

| TABLE A - Council s92 matters 14 April 2021 | Applicant Response 17 June 2021 | Council Review 1 August 2021 | Council Review of Responses dated 23/8 + 31/8 |
|--|---|--|--|
| Contamination Specialist Input (Vaughan Turner) | | | |
| <p>1. I have reviewed the application with respect to the provisions of the <i>National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health</i> (NES:CS, MfE, 2011). I understand that the proposal is to redevelop the existing Bayswater Marina into a residential and recreational area. Approximately 700 m³ of excavation is proposed to enable the construction.</p> <p>The NES:CS applies to certain activities (including soil disturbance, subdivision change of land use) on land which is/has 'more likely than not' been subject to potentially contaminating activities which are listed on the Hazardous Activities and Industries List (HAIL, MfE, 2012). The purpose of the NES:CS is to ensure that contaminated land is appropriately identified and assessed before it is developed, and remediated if necessary.</p> <p>The applicant has not specifically assessed the proposal against the provisions of the NES:CS and therefore I have undertaken a preliminary review of the site and the proposal. Based on aerial photos and the Geotechnical Investigation Report (GIR, appended to the application as attachment 8 the marina seawall bund and reclamation area was constructed between 1994 and 1996. The GIR has reviewed previous investigations which identified that the area was reclaimed using chert, basalt boulders, in-situ marine sediment and Waitematā Group Formation bedrock. The top 1-2 m consists of lime to stabilise the reclamation material. The material has been sourced from areas which are unlikely to be HAIL sites and therefore unlikely to be contaminated.</p> <p>However, based on the aerial photos and the site description in section 4 of the AEE it appears that the northern portion of the site is currently used for small boat storage and servicing which I consider to fall under HAIL item F4 (motor vehicle maintenance) and/or F5 (marine vessel maintenance facilities). Additionally, there is a refuelling facility at the marina which may also be considered a HAIL activity under item F7 (commercial refuelling facilities).</p> <p>On this basis I consider that the NES:CS applies to the proposal. Please provide a contaminated site investigation report prepared by a suitably qualified and experienced practitioner in accordance with the Contaminated Land Management Guidelines (MfE, 2016). The site investigation will also determine if chapter E30 of the AUP(OP) applies to the proposal as well.</p> | <p>Attachment 14 (to the AEE) attached to this s92 response addresses the issue of the potential for land to be contaminated. A Preliminary Site Investigation has been carried out. The assessment concludes there is a potential for a small part of the site to be contaminated and the recommendations include that a detailed contaminated site investigation (DCSI), involving soil sampling is carried out in accordance with NESCS regulations prior to any earthworks occurring in the area of the boat storage and maintenance area. This investigation will determine if the soil on the site has been contaminated by previous land uses and if so, what degree of remediation maybe or may not be required for the land. At that stage a resource consent under the NES can be applied for. The applicant recommends requirement for more testing and the possible need for a consent application be included as a condition of consent.</p> <p>Note that the refuelling facility is in the CMA on a jetty and is not on land.</p> | <p>I've reviewed the <i>Site Management Plan (Ground Contamination)</i>. It's a robust plan and is sufficient for me to continue with my assessment. The only issue, which I've already flagged to the author, is that it references the 2011 versions of the Contaminated Land Management Guidelines No. 1. and 5. These documents were revised this year. I understand it was prepared in accordance with the revised guidelines, but that the in-document references were not updated. Regardless, I'll include consent conditions requiring that the soil testing and validation reporting are prepared in accordance with the revised documents. It's only a minor issue.</p> <p>I agree with the AEE that the proposal requires a Discretionary Activity consent under the NES:CS for soil disturbance, landuse change and subdivision. It also requires a Discretionary Activity consent under chapter E30 for the soil disturbance. This is primarily because a Detailed Site Investigation hasn't yet been conducted.</p> | |
| Groundwater Specialist (Andy Samaratunga) | | | |
| <p>2. The Geotech report noted the following:</p> <div data-bbox="85 1565 985 1702" style="border: 1px solid black; padding: 5px;"> <p>Notably, the ACL drawing set indicates that the three mixed-use buildings will comprise basement parking levels, with finished basement levels of RL1.3, RL0.6 and RL1.2m. The remainder of the terraced units are also indicated to have a finished basement levels ranging from RL3.4m to RL3.7m.</p> </div> <div data-bbox="85 1739 985 1855" style="border: 1px solid black; padding: 5px;"> <p>In general, the bulk cut depths are indicated on the ACL drawings to range from 0.0m to 1.2m depth, while filling depth will largely range from 0.0m up to 1.5m thick. Deeper cuts of up to 3.6m will be undertaken locally for the three mixed-use buildings basements.</p> </div> | | <p>As discussed yesterday, the PA assessment provided against E7.6.1.6 and E7.6.1.10 need to be revisited by the applicant, because some comments provided are not aligned with the geotechnical report findings, such as:</p> <ol style="list-style-type: none"> The comment for E7.6.1.6 (2) as follows by the applicant: | <p>Add reasons for consent included in revised AEE. Andy confirmed all resolved.</p> |

Further, as there are no significant neighbouring buildings nearby, we consider that groundwater dewatering effects on neighbouring properties and structures will be negligible. As a result, groundwater dewatering has not been considered further.

The AEE at Page 32 noted the following:

| E.7.4.1 Diversion of groundwater | | |
|--|--|-----------|
| Diversion of groundwater when providing for the basements and foundations. | (A27) Diversion of groundwater caused by any excavation (including trench) or tunnel All standards are complied with – diversions for pipes will be less than 10 days, and the total area is less than 1ha and 6m deep. | Permitted |

I note the comment provided in the AEE page 32, however, based on the comments provided in the Geotechnical Report above, it is not possible to determine whether or not a consent is required for dewatering and groundwater diversion is required.

The RMA (Schedule 4) requires if any permitted activity is part of the proposal, the AEE must include a description of the permitted activity and details as to how the activity complies with the requirements (performance standards) in order to demonstrate a resource consent is not required for that particular activity.

Please provide an updated assessment of the proposed activity against AUP OIP Standards E7.6.1.6 and E7.6.1.10 and submit this to Council – Each of the items listed under E7.6.1.10 1 (a to e), 2 (a & b), 3, 4 (a & b), 5 (a to c) and 6 (a to c) and E7.6.1.6 1, 2 & 3 should be assessed to determine whether or not they comply. This assessment has not been undertaken for this Application.

We note that the groundwater level was determined by KGA Geotechnical to be approximately RL1.0m across the site. Only two buildings (central and southern apartment buildings) are located at a floor level below this elevation. The northern apartment building has a basement floor level of RL1.1m so the floor slab will extend below RL1.0m. Refer to the assessment against the permitted activity standards below (Also inserted into the AEE June 2021, attached).

E7.6.1.6. Dewatering or groundwater level control associated with a groundwater diversion permitted under Standard E7.6.1.10, all of the following must be met:

- 1) *The water take must not be geothermal water;*
The groundwater is not geothermal water.
- 2) *The water take must not be for a period of more than 10 days where it occurs in peat soils, or 30 days in other types of soil or rock; and*
Dewatering will not be required in order to facilitate the basement construction. If localised dewatering is required it will be limited to a period of no more than 30 days (the soils are not peat).
- 3) *The water take must only occur during construction*
Any required groundwater take will only be undertaken during construction.

E7.6.1.10. Diversion of groundwater caused by any excavation, (including trench) or tunnel

- 1) *All of the following activities are exempt from the Standards E7.6.1.10(2) –(6):*
(a) pipes cables or tunnels including associated structures which are drilled or thrust and are up to 1.2m in external diameter;
Not applicable.

