

Pre-Application Consenting Memo

Pre-Application No. PRR00024233	
Applicant	Bayswater Marina Limited
Site address	21 Sir Peter Blake Parade, Bayswater, Auckland
Proposal	Construction of 120 residential dwellings in the form of terraced and apartment typologies, with associated landscaping, public roads, public open space, marina parking, earthworks and servicing.

Resource Management Documents		
Auckland Unitary Plan (Operative in part)	Zoning	Coastal - General Coastal Marine Zone Coastal - Marina Zone
	Precinct	Bayswater Marina sub-precinct A [rcp/dp], Sub-precinct Bayswater Marina sub-precinct D [rcp/dp], Sub-precinct Bayswater Marina sub-precinct B [rcp/dp], Sub-precinct Bayswater Marina sub-precinct C [rcp/dp], Sub-precinct
	Overlays	Natural Resources: Significant Ecological Areas Overlay - SEA-M2-60a, Marine 2 Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - T3, Rangitoto Island, Viewshafts Historic Heritage and Special Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 2122, Bayswater wharf, causeway & seawall
	Controls	Controls: Cable Protection Areas Control [rcp] Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise Controls: Macroinvertebrate Community Index - Urban
	Designations	NA
	Appeals	NA
Other Relevant Acts	<i>Hauraki Gulf Marine Park Act</i>	

The Auckland Unitary Plan became 'Operative in part' (AUP(OP)) on 15 November 2016. For the purposes of this pre-application and any resource consent application that may be lodged, the AUP(OP) is the primary planning document that sets out the relevant zoning/overlays applying to the

site, and the objectives and policies, rules and assessment criteria guiding development in this location

Property Information	
Legal Description	Lot 1 DP 309604
Certificate of Title	This has not been viewed, so there may be easements, building line restrictions and other restrictions that need to be taken into account in preparing any development proposal. If the title is 'limited as to parcels', you may need to get this surveyed, particularly where some of the controls, are reliant on accuracy being insured.

Type	Y	N	Type	Y	N
(Potential) Contaminated Land	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Coastal Erosion	<input type="checkbox"/>	<input type="checkbox"/>
Land Instability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Storm Inundation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Floodplain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Storm Inundation (plus 1m sea level rise)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Overland flow paths (ephemeral/intermittent/permanent stream)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cultural Heritage Inventory	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Flood Sensitive	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Combined Network	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arterial Roads	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Building Frontage Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vehicle Access Restriction Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geology (rock breaking)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Meeting Record

Meeting Record	
Date and Time	2:00PM – 3:00PM Friday 4 th December 2020
Council Officers	Masato Nakamura – Principal Project Lead, Resource Consents Ila Daniels – Reporting Planner, Campbell Brown Planning Limited John Stenberg – Principal Urban Design, Design Review Unit
Customer	Craig Shearer – Planning Consultant Simon Herbert – Applicant Rachel deLambert – Landscape Architect Brady Nixon – Project Manager

Relevant Matters

<p>Proposal</p>	<p>The proposal involves the construction of 120 residential dwellings in the form of terraced and apartment typologies, with associated landscaping, public roads, public open space, marina parking, earthworks and servicing.</p>
<p>Urban Design</p>	<p>The proposed built form will include 3 apartment buildings constructed at the corners of the blocks, and the rest being terraced units built in accordance with a specific design manual in a similar manner to Vinegar Lane.</p> <ul style="list-style-type: none"> • Whether the project is referred to the Panel was discussed. It was confirmed by John that some form of architectural review would be required. Whether this is in the form of an Urban Design Panel or a specialist architect review is yet to be determined. The Council team will make a call on this matter once the Design Manual has been reviewed. • The Design Review Unit can present the project to the Urban Design Panel, regardless of the applicant team's preference, which will feed back to the overall position on urban design. • It is highlighted to the applicant team that a variance in the height of the buildings will be an important design consideration for the development. This is consistent with the feedback from previous Design Panel sessions for previous iterations of the proposal. • The proposal will adopt an approach similar to Vinegar Lane, Ponsonby. It should be noted here that the context in Ponsonby and the Bayswater Marina are very different, with the Bayswater Marina Precinct provisions focused on visual outcomes. In this regard, the visual sensitivity of the subject site is much higher than that of a brownfield site. Any development proposal (including the design manual) must reflect this sensitivity and provide sufficient information to allow for the effects to be determined • The application will still need to be supported by a visual simulation as well as a detailed landscape and urban design assessments. This is in reflection of the specific visual sensitivity of the location along the coastline, as well as the policy context of the Bayswater Precinct. • Development in accordance with the Design Manual will be secured and controlled through legal mechanisms, not only through consent conditions.
<p>Interpretation Matters</p>	<p>The relevant provisions to be considered for the subject site was discussed at the meeting. In particular, the applicable activities and standards for dwellings was discussed. In this regard, it is agreed that the 'activity status' of the precinct would change that of the underlying zone given the wording in C1.6.(4) so dwellings would be a discretionary activity. However, whether reasons for consent need to still need to be included from the underlying zone is being discussed with the Councils legal team. This is noting the approaches taken in applications in other precincts, that have similar preamble texts as the Bayswater Marina Precinct, but still applied both the precinct and zone rules.</p>

