition, the size and position of the proposed sign will ensure that views of the sign will be from a distance so as not to adversely affect pedestrian or streetscape amenity. The signage is static and does not contain any lights or moving parts that may cause driver distraction.

Overall, the signage proposed is not considered to be visually obtrusive in the context of the surrounding environment. It is therefore considered that any effects, in terms of visual and streetscape amenity effects, will be less than minor.

8.6 Effects Arising from Natural Hazards

8.6.1 Flooding

The subject site contains no overland flow paths, flood plains or flood prone areas, as such no flooding effects are anticipated.

8.6.2 Land Stability

The site is not subject to any known land stability issues, however a geotechnical report is provided to support the proposal. Any engineering or stability issues will be suitably accommodated through the building consent assessment in this case.

Overall, it is considered that the effects arising from land instability will be less than minor.

8.7 Infrastructure Effects

As demonstrated in Section 5.6 of this report, the proposed subdivision will be adequately serviced to ensure there are less than minor effects on infrastructure.

8.8 Noise Effects

The development includes the partial demolition of the existing 'Character Supporting' building located at the subject site, and the construction of a six-storey

mixed-use building in its place. With respect to noise effects, a Construction Noise and Vibration Assessment has been prepared by Bladon Bronka Acoustics (BBA) and is attached at **Appendix 13**. The assessment notes that the proposed works will infringe the permitted noise standards at the properties identified in Figure 8.1 below, being those properties at 405-409 Parnell Road (south-east); 12C, 14, 14A and 16 Birdwood Crescent (south-west); and 389 Parnell Road (north-west). The duration of infringements are expected to occur intermittently for the first four (4) weeks of the required construction activities, whilst demolition, excavation, piling, and foundation works are carried out. After these initial four weeks, the remaining construction activities are expected to generally comply.

Figure 8.1: Adjacent sites affected by the proposed noise and vibration infringements



Source: Auckland Council GIS

Given that the proposed noise infringements will directly impact the identified properties adjacent to the subject site, the effects of this infringement are assessed in the notification assessment in Section 12 below. Compliance will be achieved at all other properties, including residential properties to the south and west, and conditions of consent are offered to certify this and thus ensure any adverse effects are appropriately avoided. Therefore, any adverse noise effects on the wider environment are considered to be less than minor.

It is noted that compliance with the permitted structural vibration limits is expected at all buildings. Where BBA have identified potential infringements of the permitted amenity vibration standard, the effects of this are assessed in the notification assessment in Section 12 below. In particular, it is noted that any potential infringements are expected to be brief and intermittent, such that any adverse effects will be less than minor.

Conditions of consent are offered to certify any adverse effects resulting from the required construction activities are appropriately mitigated. Based on this, and following the implementation of the recommendations outlined by BBA at Appendix 13, it is considered that any adverse effects on the wider environment in terms of noise and vibration will be less than minor.

8.9 Construction Effects

A preliminary construction management plan has been prepared by Building Innovation Group Limited and is attached as **Appendix 8**. The preliminary construction management plan is comprehensive and provides details regarding the construction methodology and the construction program. On Page 20, the Construction Management Plan makes the following conclusions, which are concurred with:

“ In our opinion the construction methodologies shown above combined with accurate project management and site safety plans will enable the building to be constructed with minimal disruption to traffic, business or private residences in the Parnell area. It is understood that all construction projects create some inconvenience and that the larger the projects the more disruption occurs.

Preliminary consultation has been undertaken with all major contractors and suppliers to ensure that the above process can be instigated safely and economically. All suppliers and contractors have been informed of the site restrictions, the restricted hours and format for delivering materials and the inability to accept work vehicles on the construction site other than for the drop off materials in the loading zone outside the building and have indicated that this is feasible.

As a result we feel that the development can be completed with a less than minor effect on the environment providing that; the contractor takes all practical steps to implement the construction program. It must be noted that the programme is general and may vary as the construction progresses and any unforeseen constraints are met.

Additionally; the controls detailed in this document are not intended to be a complete construction management program for the project, but is intended to be a guideline setting down parameters for a comprehensive integrative construction management plan to be undertaken during the construction documentation preparation for building Consent and prior to construction commencing.”

As previously noted, the Construction Management Plan not intended to be a complete construction management program for the project but is intended to be a guideline setting down parameters for a comprehensive integrative construction

management plan. As such, we consider it appropriate for Auckland Council to impose a consent condition, for a final construction management plan to be undertaken by a suitably qualified person in line with the Good practice Guidelines published by Worksafe New Zealand, prior to the commencement of any construction work.

In addition, the proposed earthworks will be carried out in accordance with TP90 and appropriate sediment control measures will be implemented during the earthworks period in accordance with the previously approved sediment and erosion control plan (R/LUC/2015/4702). As previously noted, that the current proposal involves less earthworks than what was previously approved, therefore an additional erosion and sediment control plan is not considered necessary for this application.

For the reasons outlined above and given that the proposed construction works will be temporary in nature, it is considered that any potential adverse construction effects can be appropriately managed and will be less than minor.

8.10 Summary of Assessment of Environmental Effects

For the reasons outlined above, it is considered that the proposal will have **no more than minor effects** on the surrounding environment.

9. Relevant Statutory Documents

Section 104(1)(b) of the RMA requires the Council consider the relevant provisions of the District Plan or Proposed District Plan, Regional Plans and Policy Statements and National Policy Statements. These matters are addressed below.

When considering an application for resource consent, Section 104(1)(b) of the RMA requires the Council to have regard to the relevant provisions of:

- (i) *A national environment standard;*
- (ii) *Other regulations;*
- (iii) *A national policy statement;*
- (iv) *A New Zealand coastal policy statement;*
- (v) *A regional policy statement or proposed regional policy statement; and*
- (vi) *A plan or proposed plan*

9.1 National Environmental Standard – Section 104(1)(b)(i)

There are no NES relevant to this application.

9.2 Other Regulations – Section 104(1)(b)(ii)

There are no other regulations relevant to this application

9.3 National Policy Statement – Section 104(1)(b)(iii)

There are considered to be no national policy statements relevant to this application.

9.4 New Zealand Coastal Policy Statement – Section 104(1)(b)(iv)

9.4.1 New Zealand Coastal Policy Statement (NZCPS)

The New Zealand Coastal Policy Statement (NZCPS) is not considered to be relevant to this application.

9.5 Regional or Proposed Regional Policy Statement – Section 104(1)(b)(v)

9.5.1 AUP: OP Regional Policy Statement

Through Part 1, Chapter B the AUP: OP sets out eight issues of regional significance for resource management in Auckland. The most relevant issue for this proposal is Issue 1 – Enabling Quality Urban Growth

Part 2 of Chapter B of the AUP: OP sets out relevant regional policies that provides for urban growth to occur in a compact and quality manner with the provision of affordable housing and offering the opportunity for establishing social infrastructure, public open space and recreation facilities. Emphasis is placed on creating a quality-built environment while recognising environmental constraints.

It is considered that the proposal is consistent with the AUP: OP RPS as the development includes five (5) residential units to be established in close proximity to Parnell Town Centre and with access to the city centre via public transport networks.

9.6 Plan or Proposed Plan – Section 104(1)(b)(vi)

9.6.1 Assessment under the AUP: OP

9.6.1.1 *D18. Special Character Areas Overlay – Residential and Business*

D18.3. Policies

Special Character Areas Overlay – Business

- (8) *Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.*
- (9) *Identify individual buildings that contribute to the identified special character according to the following descriptions:*
 - (a) *character defining – makes a considerable contribution to the character of the area because of historical, physical and visual qualities; and*
 - (b) *character supporting – makes a moderate contribution to the character of the area. The building should contribute to the appearance, quality, and identity of the area and should be consistent with the values of character-defining places.*
- (10) *Require any application for demolition or removal of a character-defining and character-supporting building in a Special Character Area- Business to, on its own or cumulatively as a result of other demolition, demonstrate that the loss of the building:*
 - (a) *would not erode the identified special character values of the area; and*
 - (b) *would not disrupt the cohesiveness of the streetscape and wider special character area, including links with scheduled historic heritage places.*
- (11) *Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement.*
- (12) *Require new buildings, alterations or additions to existing buildings, or infrastructure, which are within the overlay but are not character defining or character supporting buildings, to maintain the integrity of the context of the area by providing quality design, materials, colour and decoration which respects and enhances the built form and streetscape of the area.*

- (13) Require additions and alterations to existing character defining and character supporting buildings, to be compatible with and respect the special character and existing scale of development.
- (14) Encourage the ongoing use and maintenance of buildings in special character areas

D18.8.1. Matters of discretion

- (1) *For all restricted discretionary activities:*
 - (a) *the effects of the activity on the streetscape and special character context as outlined in the special character area statement;*
 - (b) *the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts as well as its contribution to the streetscape character;*
 - (c) *the building's relationship to other adjacent buildings, and if it contributes to a group in such a way that its demolition, alteration or addition would result in the loss of a character value attributable to the group; and*
 - (d) *the condition of the building, and the practicality and cost of any necessary rehabilitation, and the ability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act 2004.*
- (2) *for an infringement of the any of the standards on the zone in which the building is located:*
 - (a) *the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement.*