(b) pipes including associated structures up to 1.5m in external diameter

2) *The water take must not be for a period of more than 10 days in peat soils, or 30 days in other types of soil or rock; and*
Dewatering will not be required in order to facilitate the construction. If localised dewatering is required it will be limited to a period of no more than 30 days (the soils are not peat).

However, the Geotechnical report Section 18 for dewatering Potential noted as follows:

18. DEWATERING POTENTIAL

We note that the proposed basement levels for the three mixed use buildings will be located near to average depth to standing groundwater, which is considered to be at approximately RL1.0. However, given that the groundwater level across the site is considered to be affected by tidal fluctuations, we do not consider dewatering to be a significant issue, as the standing groundwater level beneath the site is effectively recharged approximately twice daily.

Accordingly, it seems the water take is more than 30 days.

2. The comment provided for E7.6.1.10 (1)(d) is as follows (highlighted in yellow):

E7.6.1.10. Diversion of groundwater caused by any excavation, (including trench) or tunnel
1) *All of the following activities are exempt from the Standards E7.6.1.10(2) –(6):*
(a) pipes cables or tunnels including associated structures which are drilled or thrust and are up to 1.2m in external diameter;
Not applicable.

(b) pipes including associated structures up to 1.5m in external diameter where a closed faced or earth pressure balanced machine is used;
Not applicable.

(c) piles up to 1.5m in external diameter are exempt from these standards
No piles will be greater than 1.5m diameter.

(d) diversions for no longer than 10 days; or
Any groundwater diversion as a result of the apartment building basement will be permanent.

(e) diversions for network utilities and road network linear trenching activities that are progressively opened, closed and stabilised where the part of the trench that is open at any given time is no longer than 10 days.
No trench below the groundwater table will be kept open for longer than 10 days.

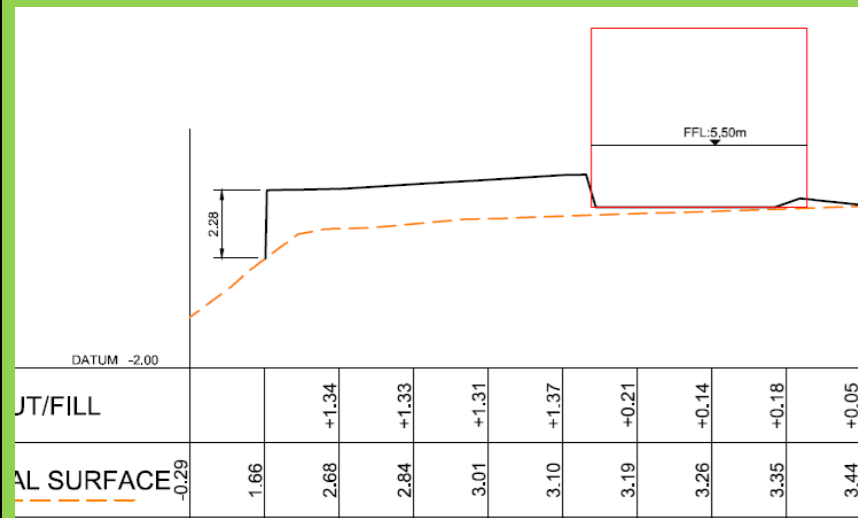
If the diversion is permanent, then the PA standard E7.6.1.10 (1) (d) will not meet.

According to the points noted above the applicant needs to revisit their E7 assessment.

| | | | |
|--|--|--|--|
| | <p>where a closed faced or earth pressure balanced machine is used; Not applicable.</p> <p>(c) piles up to 1.5m in external diameter are exempt from these standards; No piles will be greater than 1.5m diameter.</p> <p>(d) diversions for no longer than 10 days; or Any groundwater diversion as a result of the apartment building basements will be permanent.</p> <p>(e) diversions for network utilities and road network linear trenching activities that are progressively opened, closed and stabilised where the part of the trench that is open at any given time is no longer than 10 days. No trench below the groundwater table will be kept open for longer than 10 days.</p> <p>2) Any excavation that extends below natural groundwater level, must not exceed: (a) 1ha in total area; and (b) 6m depth below the natural ground level We confirm that the total excavation below natural groundwater level has an area of approximately 1300m² and a maximum depth of 2.5m below groundwater level.</p> <p>3) The natural groundwater level must not be reduced by more than 2m on the boundary of any adjoining site. The natural groundwater level is not proposed to be reduced.</p> <p>4) Any structure, excluding sheet piling that remains in place for no more than 30 days, that physically impedes the flow of groundwater through the site must not: (a) impede the flow of groundwater over a length of more than 20m; and (b) extend more than 2m below the natural groundwater level. None of the proposed structures will physically impede the flow of groundwater over a length of more than 20m, nor will they extend more than 2m below the natural groundwater level.</p> <p>5) The distance to any existing building or structure (excluding timber fences and small structures on the boundary) on an adjoining site from the edge of any: (a) trench or open excavation that extends below natural groundwater level must be at least equal to the depth of the excavation;</p> | | |
|--|--|--|--|

| | | | |
|--|--|---|--|
| | <p><i>(b) tunnel or pipe with an external diameter of 0.2 - 1.5m that extends below natural groundwater level must be 2m or greater; or</i> <i>(c) a tunnel or pipe with an external diameter of up to 0.2m that extends below natural groundwater level has no separation requirement.</i></p> <p>These offset requirements will all be achieved. The most pertinent excavation is the excavation for the wastewater pump station, which is located approximately 50m from the nearest structure on an adjoining site.</p> <p>6) <i>The distance from the edge of any excavation that extends below natural groundwater level, must not be less than: (a) 50m from the Wetland Management Areas Overlay; (b) 10m from a scheduled Historic Heritage Overlay; or (c) 10m from a lawful groundwater take.</i> Not applicable.</p> | | |
| Coastal Specialist (Kala Sivaguru) | | | |
| <p>3. Based on page 24 of the AEE, my understanding is that the coastal boardwalk/walkways including breakwater will be widened from 1.m to 3.5m on land. Under the resource consents required section, page 28 indicates that RDA consent is required for observation areas, viewing platforms and boardwalks. But I cannot see any assessment in relation to this. Please clarify the proposed CMA works in relation to this land development and provide/or help me to locate the assessment in the attached documents. If no assessment, then please provided an assessment of effects on the coastal environment to cover all works in the CMA.</p> <p>In particular:</p> <ul style="list-style-type: none"> • Please provide drawings to confirm if the new SW outfall or the extended outfall are within the CMA and if they are provided an assessment of effects for these structures and ensure all reasons for consent are included. • For the Gabion Retaining Walls please prove the design details of the retaining walls, including size of rocks and footprint. It is not clear from the submitted drawings for landscape and engineering if the toe of the gabion may fall between MHWS. If the | <p>Restricted discretionary consent is required under F3.4.3(A29) for Observation areas, viewing platforms and boardwalks – in the Coastal – Marina Zone. Note the Marina Zone extends over land, as well as the adjacent part of the CMA This is a district plan consent. The application is not for the CMA works but those on land. Please see Landscape Concept Package Attachment 6.1 Rev2 attached for the details.</p> <p>All outfalls are within the CMA. There will be two outfalls with increased pipe sizes, and one new outfall. The reasons for consent table has been adjusted (GCM Zone) and E8.</p> <p>We have updated the gabion retaining wall drawing (Airey Consultants drawing 222, Attachment 3.1) to make it clear that the wall will be constructed above MHWS. Note that the section snippet provided (from sheet 220) is from our general cross-</p> | <p>I have had a review of the s92 response. My comments are outlined below:</p> <ul style="list-style-type: none"> ○ S92 response states that all outfalls (at least 3) are within the CMA. If this is the case, please provide the footprint of the proposed outfall including scour protection structures proposed, and provide assessment of effects on the coastal environment. This shall include (minimum) effects on coastal processes/coastal hazards, coastal ecology, public access, construction effects as triggered by the assessment criteria. ○ As the S92 response states, if a consent is required under F3.4.3 (A29) for any structures (boardwalk), my understanding is , it is a regional consent, not under the District Plan. This would trigger assessment of effects on the coastal environment triggered by the Ruel A29, RDA. | <p>- SW outfall plan; and - Amended AEE received.</p> |

MHWS could be added onto the sections this should clarify things. See snippet below.