	<p>To ensure that we give correct advice on this matter it would be good to have full details of the location and extend of all non-residential uses i.e. marine retail, café and all structures sought in the areas of open space. Once we receive this information, we can provide further advice on this matter and agree the full extent of reasons for consent and assessment matters.</p>
<p>Consultation</p>	<p>The application will be required to be publicly notified. However, noting the level of interest that will be generated by the project, the Council welcomes the applicant undertaking consultation with residents' groups, mana whenua and the Devonport-Takapuna Local Board prior to the lodgement of the application. The consultation results can be collated and submitted as part of the resource consent. This should include the methodology and dates for the consultation.</p>
<p>Background Information and assessment to be Provided</p>	<p>The information requirements and assessment information were not discussed in detail at the meeting, but the following comments are made:</p> <p>Consenting history and any associated records for the subject site should be provided as part of the AEE. Importantly, the application should detail whether there are any coastal consents are required as part of the development. Other information requirements include:</p> <ul style="list-style-type: none"> - Landscape and visual assessment - Geotechnical report - Infrastructure Report - Erosion Sediment Control Plan - Integrated Transportation Assessment - Scheme Plan and details on any staging - Comprehensive Landscape Plan - Design Manual - Acoustic report in terms of reverse sensitivity to other marine activities to ensure primary uses not undermined by additional sensitive receptors. - Legal documents and strategy for managing the design of the buildings across the site. <p>Following the meeting we have reviewed the IHP decision on guidance on the interpretation and intentions for the precinct. It is clear that applicant needs to assess the effects of the proposal on the use and function of the precinct in terms of the intention for its primary purpose. The IHP identified in its decision on the precinct that <i>“Minimum standards are specified to qualify for discretionary activity status, and proposals then need to be carefully assessed to ascertain whether the proposal appropriately ensures the primary focus of the precinct is achieved”</i>. It would be helpful to provide details of the actual quantum's of residential activity in terms of sub-precincts A, B and C in a similar way to that outline in the IHP decision.</p>

	<p>The IHP stated that <i>“In any event the Panel considers that the objectives and policies will work to ensure that residential activity is not approved unless it is proven that the area is not needed for marine activities”</i>. This needs to be covered in a robust manner in the application and it is expected that some level of economic analysis needs to be provided to support this assessment.</p>
<p>Construction and Staging</p>	<p>The proposal will have a construction timetable of 3-5 years. Note that this will also require consent under E40.4.1 (A24), as the construction period will be for a longer duration than 24 months. Therefore, the application and assessment should not rely on the construction phase of the development being temporary, but address the visual, noise, access and potential nuisance in detail particularly given the coastal setting.</p> <p>The application should clarify the anticipated construction timeframe including individual terraced units, and whether this is included in the 3-5 years proposed. The resource consent will need to canvass the full; extent of the construction effects.</p> <p>The services required for the development will be constructed upfront, with the terraced units and apartments also constructed within this period originally anticipated at 3-5 years.</p>
<p>Transport</p>	<p>Transport, was not discussed in detail at the meeting but the following post meeting comments are made:</p> <p>The proposed extension of Sir Peter Blake Parade will be designed to allow bus access for Auckland Transport (AT). This will provide a public transport connection to the Ferry Terminal. Though vesting will not occur rather public right of ways will be provided.</p> <p>At surface parking spaces are provided across the development for both visitors to the marina, as well as residents. Parking for residents are proposed to the rear of the buildings. Tracking curves, dimensions and design should be provided as part of the transport assessment. The manoeuvring and tracking curves should not only take into account the boat trailer parking spaces required.</p> <p>The accessibility and location of the car and boat trailer parking needs to be carefully considered to ensure that it is legible and easily accessible to the public and the boat ramp.</p> <p>It is not clear if the extent of traffic modelling to be included in the ITA has been agreed yet with Council and AT. It is recommended that the draft ITA is provided for review prior to lodgement.</p> <p>It would be helpful to show the AT plans for the park and ride and ferry adjacent. If you have not been provided with this information from AT let us know and we can assist.</p>