D18.8.2. Assessment criteria

D18.8.2.2. Special Character Areas Overlay - Business

- (1) *For the total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a character defining building or a character supporting building; or for the total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a building in the Special Character Areas Overlay - Business with no identified character defining or character-supporting buildings; or for any demolition of the front façade of a character supporting building:*
 - (a) *policies D18.3(8) to (14) as relevant, and in addition, all of the following:*
 - (i) *whether the proposal significantly adversely affects the built special character of the area, including the contribution the individual building makes to the context, character or cohesiveness of the streetscape;*
 - (ii) *the contribution the building makes to adjoining or nearby scheduled buildings and other character defining or supporting buildings or to the*

wider character area where there are no identified character supporting or character defining buildings, either through the context and the relationship of the building or through the building's mass, height or rhythm of façades;

- (iii) whether the existing building forms part of a cohesive group of buildings in terms of similarity of age, scale, proportion or design and the extent to which the building's demolition or partial demolition would detract from the contribution that group makes to streetscape, the special character and context of the area;*
- (iv) whether the building is beyond rehabilitation to a state which would display its special qualities, architectural qualities or special characteristics of the streetscape and the surrounding area; and*
- (v) whether the costs of restoration and repair are significantly greater in comparison to the costs of a new building of similar size and quality.*

Assessment:

It is considered that the proposal is consistent with the relevant objectives, policies, assessment criteria's and standards of the AUP: OP for the following reasons:

- As detailed in Section 5.2 and 8.2 of this report, a 'facadist' approach has adopted for the proposal, to ensure the character and aesthetic interests of the building are not eroded, and that the building makes a positive contribution to the special character values of the area. The proposed building has been carefully designed by Mr Pearson of Pearson's Architects (a leading heritage Architect) to ensure a high-quality result. The proposed building takes Architectural cues from the original building, merging Art Deco elements (stepped openings with balconies, and horizontal and vertical bandings) with contemporary design elements. These design elements, in conjunction with the retention of the existing façade and parapet wall, articulated facades, expression of different vertical elements (base, middle and top), the recessive treatment of upper levels, decorative detailing, the provision of balconies and the high quality materiality, results in a well-modulated appearance, that maintains the integrity of the building and responds to and enhances the special character values of Parnell Road.
- The proposal will enhance the streetscape and special character context and will not disrupt the cohesiveness of the street, for the reasons outlined in Section 8.2.2 of this report.

- With regard to the infringement of Standard H10.6.1. Building height and Standard H10.6.2. Height in relation to boundary, the building will not appear visually dominant or out of character with the existing and planned built environment for the area, and the surrounding environment, due to its design, materials, modulation, articulation and the set back of the upper two levels (which is where most of height exceedance is). It is noted that there are five to six storey buildings evident along Parnell Road. The height of the proposed building is therefore considered to be commensurate with the existing scale of development.
- The infringements of H10.6.6. Yards and H10.6.10. Outlook space are considered acceptable for the reasons outlined in Section 8 and 12 of this report.
- Mr Pearson of Dave Pearson Architects Limited has comprehensively assessed the proposal against the relevant objectives, policies, assessment criteria's and standards of Chapter D18. Special Character Areas Overlay – Residential and Business, and concludes the development if consistent with these objectives, policies and assessment criteria's.

9.6.1.2 E12 Land disturbance - District

D18.2. Objectives

- (1) Land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies and mitigates adverse effects on the environment.*

E12.3. Policies

- (1) Avoid where practicable, and otherwise, mitigate, or where appropriate, remedy adverse effects of land disturbance on areas where there are natural and physical resources that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character.*
- (2) Manage the amount of land being disturbed at any one time, to:*
- (a) avoid, remedy or mitigate adverse construction noise, vibration, odour, dust, lighting and traffic effects;*
 - (b) avoid, remedy and mitigate adverse effects on accidentally discovered sensitive material; and*
 - (c) maintain the cultural and spiritual values of Mana Whenua in terms of land and water quality, preservation of wāhi tapu, and kaimoana gathering.*
- (3) Enable land disturbance necessary for a range of activities undertaken to provide for people and communities social, economic and cultural well-being, and their health and safety.*

- (4) *Manage the impact on Mana Whenua cultural heritage that is discovered undertaking land disturbance by:*

E12.8.1. Matters of discretion

- (1) *all restricted discretionary activities:*
- (a) *compliance with the standards;*
 - (b) *effects of noise, vibration, odour, dust, lighting and traffic on the surrounding environment;*
 - (c) *effects on the stability and safety of surrounding land, buildings and structures;*
 - (d) *effects on overland flow paths and flooding;*
 - (e) *protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin;*
 - (f) *the treatment of stockpiled materials on the site including requirements to remove material if it is not to be reused on the site;*
 - (g) *staging of works and progressive stabilisation;*
 - (h) *information and monitoring requirements;*
 - (i) *timing and duration of works; term of consent;*
 - (j) *potential effects on significant ecological and indigenous biodiversity values;*
 - (k) *risk that may occur as a result of natural hazards;*
 - (l) *protection of or provision of network utilities and road networks.*
 - (m) *potential effects on the natural character and values of the coastal environment, lakes, rivers and their margins, where works encroach into riparian or coastal yards; and*
 - (n) *positive effects enabled through the land disturbance.*

E12.8.2. Assessment criteria

- (1) *all restricted discretionary activities:*
- (a) *whether applicable standards are complied with;*
 - (b) *the extent to which the earthworks will generate adverse noise, vibration, odour, dust, lighting and traffic effects on the surrounding environment and the effectiveness of proposed mitigation measures;*
 - (c) *whether the earthworks and any associated retaining structures are designed and located to avoid adverse effects on the stability and safety of surrounding land, buildings, and structures;*
 - (d) *whether the earthworks and final ground levels will adversely affect overland flow paths or increase potential volume or frequency of flooding within the site or surrounding sites;*
 - (e) *whether a protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin has been provided and the effectiveness of the protocol in managing the impact on Mana Whenua cultural heritage if a discovery is made;*

- (f) *whether the extent or impacts of adverse effects from the land disturbance can be mitigated by managing the duration, season or staging of such works;*
- (g) *the extent to which the area of the land disturbance is minimised, consistent with the scale of development being undertaken;*
- (h) *the extent to which the land disturbance is necessary to provide for the functional or operational requirements of the network utility installation, repair or maintenance;*
- (i) *the extent of risks associated with natural hazards and whether the risks can be reduced or not increased;*
- (j) *whether the land disturbance and final ground levels will adversely affect existing utility services;*
- (k) *the extent to which the land disturbance is necessary to accommodate development otherwise provided for by the Plan, or to facilitate the appropriate use of land in the open space environment, including development proposed in a relevant operative reserve management plan or parks management plan;*
- (l) *for land disturbance near Transpower New Zealand Limited transmission towers:*
 - (i) *the outcome of any consultation with Transpower New Zealand Limited;*
and
 - (ii) *the risk to the structural integrity of transmission lines.*
- (m) *the extent to which earthworks avoid, minimise, or mitigate adverse effects on any archaeological sites that have been identified in the assessment of effects.*

Assessment:

It is considered that the proposal is consistent with the relevant objectives, policies, assessment criteria's and standards of the AUP: OP for the following reasons:

The proposed earthworks will be carried out in accordance with TP90 and appropriate sediment control measures will be implemented during the earthworks period in accordance with the previously approved sediment and erosion control plan (R/LUC/2015/4702).

The subject site contains no areas of flooding, as such the proposed earthworks will not exacerbate flooding and site stability during the earthworks phase addressed through temporary stability measures. Provided the proposed earthworks and civil construction phases are undertaken in accordance with current industry practice (including detailed design, engineering supervision and building consenting), it is considered that the proposal will improve the stability of the subject site, particularly at the common boundaries with external sites.

The scale of the proposed earthworks stages is such that they can be completed within a reasonable period, at any point during the year. As such, limiting duration or season is not considered necessary. Overall, the level of earthworks proposed is not considered to be out of character for the scale of development envisaged within the Business – Town Centre Zone.

9.6.1.3 E23. Signs

E23.2 Objectives

- (1) Appropriate billboards and comprehensive development signage contribute to the social and economic well-being of communities through identifying places, providing information including for convenience and safety purposes, and advertising goods and services.*
- (2) Billboards and comprehensive development signage are managed to maintain traffic and pedestrian safety, historic heritage values and the visual amenity values of buildings and the surrounding environment.*

E23.3 Policies

- (1) Require billboards and comprehensive development signage to meet the relevant permitted activity standards (for example building height) that apply in the zone in which they are located.*
- (2) Require the placement, location and size of billboards and comprehensive development signage on buildings to not significantly detract from the profile or appearance of a building, or cover any significant architectural features on the façade of a building.*
- (3) Enable billboards and comprehensive development signage while avoiding signs creating clutter or dominating the building or environment by controlling the size, number and location of signs.*
- (4) Require traffic and pedestrian safety standards to apply to billboards and comprehensive development signage, particularly to the wording, lighting and location of signs, and changeable message, illuminated, flashing or revolving signs.*
- (5) Manage the effects of billboards and comprehensive development signage to maintain the values of scheduled historic heritage places and visual amenity values.*

E23.8.1. Matters of Discretion

- (3) visual amenity;*
- (4) scale and location;*
- (5) lighting and traffic and pedestrian safety;*
- (6) duration of consent; and*
- (7) cumulative effects*