- With the new gantries (see yellow in snippet below) and walkway lookouts that connect to these new gantries. It is not clear the works needed to install either, and if the extensions would require footings or are cantilevered over the CMA. The engineering plans identify that the architecture plans are covering this, but there is no detail on this in the architecture set, just these images from the landscape concept. If you can confirm the extent of works and provide detailed drawings of what is sought. It is not clear if there will be access control at these gantry points there is not anything shown on the landscape concept images, but there is access control at present on site.



sections which should be used to gain a high-level understanding of the proposed topography. As such we consider that showing MHWS on these drawings would imply a certain level of accuracy that is not guaranteed. Reference should instead be made to drawing 222

New plans have been prepared by Airey for the gantry structures – see Attachment 3.1.

Details regarding access control gates have not yet been finalised.

Please provide the assessment of effects in relation to this Rule (coastal processes/coastal hazards, coastal ecology, public access, natural character, construction effects, navigation etc)

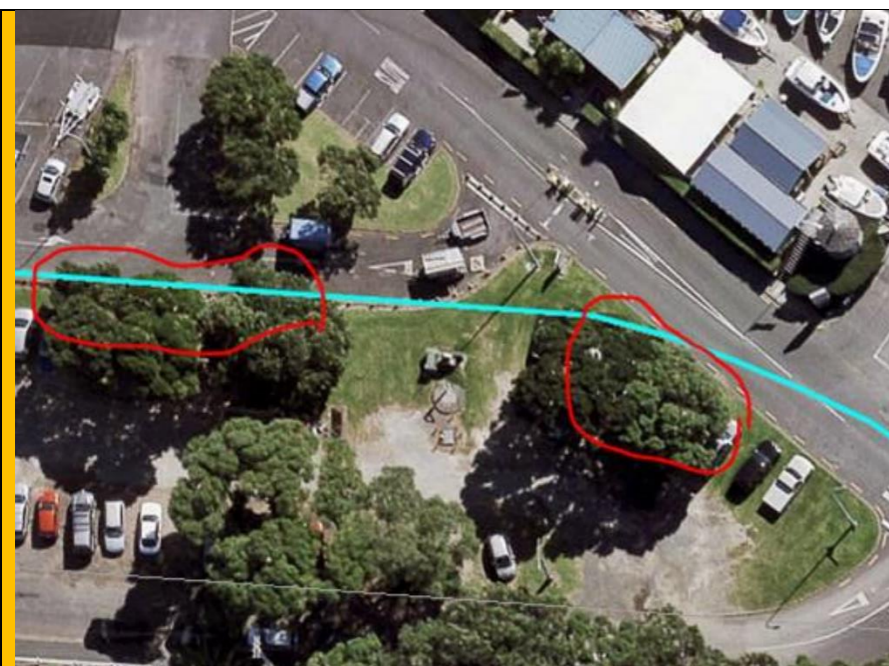
- As you stated in the S92 response, if the retaining wall is above MHWS, is this within the CEHA? If it is, please provide a site specific coastal erosion hazard assessment related to the proposed retaining wall on land and other structures within the CEHA triggered by the Rule.

Following meeting on the 30/6 with Kala, Craig and Br agreed:

- Drawing of outfalls to be provided with m2 area;
- Additional assessment on Gabion Baskets;
- Confirmation on existing consent and piling for realigned gantries.

Additional information from Craig on the 21/7 sent to Kala awaiting comments.

| | | | |
|--|--|---|---|
| <p>Note: Under Item 73 below I query if these works above require any additional reasons for consent.</p> | <p>The gantries are permitted under F3.4.3 (A24) in the Marina Zone. Piling needed to support the gantries is also a permitted activity under (A24) - both are included within Marine and port accessory structure and services within the AUP, which is evaluated in the AEE.</p> | | |
| <p>4. I note that the applicant has applied for resource consent under E36.4.1 (A5) for the infrastructure activities in the coastal erosion hazard area. But there is no report on coastal erosion hazard assessment. Please provide additional reporting and assessment that includes a coastal erosion hazard assessment.</p> | <p>This is a technical infringement because the underground wastewater network, including the new pumping station, and the stormwater pipes are in part located within 40m from the CMA as defined by “coastal erosion hazard area - Any land which is at an elevation less than 7m above mean high water springs if the activity is within: (i) Inner Harbours and Inner Hauraki Gulf: 40m of mean high-water springs”.</p> <p>A coastal erosion hazard assessment is not necessary as the entire site is protected by rip-rap walls and is not prone to coastal erosion. Further, the stormwater pipes that trip this provision all discharge into the Marina basin, than is further protected from the action of waves by a breakwater.</p> | <p>As above.</p> | <p>Amended AEE received.</p> |
| <p>Arborist Specialist (Rhys Caldwell)</p> | | | |
| <p>5. Please provide an arborist report to assess the following:</p> <ul style="list-style-type: none"> • All the protected tree removals; • Works within the rootzone for the retained protected Pohutukawa’s on the subject site. The engineering plans need to clearly show the full extent of the rootzone not just the dripline so the full extent of works can be assessed; and • The works within the rootzone of the protected AT trees in the adjacent open space zone, see snippet below with these adjacent trees in red. Some of these trees are not shown on the engineering plans, if they can be added and the rootzone for all trees below accurately shown. <p>The engineering plans show three trees which are Pohutukawa’s on the AT site, these appear to over sail the site based on GIS and would have rootzones which go into the site. There are another two large Pohutukawas further north (see snippet below) that appear to require works within the rootzones as well.</p> | <p>See Attachment 13, Arborist Assessment for a full assessment of these matters</p> | <p>I have reviewed the arboricultural assessment prepared by Chris Scott-Dye of Peers Brown Miller Ltd, dated 2021.</p> <p>Overall the report is an accurate assessment of the trees, however, I do have some questions with regard to the transplant methodology.</p> <p>There are a couple of aspects that really need to be defined.</p> <p>Firstly, section “6.5 The Location of Services in Proximity to the Trees”. The presence of underground services is an extremely important aspect and this should have been considered before identifying which trees can be relocated. The presence of services beneath a tree could then exclude it as a candidate for relocation, this should have been considered as part of the assessment. This could have a significant implications of the final number of trees that could be relocated.</p> | <p>2nd s92 Response received. Some questions see email 2/9, but post not matter.</p> <p>I have reviewed the arboricultural section 92 response prepared by Chris Scott-Dye of Peers Brown Miller Ltd, dated 20 August 2021.</p> <p>As I suspected the total number of trees that could be potentially transplanted has significantly reduced. It is now assumed that the entire row of trees No. 1 to 16 cannot be transplanted due the presence of existing services that would need to be kept live as part of the development. This has now reduced the total number of potential transplanted trees from 41 to 26.</p> <p>In the original assessment, it was identified that there would be 129 trees planted as part of the landscaping. Of this 129 trees, 31 trees would be used from the transplanted stock. The s92 response has now indicated that only 26 trees will be transplanted and that any pōhutukawa depicted on</p> |



For the trees to be relocated we will need a transplant feasibility and methodology report from a suitably experience contractor with a proven capability of relocating trees of this size. These trees are not practically sensitive to being relocated but if not undertaken correctly it will significantly decrease the odds of a successful relocation. The feasibility report should also include recommendations for maintenance post relocation and a contingency for the replacement of the trees if they die. As the trees are located in reclaimed ground there may be obstructions below ground the prevent some or all of these trees being relocated. The moving of this many trees is a massive undertaking and there are many things that need sorted to ensure the trees remain healthy.