Actions	<p>In light the various sensitivities associated with the subject site and the level of technical inputs that are critical to this application, the officers recommend that a soft launch approach is adopted to ensure that the application is complete and robust prior to lodgement. The applicant team is invited to provide technical documents for the Council team to review prior to the lodgement of the application so that any issues can be identified early and communicated back.</p> <p>We strongly encourage this noting that feedback and engagement with Auckland Transport and other asset owner groups will be important in the smooth processing of the application.</p>

Information to support application

Completed Application Form & Checklists	<p>You will need to gather together the relevant information and complete the relevant Auckland Council application form(s).</p> <p>Applications form and the information you need to provide with your application are available from our service centres or can be found here.</p> <p>You can now also apply online. This will save time and printing costs and you can track the progress of your application. Please remember to include this checklist with your application.</p>
All Plans	<p>All plans are drawn at 1:100 or 1:200 scale and show a north point, boundary dimensions and bearings, adjoining legal descriptions, street numbers and metric scale bars, datum point, site contours including spot levels on the relevant boundaries. A guidance note has been produced to what information needs to be shown on your plans.</p>
Assessment of Environmental Effects (AEE)	<p>This is a statement assessing the actual and/or potential effects on the environment of a proposed activity. A guidance note has been produced on how to prepare an AEE.</p>

Resource Consent Strategy

Lodging your resource consent	<p>To obtain a resource consent, you must make an application to council.</p> <p>To avoid delays in processing your application you should:</p> <ul style="list-style-type: none"> • Make sure your application is complete in full (including all plans and technical documents). • Engage a professional (architect or consultant) to prepare your application as it can be technical.
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Processing Costs	<p>A deposit will be charged when you lodge your application. This deposit will depend on the nature of the project. The deposit calculator gives an estimate of the deposit required.</p> <p>We will assess the total fees payable once your application has been approved. If the total fees payable are more than the deposit paid, you'll need to pay the balance, otherwise you will be given a refund.</p> <p>Interim invoices may also be issued for larger projects if processing fees exceed the initial deposit or additional costs are incurred.</p> <p>In some cases we may require a higher deposit to be paid. If this is the case we will advise you once the application has been submitted.</p>

General Information	
Auckland Design Manual	<p>The Auckland Design Manual (ADM) provides a resource for everyone involved in design, building and development to either share their great design stories with others, or to seek inspiration, tools and best practice advice from those who have already been successful. Auckland's planning rulebook, the Auckland Unitary Plan will articulate the rules for the future growth, whilst the ADM illustrates how to achieve the quality outcomes sought by the AUP (OP).</p>
Development Contributions	<p>Development contributions are the fees charged by the council for extra community and network infrastructure needed as a result of development projects. You will pay development contributions for residential and commercial development such as new houses, and subdivisions. The money collected from development contributions pays for the cost of public infrastructure that is needed to meet the additional demand from growth. This includes network infrastructure such as stormwater and transport, open space reserves and community facilities. To get an indication of the contribution please use the Development Contributions Estimator.</p> <p>Water supply and wastewater services are not included in the Development Contribution. This is covered in the infrastructure growth charge. This charge is administered by Watercare.</p>

Important Information

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The purpose of a pre-application is to facilitate communication between applicants and the council so that the applicant can make informed decisions about applying for consents, permits or licences.

The views expressed by council staff in or following a pre-application are those officers' preliminary views, made in good faith, on the applicant's proposal. The council makes no warranty, express or implied, nor assumes any legal liability or responsibility for the accuracy, correctness, completeness or use of any information or views communicated as part of the pre-application process.

The applicant is not required to amend their proposal to accommodate the views expressed by council staff. Further, it remains the applicant's responsibility to get their own professional advice when making an application for consents, permits or licences, and to rely solely on that advice, in making any application for consents, permits or licences.

To the extent permissible by law, the council expressly disclaims any liability to the applicant (under the theory of law including negligence) in relation to the pre-application process. The applicant also recognises that any information it provides to the council may be required to be disclosed under the Local Government Official Information and Meetings Act 1987 (unless there is good reason to withhold the information under that act).

All consent applications become public information once lodged with council. Please note that council compiles, on a weekly basis, summaries of lodged resource consent applications and distributes these summaries to all local boards and all mana whenua groups in the Auckland region. Local boards and mana whenua groups then have an opportunity to seek further details of applications and provide comment for council to take into account.

Prepared by:

Name: Masato Nakamura
Title: Principal Project Lead, Resource Consents
Signed:



Date: 14/12/2020