E23.8.2. Assessment Criteria

- (1) *visual amenity, scale and location:*
- (a) *the extent to which comprehensive development signage, free-standing billboards, or billboards on a side, rear or street facing building façade are appropriate in terms of the zone they are located in taking into account all of the following:*
 - i. *the scale, form and type of signs or billboard;*
 - ii. *the location of the signs or billboard in relation to other signs and billboards and adjacent structures and buildings;*
 - iii. *the size of the site in which the signs or billboard will be located;*
 - iv. *the relationship with the streetscape, landscape and open space areas in the vicinity of the proposed signs or billboard; and*
 - v. *the length of time the signs or billboard will be in place.*
 - (b) *the extent to which the signs or billboard, when attached to a building, will appear to be an integrated element of the building and positively relate to structural bays, structural elements, architectural features, building proportions and the overall design of the building;*
 - (c) *the extent to which the signs or billboard structure are visually integrated with the existing built and/or natural environment;*
 - (d) *whether the signs or billboard structures are simple and visually recessive in terms of form and colour, and are designed to discourage access for graffiti on the image displayed;*
 - (e) *whether the signs or billboard detracts from the visual amenity of any public open space from which it can be seen, including the characteristics of the streetscape, natural environment, landscaping and open space;*
 - (f) *whether the signs or billboard, if located in close proximity to a scheduled historic heritage place, adversely affects the visual amenity or detracts from the visual qualities that are fundamental to the historic heritage values of the scheduled historic heritage place;*
 - (g) *whether a sign or billboard that will replace an existing sign or billboard on a building integrates with the building's form, shape and architectural features; and*
 - (h) *whether the sign or billboard will dominate the outlook from any dwelling or public open space.*
- (2) *lighting and traffic and pedestrian safety:*
- (a) *the extent to which lighting associated with a sign or billboard is controlled to minimise adverse effects on the visual amenity of the surrounding environment during both day and night time (and the transition times between) having regard to:*
 - i. *the location of the signs or billboard;*

- ii. *the sign's orientation to the sun; and*
- iii. *the variance of ambient light levels within the area.*
- (b) *the degree of compliance with Standards E23.6.1(2)(a),(b),(c) or E23.6.1(3)(a), (b), (c) and whether lighting levels, light spill or glare from illuminated or, changeable message signs or billboards that do not meet these standards will cause unreasonable levels of glare and discomfort to any person or to traffic safety (the controls of Tables 2.1 and 2.2 of Australian Standards AS 4282 - 1997 (Control of the Obtrusive Effects of Outdoor Lighting) may be used to determine glare and discomfort);*
- (c) *whether there will be adverse effects on the amenity values of the surrounding area and traffic or pedestrian safety from signs or billboards that are capable of displaying variable images more than once every eight seconds, taking into account:*
 - i. *the proposed transition time between images;*
 - ii. *the dwell time of each image;*
 - iii. *the number of image changes per hour; and*
 - iv. *the number of consecutive related images.*
- (d) *the extent to which the location, operation, lighting or design of the signs or billboard will have adverse effects on traffic or pedestrian safety.*
- (3) *duration of consent:*
 - (a) *whether the duration of a resource consent should be limited, taking into account the future land use and/or transport network changes that are likely to affect the site or location and result in the signs or billboard being inappropriate from a site development or traffic safety perspective.*
- (4) *cumulative effects:*
 - (a) *whether the signs or billboard, in conjunction with existing signs nearby, will create visual clutter or other adverse cumulative effects.*

Assessment

It is considered that the proposal is consistent with the relevant objectives, policies and assessment criteria relating to comprehensive development signage under the AUP: OP for the following reasons:

- The sign is of an appropriate size with respect to the proposed building, as well as buildings within the surrounding area, and has been carefully positioned so as not to be overly dominant in the streetscape.
- The sign is simple in both design and materiality, and visually recessive in terms of form and colour so as to integrate with the architectural features, building proportions and the overall design of the proposed building.

- St Mary's Church, Selwyn Court and Library, and other scheduled heritage buildings and sites are within proximity of the site. In this regard, it is not considered that the proposed sign detracts from the visual qualities or historic heritage values of these scheduled sites, when taking into account the proposed design, location and proportion of the proposed sign.
- The proposed sign features static lettering which will be of a sufficient size to be clearly legible to motorists, and will have low levels of visual intrusion as a result of being integrated into the building façade and through the use of recessive materials and finish. It is therefore not considered that the signage proposed will create any adverse effects in respect to traffic or public safety.

Overall, the signage proposed is considered appropriate and will not be out of character for the site and surrounding area.

9.6.1.4 E25 Noise and Vibration

E25.2 Objectives

- (1) People are protected from unreasonable levels of noise and vibration.*
- (2) The amenity values of residential zones are protected from unreasonable noise and vibration, particularly at night.*
- (3) Existing and authorised activities and infrastructure, which by their nature produce high levels of noise, are appropriately protected from reverse sensitivity effects where it is reasonable to do so.*
- (4) Construction activities that cannot meet noise and vibration standards are enabled while controlling duration, frequency and timing to manage adverse effects.*

E25.3 Policies

- (10) Avoid, remedy or mitigate the adverse effects of noise and vibration from construction, maintenance and demolition activities while having regard to:

 - (a) the sensitivity of the receiving environment; and*
 - (b) the proposed duration and hours of operation of the activity; and*
 - (c) the practicability of complying with permitted noise and vibration standards.**

E25.8.1. Matters of discretion

- (1) for noise and vibration:

 - (a) the effects on adjacent land uses particularly activities sensitive to noise; and*
 - (b) measures to avoid, remedy or mitigate the adverse effects of noise.**

E25.8.2. Assessment criteria

(1) for noise and vibration:

- (a) whether activities can be managed so that they do not generate unreasonable noise and vibration levels on adjacent land uses particularly activities sensitive to noise;*
- (b) the extent to which the noise or vibration generated by the activity:*
 - i. will occur at times when disturbance to sleep can be avoided or minimised; and*
 - ii. will be compatible with activities occurring or allowed to occur in the surrounding area; and*
 - iii. will be limited in duration, or frequency or by hours of operation; and*
 - iv. will exceed the existing background noise and vibration levels in that environment and the reasonableness of the cumulative levels; and*
 - v. can be carried out during daylight hours, such as road works and works on public footpaths.*
- (c) the extent to which the effects on amenity generated by vibration from construction activity:*
 - i. will be mitigated by written advice of the activity to adjacent land uses prior to the activity commencing; and*
 - ii. can be mitigated by monitoring of structures to determine risk of damage to reduce occupant concern; and*
 - iii. can be shown to have been minimised by the appropriate assessment of alternative options; and*
 - iv. are reasonable taking into account the level of vibration and the duration of the activity (where levels of 10mm/s peak particle velocity may be tolerated only for very brief periods).*
- (d) whether the measures to minimise the noise or vibration generated by the activity represent the best practicable option.*

(4) for noise in the Business - City Centre Zone, Business - Metropolitan Centre Zone, Business - Town Centre Zone, Business - Local Centre Zone, Business - Neighbourhood Centre Zone or the Business - Mixed Use Zone:

- (a) in addition to the assessment criteria in E25.8.2(1) above, all of the following will be considered:*
 - i. the background noise at the affected receivers and the extent to which this is proposed to be exceeded;*
 - ii. the level of existing sound insulation (where that information is available) and ventilation options for affected receivers existing as at the date of notification of the Plan; and*
 - iii. the frequency and duration of the exceedance*

Assessment:

It is considered that the proposal is consistent with the relevant objectives, policies, and assessment criteria for noise and vibration under the AUP: OP. As outlined by BBA at **Appendix 13**, the proposed infringements to the construction noise limits are considered acceptable given the intermittent duration of expected infringements, and the mitigation methods proposed to reduce noise effects on the surrounding receivers which can be ensured through the recommended conditions of consent.

9.6.1.5 E27 Transport**E27.2. Objectives**

- (1) *Land use and all modes of transport are integrated in a manner that enables:*
 - (a) *the benefits of an integrated transport network to be realised; and*
 - (i) *the adverse effects of traffic generation on the transport network to be managed.*
- (2) *An integrated transport network including public transport, walking, cycling, private vehicles and freight, is provided for.*
- (3) *Parking and loading supports urban growth and the quality compact urban form.*
- (4) *The provision of safe and efficient parking, loading and access is commensurate with the character, scale and intensity of the zone.*
- (5) *Pedestrian safety and amenity along public footpaths is prioritised.*
- (6) *Road/rail crossings operate safely with neighbouring land use and development.*

E27.3. Policies

- (1) *Require subdivision, use and development which:*
 - (a) *generate trips resulting in potentially more than minor adverse effects on the safe, efficient and effective operation of the transport network;*
 - (b) *are proposed outside of the following zones:*
 - (i) *the Business - City Centre Zone, Business - Metropolitan Centre Zone, Business - Town Centre Zone;*
 - (ii) *Residential - Terrace Housing and Apartment Buildings Zone;*
 - (iii) *the Centre Fringe Office Control as shown on the planning maps; or*
 - (iv) *do not already require an integrated transport assessment or have been approved based on an integrated transport assessment to manage adverse effects on and integrate with the transport network by measures such as travel planning, providing alternatives to private vehicle trips, staging development or undertaking improvements to the local transport network.*

- (2) *Require major proposals for discretionary consent to prepare an integrated transport assessment including provision for pedestrians, cyclists, public transport users, freight and motorists.*