The second question I have is around how the transplanted trees would be managed. Section 6.7 has already identified that due the size of the trees it is not viable to transport the trees off site. I would then assume they have a plan to store the trees within the site during construction?

The number of trees they are planning to transplant would occupy a significant area and they have already identified in paragraph five of section 6.4 that movements of these trees should be kept to a minimum to prevent a failure of the root ball. There also needs to be more detail on the management of these trees between being removed and relocated. Looking at the proposed level of construction, the trees may need to be stored for a reasonable length of time. There also needs to be more information on replacement of any tree that is not successfully transplanted. Will they plant a new trees or retain some of the transplanted trees as back-ups, the conclusion of the report indicates they are anticipating the decline of up to five trees. If they are going to retain trees as backups, then where will they be kept?

There needs to be more information with regard to the transplanting process.

- The existing services on the site need to be addressed and part of the transplant methodology to accurately determine the number of trees that can actually be relocated.
- More information is required on the management and storage of the transplanted trees. Where will they be stored and how will they be looked after. Also, what is the contingency if the relocation of a tree is not successful.

the landscape plan will either planted with a large grade tree or be one of the transplanted specimens. This dose not however specify the grade of the replacement tree and is something that needs to be clarified.

The original number of transplanted trees allowed for 31 trees to be used and to have additional trees in reserve to replace any trees that fail to thrive or die. Now that the number of potential candidates has been reduced to 26 this creates a short fall in the number of trees and dose not allow for any backups.

In my original request for additional information, I did request for them to address what the contingency was in the event that a relocation of a tree was not successful. This part of my request has not really been addressed.

“More information is required on the management and storage of the transplanted trees. Where will they be stored and how will they be looked after. Also, what is the contingency if the relocation of a tree is not successful”

Further clarification is needed on the following:

They will need to clarify what they mean by large grade trees. Ideally this should be the container size and approximate height of the tree at planting.

“any Pohutukawa depicted on the landscape plan will either be planted with new large grade trees or obtained from the stock of transplanted specimens.” They will also need to address what the contingency is if a relocation of a tree is not successful. I am assuming it will be replaced with one of the new large grade trees that they are referring to.

Stormwater Specialist (Arsini Hanna)

6. The applicant has applied for the following consents:

- E8.4.1(A11) – **Discretionary** activity diversion and discharge of stormwater runoff from an existing or a new stormwater network.
- E9.4.1 (A6) – **Controlled** activity consent for the development of a new or redevelopment of an existing high contaminant generating car park greater than 5,000m².

Email from Arsini 21/6/21

Thanks for confirming that the swale is for stormwater is conveyance

See memo from 2/9

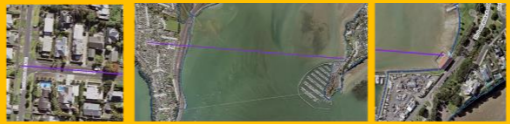

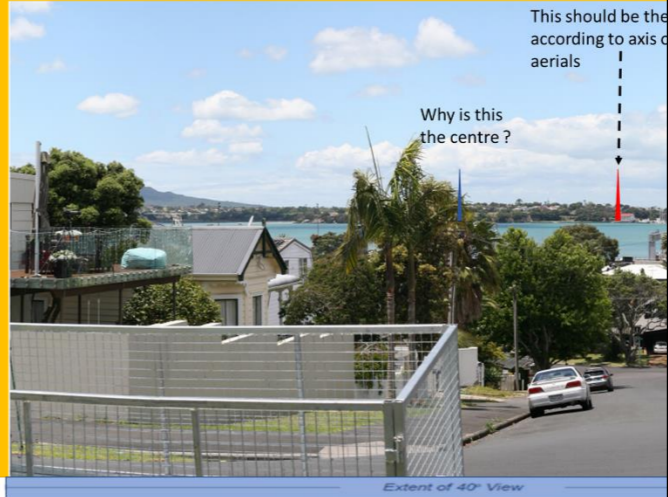
| | | | |
|--|--|--|---------------------------|
| <p><u>Existing stormwater management</u></p> <p>There is no public stormwater infrastructure present on the site. There is private stormwater infrastructure draining the existing carpark and buildings. The private stormwater network consists of cesspits, manholes, swales and pipes which discharge to the harbour through six outlets through the rock revetment bund.</p> <p><u>Proposed stormwater management</u></p> <p>Stormwater runoff generated from the development is proposed to be collected in a private stormwater system and discharged to the Waitemata Harbour through existing and new outlets.</p> <p>The applicant has proposed to provide stormwater quality treatment for the proposed carpark impervious area (including access and manoeuvring areas) by means of raingardens and bioretention tree pits located along the road edges and in the central courtyards.</p> <p>A grass swale is also proposed running along the western edge of the site which will provide some additional stormwater quality treatment.</p> <ul style="list-style-type: none"> • Please confirm if this is conveyance swale only. • Please provide preliminary design sizing calculations for the proposed stormwater treatment devices (e.g., swale, any other proposed device). Details can be conditioned. • Please confirm that during busy day, the number of vehicles within the main access will be less than 5000. | <p>As noted in the Engineering Report (page 40) submitted with the application, the grassed swale is designed as a conveyance swale, but it will also provide some stormwater quality treatment simply by being a grassed swale of relatively flat gradient. We are not proposing to rely on the swale for treatment, and therefore any treatment it does provide is considered to be additional treatment.</p> <p>We confirm that a condition requiring detailed design calculations and details of the proposed stormwater treatment devices prior to construction would be acceptable, noting that information this will be provided at the Building Consent stage for the private drainage network in any case.</p> <p>We also confirm that the number of vehicles within the main access will be less than 5000 on a daily basis.</p> | <p>Thank you Preliminary design sizing calculation has been provided in DWG No 420</p> <p>We will condition the final design sizing calculations for the proposed stormwater treatment devices once we confirm that the provided preliminary design sizing calculations are adequate.</p> <p>Thank you.</p> | |
| <p><u>Stormwater Quality</u></p> <p>7. In the AEE and the engineering report the applicant stated that:</p> <p><i>‘In order to provide treatment of <u>the roof runoff</u>, it is proposed to <u>provide proprietary treatment devices</u> (hydrodynamic separators or filtration devices) located on the pipe networks. Seven proprietary devices will be required as shown on the stormwater plans’.</i></p> <p><i>‘The specific proprietary treatment devices will be specified and designed at the building consent design stage and will be capable of providing treatment in accordance with GD01. Stormwater360 StormFilters or similar devices are anticipated’.</i></p> <p>If the roofing material is inert, stormwater quality treatment will not be required. Assessment for quantity will be required.</p> | <p>AUP E9.6.2.1(3) states: <i>Where a high contaminant generating car park is more than 50 per cent of the total impervious area of a site, stormwater runoff from the total impervious area on the site must be treated by stormwater management device(s).</i></p> <p>Based on this roof area is required to be treated. As stated in the Infrastructure Report (page 40), all impervious areas will be provided with stormwater quality treatment in accordance with E9.6.2.1.</p> <p>Locations of all proposed treatment devices and swales are clearly shown on Airey Consultants Drawings 400-404 (Attachment 3.1). Treatment devices will sized in detail prior to construction, this can be conditioned as per our response to Item</p> | <p>Inert roofing are not considered part of contaminated impervious areas, inert material is a source control, and will not require treatment.</p> <p>Thank you. Please note that: Airey Consultants Drawings 400 -404 shows that <u>SW Device 5 SW360 Stormfilter or approved similar.</u></p> | <p>See memo from 2/9.</p> |

| | | | |
|---|---|---|----------------------|
| <ul style="list-style-type: none"> Please confirm if inert material will be used for the roofs. Could you please request an explanation from the applicant the reason behind providing a stormwater quality for the roof impervious areas. Please clarify if the proposed specific proprietary treatment devices will be used to provide stormwater quality treatment for impervious areas on site (except roof impervious areas). Please provide design sizing calculations for the specific catchment areas (impervious area) for the proposed swale and the Stormwater 360 Stormfilter. Please provide a stormwater drainage plan identifying the, swale, proprietary treatment devices locations. Please provide preliminary design sizing information for the proposed new outlet. <p>The applicant stated that: <i>'All stormwater runoff from rainfall events up to and including the 10% AEP storm will be captured in the proposed stormwater pipe network and discharged to the Waitemata through the stormwater outlets described above.'</i></p> <ul style="list-style-type: none"> Please address the retention and detention for the proposed impervious areas acknowledging that the outlet are from the site and directly to the coast. | <p>6 above. Note as well that the diameter of all outlets has been shown on the drawings noted above. Calculations of the 1% AEP outlet culverts were provided in the Infrastructure Report (Appendix B). We note that retention and detention is not required as the site is not within a SMAF control. As per Table 2 of the Infrastructure Report the runoff volume and peak flow rate is actually decreased as a result of the development, therefore no peak flow detention is required.</p> | <p>Unfortunately, we will need at this stage the type of device and preliminary design sizing calculations to make sure that the stormwater discharge will not have an environmental effect and the treatment is adequate.</p> <p>Thank you.</p> <p>We appreciate that the site is not within SMAF, however, hydrology mitigation must be considered as per E8.6.3.1(1).</p> <p>The applicant must <u>demonstrate</u> and explain why hydrology mitigation is not required.</p> | |
| <p><u>Private NDC</u></p> <p>8. The GIS shows that there is an active existing diversion and discharge consent number 28069 issued in 2003 on the same site. This consent will expire on December 2021, the consent was issued <i>'To divert and discharge stormwater from a 0.81 ha designated boat haul out area, which for the purpose of this permit is to be used only as a car park, storage and sale of trailer boats, and ancillary buildings, into the Waitemata Harbour'</i> the site address: 21 Sir Peter Blake Parade. The consented device is 84 metres of grassed swale along the eastern perimeter of the reclaimed area, leading to a collection manhole and outfall structure.</p> <p>Please confirm whether this consent is to be surrendered and a new private NDC? Please provide further information regarding the existing swale in relation to those swales proposed.</p> | <p>The existing consent will be surrendered and a new stormwater discharge consent has been applied for. The existing swales will be removed.</p> | <p>Resolved.</p> | |
| <p>Earthworks (Matt Byrne)</p> | | | |
| <p>9. I have reviewed the AEE and Engineering report for this project and have the following RFI:</p> <ul style="list-style-type: none"> Your erosion and sediment control proposal includes the use of sediment retention ponds (SRPs) as the main method of sediment control, however, the proposal includes directing or pumping impounded runoff from the SRPs to the new and / existing reticulated network, which in turn discharges to the CMA. Please comment | <p>As an alternative mitigation, we consider that the impounded runoff from the SRPs could be pumped directly to the CMA, rather than discharged to the reticulated network. Alternatively temporary pipes could be installed with capacity for the 1 in 20 year rainfall event, and the SRPs could be pumped to these.</p> | <p>23 June 2021 email from Matt.</p> <p>I have reviewed the applicant's s92 response from a regional earthworks point of view and whilst incomplete in some aspects, it's sufficient for me to complete a regional earthworks memo. I'll have to include recommendations for updated / final plans to</p> | <p>See memo 27/8</p> |

| | | | |
|--|---|---|---|
| <p>on the suitability of this aspect of the proposal given that, during a 1 in 20 year rainfall event, an event that is expected to “flow through” the respective SRPs, all new and / or existing reticulation would be expected to be fully charged, and in which case, additional flows from the respective SRPs would be unable to be directed to the reticulated system.</p> <ul style="list-style-type: none"> • Please show on your ESCPs, the location of the respective SRPs’ emergency spillways and their discharge locations. • Please show on your ESCP, the primary spillway and emergency spillway discharge locations for the proposed decanting earth bund (DEB). • Please comment on the suitability of using silt fences around the perimeter of the site. i.e., is it possible to install silt fences 200mm deep within the existing subgrade? • Please confirm that all works within the perimeter silt fences’ location, have been included in the overall earthworks area calculation? Please confirm the total area of land disturbance, including that which is associated with all civil infrastructure installation. | <p>Spillway locations and discharge directions for the SRPs and DEB have been added to the erosion and sediment control plans (sheets 2300 – 234).</p> <p>Yes. Silt fences are appropriate in this location. The slope is very flat and therefore any velocities slow, plus there is significant earthworks proposed for the site so silt fences can be accommodated 200mm deep.</p> <p>We confirm that the total area of land disturbance is 3.4ha (including the excavation for the wastewater pump station).</p> | <p>be provided ahead of earthworks commencing as well as a de-watering & pumping plan for de-watering of excavations to sediment ponds, but these are somewhat standard for a proposal such as this one. Whilst the plans will constantly change, provided they’ve got areas / devices where they can impound & treat water, it will be okay from a sediment management point of view.</p> | |
| Landscaping (Peter Kensington) | | | |
| <p>Proposed Design Manual – Auckland Council Certification</p> <p>10. It is not clear the intended role of Auckland Council Certification process under the DM? How does the applicant envisage enforcement and monitoring and compliance of the design documents being achieved?</p> | <p>Auckland Council does not certify the development process under the Design Manual.</p> <p>Please see the following document attached to the application material - Attachment 11 “Development Structure Summary”, and in particular Appendix 4 to that document, which deals with the Development Covenant and how development is approved. The Covenantor must obtain the approval of the Design Review Panel prior to the Covenantor making an application to the Relevant Authority for a building consent for any Building. The Design Review Panel may grant or refuse such approval or may grant approval subject to such conditions as the Design Review Panel may determine in its reasonable opinion.</p> <p>Also please see Appendix 2A and 2B to Attachment 11 – setting out the Stakeholders and Relationship between Stakeholders.</p> <p>Attachment 7.2, the “Design Manual”, sets out in Appendix A2.1 the development and construction governance arrangements and stakeholders.</p> | <p>From my perspective, the information provided, in response to the specific items that I had requested, is satisfactory and should not hold up notification of the application.</p> <p>Having said this, there are likely to be some areas of detail that still require further analysis during my review of the application merits. For example, the applicant’s response to the suggestion requiring a council certification of future building designs that will be presented to the consent holder’s review committee. While the applicant opposes this suggestion in parts of the s92 response; in other areas of the response, the applicant seems open to this possibility. No doubt these details can be fine-tuned as we progress through our further reporting recommendations.</p> <p>There also appears to be an inconsistency between the cross-sections within the Airey drawings and the Boffa Miskell drawings when illustrating the coastal edge treatment associated with areas of boardwalk and path. The applicant’s response to this issue (Item 2 under non-s92 matters) is somewhat confusing, because the Airey drawings clearly illustrate a cantilever to decks that are to be constructed over gabion basket coastal edge treatments. Again, this is a matter of design detail</p> | <p>Note some difference of opinion. Await final memo after notification</p> |