Parking

- (3) *Manage the number, location and type of parking and loading spaces, including bicycle parking and associated end-of-trip facilities to support all of the following:*
- (a) *the safe, efficient and effective operation of the transport network;*
 - (b) *the use of more sustainable transport options including public transport, cycling and walking;*
 - (c) *the functional and operational requirements of activities;*
 - (d) *the efficient use of land;*
 - (e) *the recognition of different activities having different trip characteristics; and*
 - (f) *the efficient use of on-street parking.*
- (4) *Limit the supply of on-site parking in the Business - City Centre Zone to support the planned growth and intensification and recognise the existing and future accessibility of this location to public transport, and support walking and cycling.*
- (5) *Limit the supply of on-site parking for office development in all locations to:*
- (a) *minimise the growth of private vehicle trips by commuters travelling during peak periods; and*
 - (b) *support larger-scale office developments in the Business - City Centre Zone, Centre Fringe Office Control area, Business - Metropolitan Centre Zone, Business - Town Centre Zone and Business - Business Park Zone.*
- (6) *Provide for flexible on-site parking in the Business - Metropolitan Centre Zone, Business - Town Centre Zone, Business - Local Centre Zone and Business - Mixed Use Zone (with the exception of specified non-urban town and local centres and the Mixed Use Zone adjacent to those specified centres) by:*
- (a) *not limiting parking for subdivision, use and development other than for office activities, education facilities and hospitals.*
 - (b) *not requiring parking for subdivision, use and development other than for retail (excluding marine retail and motor vehicle sales) and commercial service activities.*
- (6) (A) *Enable the reduction of on-site parking for retail and commercial services activities in the Business-Metropolitan Centre Zone, Business-Town Centre Zone, Business-Local Centre Zone and Business-Mixed Use Zone where a suitable public off-site parking solution is available and providing for no or reduced on-site parking will better enable the built form outcomes anticipated in these zones.*
- (8) *Require all other subdivision, use and development to provide a minimum level of on-site parking in recognition of the more limited alternatives to private vehicle travel unless it can be demonstrated that a lesser amount of on-site parking is needed for a particular site or proposal or the provision of on-site parking would*

- be inconsistent with the protection of Historic Heritage or Special Character overlays.*
- (9) *Provide for flexible approaches to parking, which use land and parking spaces more efficiently, and reduce incremental and individual parking provision.*
- (10) *Provide for non-accessory parking where:*
- (a) *the proposal and the type of parking will reinforce the efficient use of land or planned growth and intensification provided for in this plan for the site or locality; and*
 - (b) *there is an undersupply or projected undersupply of parking to service the area having regard to all of the following:*
 - (i) *the efficient use of land to rationalise or consolidate parking resources in centres;*
 - (ii) *the availability of alternative transport modes, particularly access to the existing and planned public transport;*
 - (iii) *the type of parking proposed;*
 - (iv) *existing parking survey information; and*
 - (v) *the type of activities in the surrounding area and their trip characteristics.*
- (12) *Control the development of long-term non-accessory parking in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone and in the Business – Mixed Use Zone so that the parking does not undermine:*
- (a) *the efficient use of land or growth and intensification provided for in this plan for the site or locality; and*
 - (b) *the use of public transport in these zones.*
- (13) *Provide for park-and-ride and public transport facilities which are located and designed to support the public transport network by:*
- (a) *locating in proximity to public transport stations, stops and terminals;*
 - (b) *growing public transport patronage to assist in relieving congested corridors by encouraging commuters to shift to public transport;*
 - (c) *making public transport easier and more convenient to use, thereby attracting new users;*
 - (d) *improving the operational efficiency of the public transport network;*
 - (e) *extending the catchment for public transport into areas of demand where it is not cost-effective to provide traditional services or feeders;*
 - (f) *reinforcing existing and future investments on the public transport network; and*
 - (g) *providing free, secure and covered parking for bicycles.*
- (14) *Support increased cycling and walking by:*
- (a) *Requiring larger developments to provide bicycle parking;*

- (b) *requiring end-of-trip facilities, such as showers and changing facilities, to be included in office, educational and hospital developments with high employee or student numbers; and*
- (c) *providing for off-road pedestrian and bicycle facilities to complement facilities located within the road network.*

Loading

- (15) *Require access to loading facilities to support activities and minimise disruption on the adjacent transport network.*
- (16) *Provide for on-site or alternative loading arrangements, including on-street loading or shared loading areas, particularly in locations where it is desirable to limit access points for reasons of safety, amenity and road operation.*

Design of parking and loading

- (17) *Require parking and loading areas to be designed and located to:*
 - (a) *avoid or mitigate adverse effects on the amenity of the streetscape and adjacent sites;*
 - (b) *provide safe access and egress for vehicles, pedestrians and cyclists;*
 - (c) *avoid or mitigate potential conflicts between vehicles, pedestrians and cyclists; and*
 - (d) *in loading areas, provide for the separation of service and other vehicles where practicable having regard to the functional and operational requirements of activities.*
- (18) *Require parking and loading areas to be designed so that reverse manoeuvring of vehicles onto or off the road does not occur in situations which will compromise:*
 - (a) *the effective, efficient and safe operation of roads, in particular arterial roads;*
 - (b) *pedestrian safety and amenity, particularly within the centre zones and Business – Mixed Use Zone; and*
 - (c) *safe and functional access taking into consideration the number of parking spaces served by the access, the length of the driveway and whether the access is subject to a vehicle access restriction.*

Access

- (20) *Require vehicle crossings and associated access to be designed and located to provide for safe, effective and efficient movement to and from sites and minimise potential conflicts between vehicles, pedestrians, and cyclists on the adjacent road network.*
- (21) *Restrict or manage vehicle access to and from sites adjacent to intersections, adjacent motorway interchanges, and on arterial roads, so that:*

- (a) *the location, number, and design of vehicle crossings and associated access provides for the efficient movement of people and goods on the road network; and*
 - (b) *any adverse effect on the effective, efficient and safe operation of the motorway interchange and adjacent arterial roads arising from vehicle access adjacent to a motorway interchange is avoided, remedied or mitigated.*
- (22) *Restrict vehicle access across the Vehicle Access Restriction – General Control as shown on the planning maps within the Business – City Centre Zone to:*
- (a) *give high priority to pedestrian movement, safety and amenity along the main pedestrian streets in the Business – City Centre Zone; and*
 - (b) *provide for continuity of building frontage and associated activities at street level.*
- (23) *Provide for the continued use of existing vehicle access affected by the Key Retail Frontage Control as shown on the planning maps and Vehicle Access Restriction – General Control in the Business – City Centre Zone where the effects of the activity and use of the vehicle access are the same or similar in character, intensity and scale which existed on 30 September 2013.*
- (24) *Control alterations to or rationalisation of existing vehicle access affected by the Key Retail Frontage Control and Vehicle Access Restriction – General Control in the Business – City Centre Zone where there is a change in the character, intensity or scale of the activity and use of the existing vehicle access.*
- (25) *Discourage new vehicle access across the Key Retail Frontage Control in the Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Mixed Use Zone to:*
- (a) *give high priority to pedestrian movement, safety and amenity; and*
 - (b) *provide for continuity of building frontage and associated activities at street level.*

E27.8.1. Matters of discretion

- (9) *any activity or development which infringes the standards for design of parking and loading areas or access under Standards E27.6.3, E27.6.4.2, E27.6.4.3 and E27.6.4.4:*
- (a) *adequacy for the site and the proposal;*
 - (b) *design of parking, loading and access;*
 - (c) *effects on pedestrian and streetscape amenity; and*
 - (d) *effects on the transport network.*
- (12) *construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(2) and Standard E27.6.4.1(3):*
- (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.*

E27.8.2. Assessment criteria

(8) *any activity or development which infringes the standards for design of parking and loading areas or access under Standard E27.6.3, E27.6.4.2, E27.6.4.3 and E26.6.4.4:*

(a) *effects on the safe and efficient operation of the adjacent transport network having regard to:*

- (i) *the effect of the modification on visibility and safe sight distances;*
- (ii) *existing and future traffic conditions including speed, volume, type, current accident rate and the need for safe manoeuvring;*
- (iii) *existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan; or*
- (iv) *existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes, footpaths and cycleways.*

(b) *effects on pedestrian amenity or the amenity of the streetscape, having regard to:*

- (i) *the effect of additional crossings or crossings which exceed the maximum width; or*
- (ii) *effects on pedestrian amenity and the continuity of activities and pedestrian movement at street level in the Business - City Centre Zone, Business - Metropolitan Centre Zone, Business - Town Centre Zone and Business - Local Centre Zone.*

(c) *the practicality and adequacy of parking, loading and access arrangements having regard to:*

(i) *site limitations, configuration of buildings and activities, user requirements and operational requirements; (ii) the ability of the access to accommodate the nature and volume of traffic and vehicle types expected to use the access. This may include considering whether a wider vehicle crossing is required to:*

- *comply with the tracking curve applicable to the largest vehicle anticipated to use the site regularly;*
- *accommodate the traffic volumes anticipated to use the crossing, especially where it is desirable to separate left and right turn exit lanes;*
 - *the desirability of separating truck movements accessing a site from customer vehicle movements;*
 - *the extent to which reduced manoeuvring and parking space dimensions can be accommodated because the parking will be used by regular users familiar with the layout, rather than by casual users; [New text to be inserted]*

- (iii) any use of mechanical parking installation such as car stackers or turntables does not result in queuing beyond the site boundary; or
 - (iv) any stacked parking is allocated and managed in such a way that it does not compromise the operation and use of the parking area
- (11) construction or use of a vehicle crossing where a Vehicle Access Restriction applies:
- (a) this applies where a Vehicle Access Restriction is identified in Standard E27.6.4.1(2) and Standard E27.6.4.1(3), other than a Vehicle Access Restriction Level Crossing or a Vehicle Access Restriction Motorway Interchange:
 - (i) effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:
 - visibility and safe sight distances;
 - existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring;
 - proximity to and operation of intersections;
 - existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan;
 - existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways;
 - (ii) the effects on the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone; or
 - (iii) the practicability and adequacy of the access arrangements considering site limitations, arrangement of buildings and activities, user requirements and operational requirements, proximity to and operation of intersections, having regard to:
 - the extent to which the site can reasonably be served by different access arrangements including:
 - access from another road;
 - shared or amalgamated access with another site or sites;
 - via a frontage road, such as a slip lane or service road;
 or
 - the extent to which the need for access can reasonably be avoided by entering into a shared parking and/or loading arrangement with another site or sites in the immediate vicinity.