| | | | |
|---|--|---|--|
| | | <p>that can likely be ‘ironed out’ through the ongoing application process.</p> <p>I’m also not entirely convinced that the applicant has fully grasped the importance of the preliminary issues that I (and John Stenberg) have previously highlighted, namely:</p> <ul style="list-style-type: none"> - providing a strong sense of place that reflects a strong maritime character; - integrating Te Aranga Design Principles, through collaborative design with mana whenua; and - providing public opportunities to access the water, particularly at the proposed north park. <p>Finally, please note that the Boffa Miskell ‘<i>Landscape, Natural Character and Visual Assessment</i>’ document provided with the s92 response (Attachment 6.3) has changed slightly from that which accompanied the original application (although the date remains the same and there is no document revision number). Importantly however, Appendix 2 (Graphic Supplement), which accompanies the assessment (in addition to Appendix 3 – Landscape Concept Package), is not included in the documents submitted with the s92 response. When notifying the application, please remember to include that Appendix 2 document from the original application material alongside the updated assessment text and the updated landscape design drawings.</p> | |
| <p>Key Metrics and s127 variations/ fresh applications</p> <p>11. It is not clear from the design review manual / process about the process required should key metrics (such as building height) not be met? – i.e. would an application need to be made for variation to the underlying resource consent; or, would a new application for resource consent be required, so that the proposed infringements to AUP(OP) standards can be assessed. Please clarify how it is expected that this part of the process would work.</p> <p>Furthermore, the references and figures in the design manual talk about maximum height or permitted height but no physical dimensions are provided that reference what the maximum building height is. Please clarify why this is the case.</p> <p>Note: Examples of this lack of dimension detail can be seen in Figures In.1, (page 4), R2.2 and Figure 2.1 (page 8 and page 21) with no dimensions provided. The specialist has identified that they consider that this the dimensions provided for need to be very explicit to users of the DM.</p> | <p>Yes, any proposal by a Covenantor that does not comply with the conditions of the resource consent granted for the development will require an application by that party to seek a discrete new resource consent for those infringements.</p> <p>The heights for each lot including planned finished ground levels at the four corners of each lot are tabulated in Attachment 7.2, Appendix 1, Table 1, along with explanatory text and diagrams. Heights are reduced levels and relate to the Auckland Vertical Datum 1946.</p> | <p>As above.</p> | |
| <p>Proposed lookout platforms (x4) on western coastal edge of site</p> | | <p>As above.</p> | |

| | | | |
|---|--|--|--|
| <p>12. Please provide cross-sections through each of the proposed lookout platforms on the western coastal edge of the site, in order to illustrate the extent of any structural support elements. As part of this response, please also confirm how existing marina berth security measures (such as security gates) and any associated amenities (such as dedicated space / structures to locate trolleys) will be provided in the vicinity of these lookout platforms.</p> <p><i>Note: This item has also been raised in item 3 above by the coastal specialist.</i></p> | <p>See Attachment 3.1, Airey Revised Drawings for cross-sections which are now included.</p> <p>Security gates. These have yet to be designed in detail.</p> <p>The spaces for trolleys, rubbish, oil bins etc are set out on the Bayswater Marine Precinct Masterplan Sheet in the Revised Landscape Concept Package, attached to this response</p> | | |
|---|--|--|--|

| | | | |
|--|---|--|---|
| <p>Attachment 6.3 LVEA Graphics – Figures 4 and 5 (Viewpoint A)</p> <p>13. Please provide replacement images within Figures 4 and 5 (Viewpoint A) of the application ‘Attachment 6.3 LVEA Graphics’ document, so that the proposed area of change is centred on the page (the current images seem to crop the right edge of the simulated buildings).</p> | <p>Whilst it is possible to re-position the view to focus more on the Bayswater Marina portion of the view this misses the point of the view in respect of it being a vista along the axis of the street, which is not aligned on the marina. We prefer to retain the existing frame for this view – which captures that reality of the relationship of the development to the primary orientation of the view. ie there is a rationale for the way the view is framed.</p> | <p>As above, plus in addition, comments from John Steinberg and Peter below.</p> <p>Additional review of this matters has highlighted that there are still comments on the axis with the development needing to be more centrally position on the yachting club building and not onto a group of palms heading of at a divergent angle. Snippet below, but inserted into an attached work document so you can see the image more clearly.</p>  <p>Alignment & Axis of M 20 degree each side ?</p>   | <p>Post Notification and prior to memo being completed.</p> |
|--|---|--|---|

| | | | |
|--|---------------------------------------|---|---|
| | | The other matter relates to the way the development has been colour palette in, G4.2 of the Design Manual which favours – washed colours, neutrals, light, colours including whites, powered blues, light pastels, some natural materials. It is noted that roofing can be a range of colours from light to dark. Whilst rendering colours are dark grey, rather than light. | |
| Council Transport Specialist (Kate Brill – External Consultant) | | | |
| Lake Road / Bayswater Road Intersection | | | |
| <p>14. The Lake Road / Bayswater Road intersection has been modelled with SIDRA using 2018 traffic volumes. The SIDRA model outputs show that the intersection is operating at an overall LOS of C in peak times. A LOS of C is considered to operate well with minimal delay or congestion. It is well understood that Lake Road can experience heavy congestion at peak times and this is confirmed by looking at the google maps traffic layer in peak times. It is acknowledged that the addition of the development traffic to the intersection is relatively low and will not have a significant effect on how the intersection operates. However, it is also important to understand how the intersection currently operates so we can assess the application accurately.</p> <p>Please calibrate the Lake Road / Bayswater Road SIDRA base model with delay/ queue surveys to give confidence that the intersection is modelled accurately. It is also recommended that up-to-date traffic volumes are utilised and recommend that SCATS data (traffic volumes and signal phasing data) is obtained from Auckland Transport.</p> | See response from Stantec, Appendix 2 | <p>The methods used to calibrate the Sidra model are somewhat unorthodox including taking queue surveys from Google Maps traffic layer and adding traffic volumes to the intersection for the purpose of calibration. These techniques are not supported by Abley. However, the end result is likely a fair representation of how the intersection operates which is at a LOS of E to F. Stantec’s model shows that the addition of the development traffic adds approximately 10 seconds delay to the traffic travelling through the intersection in the AM peak and 20 second delay on the Saturday peak. The PM peak is the least affected with the development traffic adding a 3 second delay to the intersection.</p> <p>The model shows that the intersection is currently oversaturated with a Degree of Saturation above 1 at all three peak time periods.</p> | |
| Trip Generation Assessment | | | |
| <p>15. The trip generation assessment did not take into account the trips generated by the cafes/restaurants, commercial, office activities and other visitors to the marina. It is understood that the GFA is relatively low for these activities, however please complete the assessment for consideration and include in the new SIDRA model if appropriate.</p> | See response from Stantec, Appendix 2 | Resolved. | |
| Accessible Parking Spaces | | | |
| <p>16. Please clarify how many accessible parking spaces will be provided and where these will be located.</p> | See response from Stantec, Appendix 2 | Stantec have provided for two mobility parks based on 32 visitor parks at the marina. Please clarify how berth holders will access a mobility park if required i.e. should a proportion of the berth holder car parks be allocated as mobility parks? | The section 92 response states “There are 285 berth holder spaces provided. A total number of seven accessible spaces are required. The allocation of berth-holder parking is provided in the response from the Applicant.” |