Assessment:

It is considered that the proposal is consistent with the relevant objectives, policies, assessment criteria's and standards of the AUP: OP for the following reasons:

- The subject site is well serviced by public transport, as such, it is a suitable location for intensified residential development;
- The construction of a new vehicle crossing where a Vehicle Access Restriction applies is considered acceptable for the reasons outlined in Section 8 of this report and the Transportation Assessment Report attached as **Appendix 5**.
- The Transportation Assessment Report, prepared by Mr Huang of Stantec, attached as **Appendix 5**, concludes that the proposed parking and access arrangements will be able to function in a safe, efficient and effective manner and are acceptable from a traffic perspective.

9.6.1.6 H10. Business - Town Centre Zone

H10.3. Policies

General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) *Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.*
- (2) *Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.*
- (3) *Require development to be of a quality and design that positively contributes to:*
 - (a) *planning and design outcomes identified in this Plan for the relevant zone;*
 - (b) *the visual quality and interest of streets and other public open spaces; and*
 - (c) *pedestrian amenity, movement, safety and convenience for people of all ages and abilities.*
- (4) *Encourage universal access for all development, particularly medium to large scale development.*
- (5) *Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.*
- (6) *Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.*
- (7) *Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.*

- (8) *Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.*
- (9) *Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.*
- (10) *Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.*
- (11) *Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.*
- (12) *Recognise the functional and operational requirements of activities and development.*
- (13) *In identified locations within the centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height:*
 - (a) *is an efficient use of land;*
 - (b) *supports public transport, community infrastructure and contributes to centre vitality and vibrancy;*
 - (c) *considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones; and*
 - (d) *is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre.*
- (14) *In identified locations within the centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or amenity.*

Business – Town Centre Zone policies

- (15) *Provide for town centres including new town centres of different scales and locations, that:*
 - (a) *service the surrounding community’s needs for a range of uses, such as commercial, leisure, tourist, cultural, community and civic activities; and*
 - (b) *support a range of transport modes including, public transport, pedestrian and cycle networks and the ability to change transport modes.*
- (16) *Enable significant growth and intensification in town centres, except for those centres where it would compromise the planning outcomes identified in this Plan for the relevant centre.*

- (17) *Manage development in town centres so that it contributes to the function and amenity of the centre. Require those parts of buildings with frontages subject to the Key Retail Frontage Control to maximise street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.*
- (18) *Require those parts of buildings with frontages subject to the General Commercial Frontage Control to achieve street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.*
- (19) *Encourage the location of supermarkets and department stores within town centres by recognising:*
 - (a) *the positive contribution these activities make to centre viability and function;*
 - (b) *the functional and operational requirements of these activities; and*
 - (c) *where preferred built form outcomes are not achieved, the development needs to achieve a quality built environment by positively contributing to public open space, including the activation of streets.*
- (20) *Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.*
- (21) *Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.*

H10.8.1. Matters of discretion

- (2) *new buildings and alterations and additions to buildings not otherwise provided for:*
 - (a) *the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:*
 - (i) *the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;*
 - (ii) *the maintenance or enhancement of amenity for pedestrians using the public space or street;*
 - (iii) *the provision of convenient and direct access between the street and building for people of all ages and abilities;*
 - (iv) *measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and*
 - (v) *the effectiveness of screening of car parking and service areas from the view of people using the public space;*
 - (b) *the provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time;*
 - (c) *the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:*

- (i) *the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;*
 - (ii) *the degree of visibility that it provides between the public space and the building interior; and*
 - (iii) *the opportunities for passive surveillance of the street from the ground floor of buildings;*
 - (d) *the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;*
 - (e) *the application of crime prevention through environmental design principles to the design and layout of buildings adjoining public spaces;*
 - (f) *the effects of creation of new roads and/or service lanes on the matters listed above;*
 - (g) *the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;*
 - (h) *taking an integrated stormwater management approach; and*
 - (i) *all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;*
- (6) *buildings that do not comply with the standards:*
- (a) *any policy which is relevant to the standard;*
 - (b) *the purpose of the standard;*
 - (c) *the effects of the infringement of the standard;*
 - (d) *the effects on the amenity of neighbouring sites;*
 - (e) *the effects of any special or unusual characteristic of the site which is relevant to the standard;*
 - (f) *the characteristics of the development;*
 - (g) *any other matters specifically listed for the standard; and*
 - (h) *where more than one standard will be infringed, the effects of all infringements.*

H10.8.2. Assessment criteria

- (2) *new buildings and alterations and additions to buildings not otherwise provided for:*
 - (a) *for Matter H10.8.1(2)(a)(i) refer to Policy H10.3(3)(a), Policy H10.3(3)(b) and Policy H10.3(17);*
 - (b) *for Matter H10.8.1(2)(a)(ii) refer to Policy H10.3(3)(c), Policy H10.3(18) and Policy H10.3(19);*
 - (c) *for Matter H10.8.1(2)(a)(iii) refer to Policy H10.3(4);*
 - (d) *for Matter H10.8.1(2)(a)(iv) refer to Policy H10.3(3)(a);*
 - (e) *for Matter H10.8.1(2)(a)(v) refer to Policy H10.3(7);*

- (f) for Matter H10.8.1(2)(b) refer to Policy H10.3(6);
- (g) for Matter H10.8.1(2)(c)(i) refer to Policy H10.3(3)(a) and Policy H10.3(3)(b);
- (h) for Matter H10.8.1(2)(c)(ii) refer to Policy H10.3(3)(a) and Policy H10.3(3)(b);
- (i) for Matter H10.8.1(2)(c)(iii) refer to Policy H10.3(3)(a) and Policy H10.3(3)(b);
- (j) for Matter H10.8.1(2)(d) refer to Policy H10.3(3)(c);
- (k) for Matter H10.8.1(2)(e) refer to Policy H10.3(3)(c);
- (l) for Matter H10.8.1(2)(f) refer to Policy H10.3(3)(b);
- (m) for Matter H10.8.1(2)(g) refer to Policy H10.3(3)(c);
- (n) for Matter H10.8.1(2)(h) refer to Policy E1.3(10); and
- (o) for Matter H10.8.1(2)(i) refer to Policy H10.3(12);

(6) buildings that do not comply with the standards:

- (a) height, height in relation to boundary, building setbacks at upper floors, maximum tower dimension and tower separation:
 - (i) refer to Policy H10.3(3)(a), Policy H10.3(3)(b), Policy H10.3(8), Policy H10.3(13), Policy H10.3(14) and Policy H10.3(15);
- (c) yards and landscaping:
 - (i) refer to Policy H10.3(3)(b), Policy H10.3(3)(c), Policy H10.3(7) and Policy H10.3(8);
- (f) outlook space, minimum dwelling size:
 - (i) refer to Policy H10.3(2).

Assessment:

It is considered that the proposal is consistent with the relevant objectives, policies, assessment criteria's and standards of the AUP: OP for the following reasons:

- The proposal supports an increase in density, diversity and quality of housing in Parnell Town Centre, through the provision of both commercial and residential activities, which have been designed to manage adverse effects on adjacent sites and the wider environment.
- The proposal is served well by public transport, and provides both vehicular parking and bicycle storage, which ensures the proposal support a range of transport modes and provides future occupants with the ability to change transport modes.
- The development comprises a mix of commercial and residential activities, in a location that is served well by transport infrastructure, is close to an abundance of services and amenities and is suitable for intensification;
- As detailed in Section 8 of this report, the proposal positively contributes to

pedestrian amenity, movement, safety and convenience for people of all ages and abilities by locating commercial uses on the ground floor to support an active street frontage, maximising glazing on the ground floor, concealing the garage door to maintain an attractive facade, clearly defining entranceways at ground level and the provision of a verandah along the full length of the front façade.

- The ground to ceiling height of the ground floor ensures the ground floor is adaptable to a wide range of uses/activities.
- As per the Transportation Assessment Report, prepared by Mr Huang of Stantec and attached as **Appendix 5**, the proposed parking and access arrangement will service the development in a safe, efficient and practical manner.
- Effects on adjacent properties have been assessed in detail in Section 12 of this report.
- The proposal comprises commercial and residential activities, which do not hold any noxious, offensive, or undesirable qualities.
- As detailed in Section 5.9 of this report, the proposal recognises the functional and operational requirements of activities and development.
- The infringements of H10.6.1. Building height, H10.6.2. Height in relation to boundary: H10.6.6. Yards and H10.6.10. Outlook space are considered acceptable for the reasons outlined in Section 8 and 12 of this report.

9.6.1.7 Summary

Overall, it is considered that the proposed enabling works will be consistent with the relevant matters of the AUP: OP.

10. Other Matters

Section 104(1)(c) of the RMA requires that Council consider any other matters relevant and reasonably necessary to determine an application.

There are no other matters in addition to those already discussed considered relevant or reasonably necessary to determine this application.

11. Part 2 of the RMA

Part 2 of the RMA contains the purpose and principles. Consideration of applications for Resource Consent is subject to Part 2 of the RMA. The purpose of the RMA is set out in Section 5 as being to promote the sustainable management of natural and physical resources. Sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

For the reasons outlined in the assessments above, it is considered that the proposal is consistent with Section 5. The proposal will provide a six-storey mixed-use building, comprising retail activities on the ground floor and five (5) apartment units on the upper floors, while achieving appropriate level of environmental effects in terms of the amenity and character of the local area; and the natural environment.

This is considered to be an efficient use of a valuable land resource and will enable people to provide for their social and economic well-being.

Section 6 of the RMA sets out matters of National Importance and requires that these be recognised and provided for. These include natural character of the coastal environment, natural, landscape and heritage areas, significant indigenous vegetation and fauna and the relationship of Maori with their culture and traditions. It is considered that there are no matters of national importance relating to this application.

Section 7 identifies a number of “other matters” to be given particular regard by Council in the consideration of any assessment for resource consent and includes the efficient use of natural and physical resources, and the maintenance and

enhancement of amenity values. It is considered that this proposal will provide a form of development that is appropriate in this location.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. It is considered that there are no matters relating to the Treaty of Waitangi relevant to this application.

Accordingly, it is concluded that the proposed residential development is consistent with the purpose of the RMA in relation to managing the use, development, and protection of natural and physical resources.

12. Notification Assessment

12.1 Public notification assessment (sections 95A, 95C-95D)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

12.1.1 Step 1: Mandatory public notification in certain circumstances

No mandatory notification is required as:

- the applicant has not requested that the application is publicly notified (s95A(3)(a))
- there are no outstanding or refused requests for further information (s95C and s95A(3)(b)), and
- the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977 (s95A(3)(c)).

12.1.2 Step 2: If not required by step 1, public notification precluded in certain circumstances

Public notification of a resource consent application exclusively involving a residential activity (as defined by s95A(6)) or the subdivision of land is precluded where the activity status for the application is restricted discretionary (ss95A(4) and 95A(5)(b)(ii)).

In this case, the proposal is for commercial activities as well as residential activities, and therefore public notification is not precluded.

12.1.3 Step 3: If not precluded by step 2, public notification required in certain circumstances

As noted under step 2, public notification is not precluded, and an assessment in accordance with s95A is required which is set out in the Section 8 of this report. As described in Section 8 of this report, it is considered that any adverse effects will be no more than minor.

12.1.4 Step 4: Public notification in special circumstances

If an application has not been publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified (s95A(9)).

Special circumstances are those that are:

- exceptional or unusual, but something less than extraordinary

- outside of the common run of applications of this nature, or
- circumstances which makes notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

In this case, it is not considered that there is anything noteworthy about the proposal, and the application cannot be described as being out of the ordinary or giving rise to special circumstances for the following reasons:

- The proposal involves the establishment of a mixed-use building, comprising commercial activities on the ground floor and residential activities on the upper floor. The Town Centre Zone provisions specifically envisage and allow for such an activity.
- The proposed design is a site-specific response to the particular constraints of the site, and its special character context.
- The building scale, form and composition of materials have been informed by, and are compatible with, the finishing and colour of existing buildings within the Business – Town Centre Zone and the special character area overlay.
- The level of intensification proposed is compatible with the existing activities within the Business – Town Centre Zone and the special character area overlay.
- The proposed building is of a height, bulk and form that is considered to be appropriate for its location fronting Parnell Road (an arterial road) within the Business- Town Centre Zone, and its periphery of the Residential – Terrace Housing and Apartment Buildings Zone.
- The Transportation Assessment, prepared by Mr Huang of Stantec, attached as **Appendix 6** concludes that the proposed parking and access arrangements will be able to function in a safe, efficient and effective manner and are acceptable from a traffic perspective.

12.1.5 Public notification conclusion

Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is not precluded;
- Step 3 of the notification tests is not applicable due to the finding of step 2; and
- Under step 4, there are no special circumstances that warrant the application being publicly notified.

It is therefore recommended that this application be processed without public notification.

12.1.6 Land Excluded from the Assessment

In this case, I consider that adjacent land includes the following properties because these sites are adjoining the subject site, directly across the road or are close by such that they are considered to form part of the context of the subject site. The effects on these owners and occupiers have been disregarded.

- 400, 381-389 and 405-409 Parnell Road, Parnell
- 14, 14A, 16 and 2/16 Birdwood Crescent, Parnell

Figure 12.1: Adjacent properties in relation to the subject site indicated with a red star.



Source: Auckland Council GeoMaps

12.1.7 Permitted Baseline

In this case, a permitted baseline is not relevant for this site or this application as the effects of a complying development are not comparable to a development of this scale.

12.1.8 Persons Who Have Given Their Written Approval

In this case, no persons have provided their written approval.

12.1.9 Assessment of Effects on the Environment

Having regard to the assessments in Section 8 of this report and after an analysis of the application, including any proposed mitigation measures and specialist reports, the adverse effects of the activity on the environment are considered to be no more than minor.

12.1.10 Public Notification Summary

Accordingly, I consider this application can be processed without public notification.

12.2 Limited notification assessment (sections 95B, 95E-95G)

If the application is not publicly notified under s95A, the council must follow the steps set out in s95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

12.2.1 Step 1: Certain affected protected customary rights groups must be notified

There are no protected customary rights groups or customary marine title groups affected by the proposed activity (s95B(2)).

In addition, the council must determine whether the proposed activity is on or adjacent to, or may affect, land that is subject of a statutory acknowledgement under schedule 11, and whether the person to whom the statutory acknowledgement is made is an affected person (s95B(3)). Within the Auckland region the following statutory acknowledgements are relevant:

- Te Uri o Hau Claims Settlement Act 2002
- Ngāti Manuhiri Claims Settlement Act 2012
- Ngāti Whātua Ōrākei Claims Settlement Act 2012
- Ngāti Whātua o Kaipara Claims Settlement Act 2013
- Te Kawerau ā Maki Claims Settlement Act 2015

In this instance, the proposal is not on or adjacent to land that is subject to a statutory acknowledgement and will not result in adversely affected persons in this regard.

12.2.2 Step 2: If not required by step 1, limited notification precluded in certain circumstances

In this case, the applicable rules and NES do not preclude public notification and the application is not for a controlled activity, and therefore limited notification is not precluded.

12.2.3 Step 3: If not precluded by step 2, certain other affected persons must be notified

As this application is not for a boundary activity or a prescribed activity, there are no affected persons related to those types of activities (s95B(7)).

The following assessment addresses whether there are any affected persons that the application is required to be limited notified to (s95B(8)).

In determining whether a person is an affected person:

- a person is affected if the activity's adverse effects on that person are minor or

more than minor (but not less than minor);

- adverse effects permitted by a rule in a plan or NES (the permitted baseline) may be disregarded;
- the adverse effects on those persons who have provided their written approval must be disregarded, and
- as a restricted discretionary activity only those effects on persons that fall within the matters of discretion restricted under the plan can be considered.

The proposal comprises a mixed-use development, that is of height, bulk and form is considered to be appropriate for its location fronting Parnell Road (an arterial road) within the Business- Town Centre Zone, whilst acknowledging the constraints of the site and its special character context.

The following is a detailed assessment on the impacts of the proposal to the adjacent sites and persons with an interest in them.

Having regard to the analysis in Section 8 of this report, the following comments are made in relation to the effects on adjacent properties.

12.2.3.1 Character Effects

The subject site has an established baseline for the demolition of the existing 'Character Supporting' building, the construction of a new mixed-use building, and the resulting effects on the surrounding character. As the proposal involves further intensification, with two additional storeys proposed, there are likely effects to the general character anticipated. This is a cumulative impact of the development in terms of the additions and alterations to the existing 'Character Supporting' building, the height infringements, construction, increased traffic and intensity of use. Overall, considering the assessment undertaken in Section 8, and considering the notification of the existing unimplemented resource consent, it is deemed that there will be no more than minor character effects on adjacent sites. As such, notification is recommended for the adjacent sites.

12.2.3.2 Built Form

Bulk/Dominance

As the site and adjacent properties (located in the Business – Town Centre Zone and Residential – Terrace Housing and Apartment Building Zone) develop in accordance with The Auckland Unitary Plan, there will be significant changes to the existing urban built-form, with larger 4-6 story buildings becoming more prominent. The proposal has been carefully designed to provide a high quality and well-modulated building form, that responds to and respects the context of the site and surrounding area and is commensurate with the existing and future built form. Taking into

consideration the assessment provided in Section 8 of this report, it is considered that the bulk/dominance effects on adjacent site will be no more than minor for the following reasons.

381-389 Parnell Road, Parnell

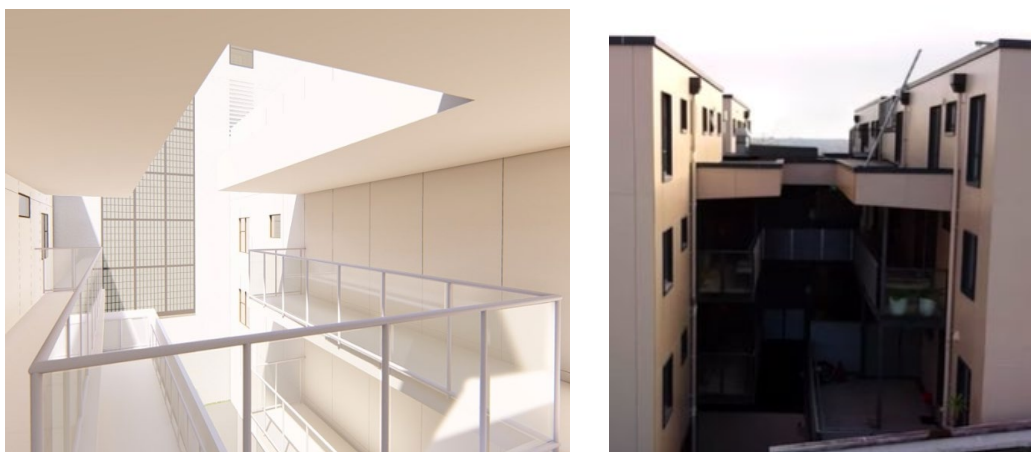
381-389 Parnell Road is located to the north-west of the subject site. The site is occupied by a 4-storey mixed-use building, comprising commercial activities on the ground floor and residential activities on the upper floors.