| | | | |
|---|---------------------------------------|---|--|
| | | | It is not clear where in the response the proposed number of accessible car parks for berth holders is stated. Please clarify. |
| <p>Parking Spaces within the Apartment Buildings</p> <p>17. Some of the parking spaces on level B01 of the apartment blocks look like they may have constrained manoeuvring area. Please show vehicle tracking for an 85th percentile car to demonstrate that the parking spaces work.</p> | See response from Stantec, Appendix 2 | Stantec provided vehicle tracking for the car parks in the apartment buildings. The vehicle tracking looks tight, irregular (wheels need to come to a complete stop to fulfil a manoeuvre) and in some cases track over other parking spaces or ramps. Stantec’s response acknowledged the constraints in the tracking and stated that turntables will be provided. Please provide details of the turntables and revise the tracking accordingly. | Resolved. |
| <p>Access, gradient and vertical clearance for the Apartment Buildings</p> <p>18. Please provide more information on the access to the apartment buildings including, location, width, vertical clearance and ramp gradients.</p> | See response from Stantec, Appendix 2 | <p>Please provide more information on the access to the apartment buildings including, location, width, vertical clearance and ramp gradients.</p> <ul style="list-style-type: none"> i. The Long section for the north apartment ramp provided on Drawing 320 does not appear correct, with the basement ramp not starting from the ground level. Please clarify or correct. ii. Stantec’s response indicates that the access ramps for the apartment buildings are 3.4m wide, however the drawings for the Central Apartment building shows a 3.1m wide access ramp. This is considered too narrow for a ramp with walls on either side of the ramp. Please widen this ramp to a minimum of 3.4m. iii. The entry to the Northern Apartment building appears to be at a challenging angle. Please provide vehicle tracking showing an 85th percentile vehicle entering and exiting the access. The tracking should include a vehicle entering from the direction of the one-way system in the residential precinct. | Resolved. |
| <p>Waste Collection</p> <p>19. It is not clear where the rubbish bins for the housing will be provided. Please show storage area for the bins in each of the precincts and the apartment buildings; and show on a plan where the rubbish truck will stop to collect the rubbish.</p> <p><i>Note: This matter is raised below in item 27 as well.</i></p> | See response from Stantec, Appendix 2 | Resolved. | Resolved. |
| <p>Road Layout</p> <p>20. Please provide a visibility assessment for vehicles travelling around the bend of Sir Peter Blake Parade and Cross Street. The vehicle tracking shows the rubbish truck has to cross the</p> | See response from Stantec, Appendix 2 | The bend in the road at the intersection of Cross St and Sir Peter Blake Parade is not considered acceptable in its current design for the reasons given below. Please reconsider the design given the location of the bus | The new conceptual design of the intersection of Sir Peter Blake Road and Cross Street raises several new (and existing) queries listed below. These should be addressed at Resource Consent |

| | | | |
|---|--|--|---|
| <p>centreline on the bend. Please demonstrate on a plan that adequate sight lines are available to ensure oncoming traffic will have adequate space to stop to prevent either vehicle having to reverse within the roadway.</p> | | <p>turning area and the boat ramp. Suggest a roundabout may be an option with the bus access forming a leg of the roundabout. Use of the boat ramp will need to be designed into the intersection.</p> <p>The truncated snip of the tracking plan provided shows the truck's swept path crossing the centreline after the bend which provides a major safety issue for a vehicle travelling southbound around the bend. Although the plan shows there is adequate visibility along Sir Peter Blake Parade, a southbound vehicle entering the bend will be at risk of a collision. In addition to this, the tracking provided for the southbound vehicle does not imitate usual driving behaviour.</p> <p>The s92 response has provided new information on the location of the bus access, where buses are expected to exit the ferry terminal area at the southern end of Sir Peter Blake Parade. It is proposed that buses turn right out of the ferry terminal area on a tight bend in the road where visibility will be restricted.</p> <p>We have concerns on how vehicles with a trailer will safely manoeuvre onto the boat ramp, given its location on a tight bend in the road with restricted visibility.</p> <p>The restricted visibility that comes with the current design does not lend itself to an important intersection that has to cater for heavy vehicles, bus turning area and vehicles and trailers negotiating the boat ramp.</p> | <p>stage (rather than detailed design) as it will determine if the conceptual design is feasible.</p> <p>a) Please clarify how vehicles with boat trailers reverse onto the boat ramp safely. It is stated in the response that the widened flush median will facilitate these movements. Please provide vehicle tracking of an AT standard car and boat trailer reverse manoeuvring safely onto the boat ramp.</p> <p>b) The separation of the opposing traffic flows by line marking will assist with trucks crossing the centreline as they track around the bend. The original tracking provided by Stantec shows a rubbish truck entering the opposing lane by a significant margin. Please provide vehicle tracking showing a rubbish truck tracking around the bend with a car in the opposite direction to demonstrate both vehicles do not need to cross the centreline.</p>  <p>Figure 1 Original vehicle tracking provided by Stantec of rubbish truck and car passing on bend.</p> <p>c) Please provide a visibility assessment for the two proposed pedestrian crossings on the bend to ensure safe sight lines are achieved. This is critical for pedestrian crossing points.</p> |
| <p>Traffic Calming</p> <p>21. The internal road network should have a design speed of 30km/h to ensure a safe environment for pedestrians and cyclists. Please show traffic calming measures to ensure traffic speeds will be reduced to 30km/h.</p> | <p>See response from Stantec, Appendix 2</p> | <p>Stantec has recommended two zebra crossings and three sets of traffic calming. Please show the following on a plan:</p> <ul style="list-style-type: none"> • The location of the pedestrian crossings and the required visibility assessments for a pedestrian crossing. It is also recommended that the pedestrian crossings are raised platforms to ensure slower speeds. The raised platforms could be designed as Swedish tables where the crossing is on a bus route i.e. Sir Peter Blake Parade. • The type and location of the traffic calming measures should also be shown on a plan. | <p>Auckland Transport's Transport Design Manual (https://at.govt.nz/media/1982230/engineering-design-code-traffic-calming_compressed.pdf) recommends appropriate spacing of traffic calming measures to achieve a 30 km/h environment. Given cyclists are sharing the road with traffic, it is important to achieve a design speed of 30km/h. The proposed traffic calming shown in Appendices D and F have a spacing of around 175m. Please space the traffic calming at a recommended distances to achieve a low speed environment.</p> <p>In addition to this, Appendix F proposes a zebra pedestrian crossing at the northern end of Sir</p> |

| | | | |
|---|---|---|--|
| | | | Peter Blake Parade where here is no footpath on the eastern side of the road. Please clarify if this will be a desire line and if so, will a footpath be provided on the eastern side of the road. |
| <p>Interface of Private and Public road of Sir Peter Blake Parade</p> <p>22. Please provide more information on how the public road of Sir Peter Blake Parade will interface with the private road network, that is, clarify if there will be a barrier arm or gateway treatment to indicate entrance to the marina.</p> | See response from Stantec, Appendix 2 | Resolved. | |
| <p>Provision for Pedestrians and Cyclists</p> <p>23. The Precinct Plan states the requirement for “public vehicle, pedestrian and cycling routes within the precinct to allow easy access to the coastal margins and parking facilities.” Please demonstrate how the development is providing for cycle access and public/ berth holders bike facilities through the site.</p> | See response from Stantec, Appendix 2 | The Precinct Plan states the requirement for “public vehicle, pedestrian and cycling routes within the precinct to allow easy access to the coastal margins and parking facilities.” Please demonstrate how the development is providing for cycle access through the site. | Reliant on the location of traffic calming in item 21 above. |
| Auckland Transport (Katrina Hunt) | | | |
| AT would like to arrange a meeting with BML to discuss various aspects of the development and proposal and to clarify the matters below. It is recommended that BML contact AT via Katrina Hunt to organise this meeting. | | | |
| <p>Leased Areas overlain on a plan</p> <p>24. It is not clear the location and extent of various lease areas of the site that AT and any other parties lease. Can these areas be overlaid on the development plan?</p> | <p>The Title 639741 makes no reference to leases AT has no lease over any part of the site.</p> <p>Trustees Executors Limited, on behalf of the berthholders, has a “carpark Lease” over parts of the site. This leasehold relationship is not relevant to this application. Despite that, the applicant confirms that the provisions of the lease have been accommodated in the design and layout of carparking areas on the site.</p> | Thank you for that, no further queries. | |
| <p>Interface Between Development Site /AT Site</p> <p>25. Please provide details /plans showing the proposed interface /linkage between the application site and the AT site.</p> <p>Note: It is acknowledged that it is difficult to show /detail this as AT don’t have a timeframe or detailed plans for the design or redevelopment of this area. However, if you can just base this on the existing park n ride operations on this adjacent site.</p> | See response from Stantec, Appendix 2 | The s92 response has not clarified this and it seems from the revised plans that there will parallel parking along the eastern side of the Bayswater Marina application site and the AT wharf. This has not been clarified however at this stage there is not much more that can be provided. | |