As identified in Section 4 of this report, concerns were raised in Body Corporate committee meeting (held on the 10/02/2020) about the visual appearance of the building from their courtyard/ internal access area. The northern elevation has been carefully designed to provide visual relief through a high-quality materiality, articulated facades and modulation of building form. While the proposal exceeds the maximum height limits for the zone, the upper two levels (which is where most of the height exceedance is) have been setback from the 381-389 Parnell Road, which assists in mitigating any bulk/dominance effects. Furthermore, the adjacent sites main areas of amenity (outlook/outdoor living) are orientated to the west and east of the site, away from the proposed development to the south.

With respect to the courtyard/internal access area, as depicted below, this area largely enclosed by roof canopies on all levels, which restricts visibility of the upper /infringing portions of the building. It is also noted that buildings within the Business -Town Centre Zone requires no setbacks from adjacent sites within the same zone, and a maximum height of 13m is permitted. Taking into consideration the anticipated built form of the site, along with the design response and the location of the adjacent sites main areas of amenity (outlook and outdoor living), it is considered that potential adverse bulk and dominance effects on 381-389 Parnell Road will be no more than minor.

Figure 12.1 - 12.4: Views of the northern façade from 381-389 Parnell Road





Source: Archavium Limited

400 Parnell Road, Parnell

405-409 Parnell Road, Parnell is located to the north-east of the subject site and contains a motor lodge. The adjacent site is separated by a 20m wide arterial road (Parnell Road). This generous setback, in conjunction with the design response will ensure the proposed development does not appear overly dominant when viewed from 400 Parnell Road, Parnell.

405-409 Parnell Road, Parnell

405-409 Parnell Road, Parnell is located to the south-east of the subject site and contains three retail tenancies.

Concerns were raised by Auckland Council about the blankness of the southern façade in the second pre-application meeting. These concerns were taken on board, and design changes were made to address them. Architectural detailing and a green wall have been incorporated on this façade, to provide visual interest. Furthermore, the upper two levels (which is where most of the height exceedance is) have been setback from 405-409 Parnell Road, which assists in mitigating any bulk/dominance effects. The existing accessway located along the northern boundary of 405-409 Parnell Road also provides some separation distance (3.5m approx.), which further mitigates any bulk and dominance effects.

14, 14A, 16 and 2/16 Birdwood Crescent, Parnell

14 and 14A Birdwood Crescent, Parnell are located to the south-west of the subject site and both sites contain a detached dwelling. 16 and 2/16 Birdwood Crescent, Parnell are located to the south of the subject site and comprises two unit flat/building.

The southern elevation has been carefully designed to provide modulation, through a staggered/recessed façade, to reduce any bulk and dominance effects generated by the height and height in relation to boundary infringements.

The ground floor of the proposed development encroaches into the 3m rear yard setback. However, as depicted below, landscaping will be provided on-top of the roof top of the ground floor, which will give the appearance of a landscaped outdoor living area, when viewed from 14A Birdwood Crescent, Parnell.

It is noted that 14 and 14A Birdwood Crescents main areas of amenity (outlook/outdoor living) are orientated to the north-west and south-west, away from the proposed development to the north-east. The main areas of amenity (outlook/outdoor living) for 16 and 2/16 are located to the north-east of the site, however, these areas a setback from the adjacent site and the recessed/staggered design of southern elevation, will ensure the building will not appear overly dominant when viewed from this area.

Taking into account the assessment above, it is considered that the proposal will result in adverse bulk and dominance effects that are no more than minor. As such, notification is recommended for the adjacent sites.

12.2.3.3 Shading

As previously discussed, the intent of H10.6.1. Building height and Standard H10.6.2. Height in relation to boundary is to allow reasonable sunlight and daylight access to public open space excluding streets and nearby sites. No public open spaces adjoin the subject site, therefore shading effects in this respect will be avoided. Sunlight and daylight access to nearby sites and streets do not form part of the intent of Standard H10.6.1. Building height and Standard H10.6.2. Height in relation to boundary. Nonetheless, the proposal is supported by a Sun Study Report undertaken by Building Innovation Group and is attached as **Appendix 8**. The report is comprehensive and should be referred to for full analysis of the shading effects on adjacent sites, including the methodology used.

The Sun Study Report includes a comparative analysis of shading produced by complaint-built form to that proposed, through a 3D time-lapse animation. The animation includes shading effects on December 22nd, April 22nd, June 21st, September 21st.

The report focuses on the adjacent residential sites located the south-west (14, 14A, 16 and 2/16 Birdwood Crescent, Parnell), as this is the boundary in which the infringement of Standard H10.6.2. Height in relation to boundary occurs. The adjacent sites to the north-west, south-east and east of the site (381-389 Parnell Road, 405-409 Parnell Road, Parnell and 400 Parnell Road, Parnell) have been excluded from the Sun Study Report, as these sites are located within the Business – Town Centre Zone, and any shading effects on these sites are considered to be in anticipated levels. Nonetheless, some commentary on these sites is provided below.

Overall, taking into consideration the findings of the Sun Study Report attached as **Appendix 8**, it is considered that the proposal will result in less than minor shading effects on adjacent sites for the following reasons

381-389 Parnell Road, Parnell

As previously discussed, the site is located to the north-west and is located in the Business - Town Centre Zone. Taking into consideration sunlight angles, and the scale of development anticipated within the Business - Town Centre Zone, it is considered that any additional shading/shadowing effects on this site will be less than minor. This is supported by the imagery provided by Archavium Limited below, which illustrates that shading will be limited to the morning period (during spring, autumn and winter), after which point the shadow cast moves away from the adjacent site (to the west). Overall, it is considered that shading effects on 381-389 Parnell Road, will be less than minor.

Figure 12.5: Shading in April

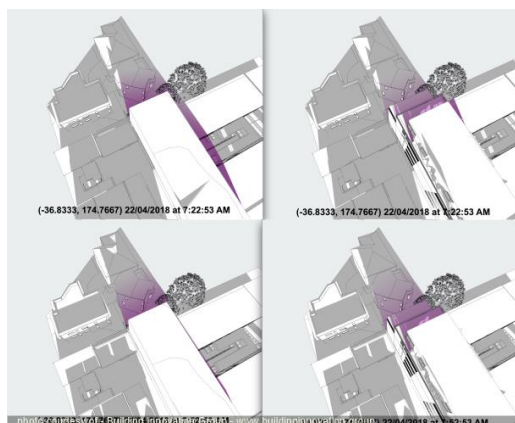
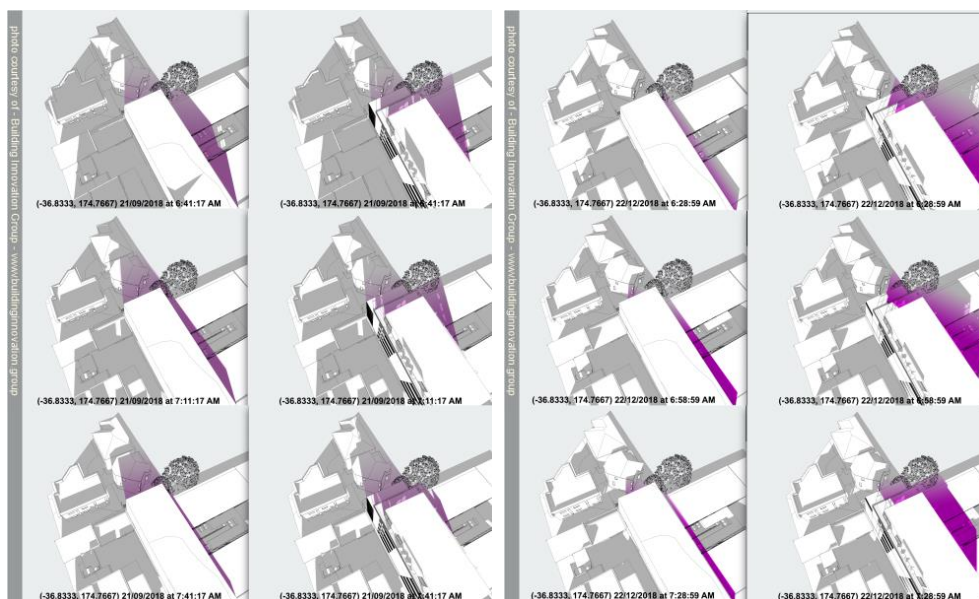


Figure 12.6: Shading in June



Figure 12.6: Shading in September

Figure 12.7: Shading in December



400 Parnell Road, Parnell

400 Parnell Road, Parnell is located to the north-east of the subject site and is located within the Business – Town Centre Zone. The adjacent site is separated by a 20m wide arterial road (Parnell Road). Taking into consideration this generous setback and scale of development anticipated within the Business – Town Centre Zone, it is considered that shading effects on this site will be less than minor.

405-409 Parnell Road, Parnell

405-409 Parnell Road, Parnell is located to the south-east of the subject site and is located within the Business – Town Centre Zone. A 3.5m accessway (approx.) is located along the north-western boundary of the site. Taking into consideration scale of development anticipated within the Business – Town Centre Zone, and the separation distance provided by the accessway, it is considered that shading effects on this site will be less than minor.

14, 14A, 16 and 2/16 Birdwood Crescent, Parnell

The adjacent sites are located to the south-west and are located within the Residential – Terrace Housing and Apartment Buildings Zone. The Sun Study Report indicates that shading will be limited to the morning and early afternoon period (before 1pm), after which point the shadow cast moves away from the adjacent site to the south (405-409 Parnell Road, Parnell). Some windows will be affected by shading; however shading effects on these windows will be indiscernible in comparison to a complaint development. Overall it is considered

that shading effects on 14, 14A, 16 and 2/16 Birdwood Crescent will be less than minor.

In conclusion, the intent of H10.6.1. Building height and Standard H10.6.2. Height in relation to boundary is to allow reasonable sunlight and daylight access to public open space excluding streets and nearby sites. As no public open spaces adjoin the subject site, shading effects in this respect will be avoided. Sunlight and daylight access to nearby sites and streets do not form part of the intent of Standard H10.6.1. Building height and Standard H10.6.2. Nonetheless, the assessment provided in the Sun Study Report attached as **Appendix 8** and above, considers that adverse shading effects on adjacent sites will be less than minor.

12.2.3.4 Amenity

Privacy/Overlooking

As properties develop in accordance with the anticipated level of intensification of the site, a level of mutual overlooking would be expected in urban areas. The proposal seeks to reach a balance between on-site amenity and ensuring the privacy effects on neighbouring properties are managed.

Overall, it is considered that the infringements of Standard H10.6.10 Outlook Space will result in less than minor overlooking and privacy effects for the following reasons:

381-389 Parnell Road, Parnell

As identified in Section 4 of this report, concerns were raised in Body Corporate committee meeting (held on the 10/02/2020) regarding potential privacy/overlooking effects. To the north-west, careful consideration has been given to window placement and size to mitigate adverse privacy/overlooking effects. Outlook space has been orientated to the north, south, west and east of site, which ensures that views are evenly distributed across the site and avoids the creation of concentrated views where a neighbour may feel overlooked by many units. It is further noted that the majority of glazing along this elevation, is located within the fire stairway void, which is a non-habitable area. As such, overlooking/privacy effects from this location, will largely be avoided. In addition, the upper levels (where most of the height exceedance is) are setback from the adjacent site, which further mitigates adverse any overlooking and privacy effects. Furthermore, the adjacent sites main areas of outlook/outdoor living are located to the west and east of the site, away from the proposed development to the north.

400 Parnell Road, Parnell

The adjacent site located to the north-east is separated by a 20m wide arterial road

(Parnell Road). Taking into consideration this generous setback, it is considered that adverse overlooking and privacy effects on this site will be less than minor.

405-409 Parnell Road, Parnell

The minimal amount of windows provided along this elevation, in conjunction with the orientation of outlook mentioned above, will ensure less than minor adverse overlooking and privacy effects on this site.

14, 14A, 16 and 2/16 Birdwood Crescent, Parnell

To the south-west, appropriate setbacks (within HIRB controls) have been applied for balconies/outdoor living spaces at level 2, 3, 5, and 6, to ensure that a reasonable separation distance is provided to neighbouring properties to the west and east. It is noted that a small portion of the upper roof form on level 4, encroaches into the HiRB recession plane along the western boundary. However, 14 and 14A Birdwood Crescents main areas of amenity (outlook/outdoor living) are orientated to the north-west and south-west, away from the proposed development to the north-east. The main areas of amenity (outlook/outdoor living) for 16 and 2/16 are located to the north-east of the site, however, these areas a setback from the adjacent site and will maintain an adequate level of privacy.

In addition, as mentioned above, outlook space for the proposed development has been orientated to the north, south, west and east of site, which ensures that views are evenly distributed across the site and avoids the creation of concentrated views where a neighbour may feel overlooked by many units. Overall it is considered that adverse overlooking and privacy effects on this site will be less than minor.

Overall, a level of mutual overlooking is anticipated within intensified developments however, the proposal ensures appropriate mitigation through building setback, orientation of outlook and window size and placement.

12.2.3.5 Transportation Effects

For the reasons outlined in Section 8 of this report and supporting specialist assessment undertaken by Mr Huang of Stantec, attached as **Appendix 5**, it is considered that the proposal will result in less than minor traffic effects on adjacent sites.

12.2.3.6 Signage

For the reasons outlined in Section 8 of this report, it is considered that the proposal will have less than minor effects on adjacent sites as a result of the proposed signage.

12.2.3.7 Effects arising from natural hazards;

For the reasons outlined in Section 8 of this report and supporting Geotechnical Investigation Report undertaken by Soil and Rock Consultants, attached as **Appendix 4**, it is considered that the proposal will result in less than minor traffic effects on adjacent sites.

12.2.3.8 Infrastructure effects

As demonstrated in Section 5 of this report and the Infrastructure Report attached as **Appendix 3**, the proposed subdivision will be adequately serviced to ensure there are less than minor infrastructure effects on adjacent sites.

12.2.3.9 Noise

As noted in Section 8 above, the duration of the proposed noise infringements at the affected adjacent properties is expected to occur intermittently during the first four weeks of construction, specifically whilst demolition, excavation, piling, and foundation works are carried out. As noted in the Construction Noise and Vibration Assessment at **Appendix 13**, all noise levels have been predicted considering a worst-case scenario, and for the worst-case location of each plant. As such, actual levels of experienced noise during construction activities at each receiver may be lesser than that predicted, however will not exceed the predicted noise levels. All works will be undertaken during standard construction hours and in accordance with the recommended (and any additional) conditions of consent, in order to mitigate the likely and potential noise effects at these adjacent properties.

With respect to the affected properties, being those properties at 12C, 14, 14A and 16 Birdwood Crescent, 405-409 Parnell Road, and 389 Parnell Road (being both the commercial uses within the building, and the residential uses contained within the upper level), persons at these properties will be kept informed of construction timeframes and the expected duration of noisy activities. Additional mitigation measures are recommended by BBA at **Appendix 13** to further reduce adverse noise effects on persons at these adjacent properties.

Overall, any adverse noise effects on the abovementioned adjacent properties are considered to be no more than minor. As such, notification is recommended for the adjacent sites.

12.2.3.10 Construction effects

As identified in Section 4 of this report, concerns were raised in Body Corporate committee meeting (held on the 10/02/2020) regarding potential construction

effects. For the reasons outlined in Section 8 of this report and the Construction Management Plan undertaken by Building Innovation Group, attached as **Appendix 9**, it is considered that the proposal will result in less than minor construction effects on adjacent sites.

12.2.3.11 Building Maintenance

As identified in Section 4 of this report, concerns were raised in Body Corporate committee meeting (held on the 10/02/2020) regarding building maintenance. Adequate provision has been made, to ensure the proposed building can be maintained within the parameters of the site. Neighbouring properties will not need to be accessed for building maintenance. For this reason, it is considered that the proposal will result in less than minor effects on adjacent sites, with respect to building maintenance.

12.2.4 Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant it being notified to any other persons not already determined as eligible for limited notification.

Special circumstances are those that are:

- exceptional or unusual, but something less than extraordinary;
- outside of the common run of applications of this nature; or
- circumstances which make limited notification to any other person desirable, notwithstanding the conclusion that no other person has been considered eligible.

In this instance, having regard to the assessment in Section 12.1.4, it is considered that special circumstances do not apply.

12.2.5 Limited Notification Summary

Taking into account the above assessment, it is considered that the activity will result in adversely affected persons, and therefore it is recommended that this application be processed with limited notification.

12.3 Notification Assessment Conclusion

That, pursuant to section 95A of the RMA, this application be processed without public notification because the activity will have adverse effects on the wider environment that are considered to be less than minor.

That, pursuant to section 95A(4), there are no special circumstances to warrant public notification because the District Plan envisages what is proposed as a Restricted Discretionary activity, and as such, it cannot be described as being out of the ordinary and giving rise to special circumstances.

That, pursuant to section 95B of the RMA, this application be processed with limited notification because the adverse effects on persons are considered to be no more than minor.

Accordingly, it is recommended that the application proceed on a **limited-notified** basis.

13. Conclusion

The proposal involves the partial demolition of the existing 'Character Supporting' building and the construction of a six-storey mixed-use building, comprising commercial activities on the ground floor and five (5) apartment units on the upper floors at 401 - 403 Parnell Road, Parnell. The preceding report assesses the environmental effects of the proposal against the relevant provisions of the RMA, AUP: OP.

Overall, it is considered that the proposal represents an efficient use of land whilst respecting the special character values of the site and surrounding of the area. The design led process undertaken results in a low impact (on the receiving environment) but high-quality design response. The proposed works have been designed to ensure an appropriate level of residential amenity is maintained for adjacent owners and occupiers and for the future occupiers of the proposed development.

Measures are in place to avoid and mitigate the potential adverse effects of the proposal on the environment so they are manageable, particularly during the construction phase of the proposal.

This report has demonstrated that the overall effects on the environment and adjacent properties will be no more than minor. As such it is considered appropriate that Council grant land use consent for the proposed development on a **limited-notified basis**, subject to standard conditions.

Thank you

www.thedevelopmentcollective.co.nz