| | | | |
|--|--|---|-------------------------------|
| <p>Transportation Assessment</p> <p>Trip Generation, Modelling and Modal Split</p> <p>26. The existing level of service for the intersection of Bayswater Avenue & Lake Road appears to be flowing quite freely during the AM /PM weekday peak periods.</p> <ul style="list-style-type: none"> Please clarify how the assumption /assessment that the intersection of Bayswater Avenue & Lake Road has a Level of Service of B and C during the AM /PM weekday peak periods was determined. Please provide confirmation that the modelling reflects the current level of service through the intersection by completing trip /queue surveys. <i>We believe that the Level of Service is under estimated in the modelling and it is important the modelling accurately reflects the existing level of service of the intersection prior to the effects of the additional trip generation arising from the proposal being considered and assessed.</i> Please comment or provide further assessment of the use of the streets surrounding the Bayswater Avenue /Lake Road intersection as ‘traffic rat-runs’ particularly to the north - west of the intersection and the effect that this may be having on the current Level of Service of the intersection and whether it may get worse due to increased vehicle trips generated by the development. <p>Note: This is a similar query to that raised by Council’s Transport Specialist under item 14 above.</p> | <p>See response from Stantec, Appendix 2</p> | <p>We have reviewed the analysis of the trip generation and modelling and the response does not adequately address /clarify the points raised as part of the s92.</p> <ul style="list-style-type: none"> The use of google maps layers is unconventional and is not accepted as a standard technique to calibrate modelling and may not accurately show the Level of Service for the intersection of Bayswater Avenue & Lake Road with the development. Please verify using traffic counts or on-site observation to calibrate the model to show both the current level of service and proposed level of service through the intersection. The SIRDA shows a cycle time of 120s. Please clarify if this is the current cycle time being used at the intersection and if not please adjust the model for a maximum of 120s cycle time. It is not clear how the additional traffic resulting from the development will not result in rat-running especially through Egremont Street. Please clarify how this assumption was determined. | <p>Given covid19 post not</p> |
| <p>Rubbish Collection</p> <p>27. It is not clear from the plan or the transportation assessment what the arrangement will be for rubbish collection.</p> <p>Please clarify /detail what the arrangements will be for the rubbish collection, including whether the collection will be private, the frequency of collection and whether there will be a central point for collection (rubbish /recycling) for the proposed residential dwellings.</p> <p>Please provide plans that show the location of the bins and please provide tracking diagrams confirming that a 10.3m rubbish truck can safely enter /leave the site and track through the site (including the residential precincts).</p> <p>Note: This is a similar query to that raised by Council’s Transport Specialist under item 19 above.</p> | <p>See response from Stantec, Appendix 2</p> | <p>The manoeuvring for an 8.3m rubbish truck is very tight, particularly if the parking bays are occupied. The proposed time restrictions on the parking bays and removal of the wheel stops from the parking spaces where the rubbish truck would manoeuvre over is not considered to be a suitable solution.</p> <p>We don’t support this and would prefer that the two parking bays were removed (traffic flow would need to be signed and marked as one way). This measure /suggestion should be discussed with Abley AC’s Traffic Consultant.</p> | |
| <p>Bus Stop and Bus Turning Area and Walking Route</p> <p>28. The section 5.4 of the Assessment of Effects notes that bus access will continue to be available along Sir Peter Blake Parade and that it will finish at its current location and a</p> | <p>See response from Stantec, Appendix 2</p> | <p>The plan provided showing the possible bus turning /tracking over AT land is quite ‘conceptual’ and it raises several additional queries.</p> | |

turnaround area will be available however; there are no plans showing this location or turnaround. Please provide plans /amended information that shows the following:

- The proposed route of the bus along Sir Peter Blake Parade and within the site and the location of the bus stop and details of the bus turning area.
- The route of the bus and the bus turning area will need to include details of tracking for a 12.6m rigid and a 13.5m rear-steer bus and the route and bus turning area will need to avoid /minimise any conflicts with the boat ramp (including vehicles with trailers using the ramp).

AT's preference /suggestion is that the bus turnaround area is located within the 'apron' at the corner of Sir Peter Blake Parade and Cross Street.

- Please provide details of the walking /pedestrian route between the bus stop /platform and the ferry terminal. It is expected that the route will provide clear, safe and legible access and will tie /link into the pedestrian route requested under point 30 below.
- Please confirm that AC /AT have access /easement over the turning head area and please provide a plan showing this.



Please note that the AT hammerhead where the existing park and ride is located will likely be re-developed (subject to funding) to have new park and ride and ferry terminal and cannot be used for the bus turning area until this is re-developed (i.e. as part of this current resource consent application).

- Please provide updated plans showing a 'marked out' bus stop (including 15m long, 2.5m wide platform and bus stop road markings with same dimensions as the platform and shelter (detail to be confirmed at detailed design).

It is AT's preference is for the stop /shelter and platform to be in the blue hatch on the above snip. Please note that the platform area in the sketch is longer than bus stop and this is not correct the bus stop needs to be longer than the platform.

Note: *It is noted that the Sir Peter Blake Drive extension falls within sub-precinct C this identifies that this sub precinct provides for a bus stop.*

Please clarify the following:

- From the information provided it is not clear who the applicant is proposing would install and construct the necessary facilities for buses to enter, track and stop on AT land or the timeframes for this.
- It is not clear from the information (including figures 13 and 14) where the bus would enter the AT area off Sir Peter Blake Parade. Please provide a plan show where buses would enter AT land off Sir Peter Blake Parade (including a full tracking plan for a 12.6m rigid and 13.5m rear steer bus confirming that a bus could safety turn /enter the AT area and plans showing tracking with the buses turning and a vehicle and boat trailer coming in on the opposite direction on Sir Peter Blake Drive).
- Please provide tracking full tracking plan for a 12.6m rigid and 13.5m rear steer bus showing how a bus would turn /track out of the AT area onto Sir Peter Blake Parade and how the current conflicts with two parking spaces would be avoided (including plans showing tracking with the buses turning and a vehicle and boat trailer coming in on the opposite direction on Sir Peter Blake Drive).

AT's suggestion is that the initial tracking plans indicate that the two car parking spaces will need to be removed.

- Please provide plans /tracking diagrams confirming that buses 12.6m rigid and 13.5m rear steer bus can track on Sir Peter Blake Drive with a vehicle with a boat trailer on the opposite side of the road.
- The current bus turning area has a potential for conflict and queuing between buses turning, vehicles with boat trailers accessing the boat ramp, pedestrians and cyclists. Based on the information / plans provided AT don't have sufficient information to review and comment and, based on the information, provided we have concerns about the possible conflicts.
- The location and position of the proposed parallel boat trailer parking is likely to result in conflicts with the buses and vehicles trying to enter the parking spaces. As per Auckland Council's Consultant Traffic Engineers response we don't support the location of the parallel boat trailer parking.
- There does not appear to be details provided of a walking /pedestrian route from the park n ride,

| | | | |
|--|--|--|--|
| | | <p>proposed bus stop. Please provide details of the route.</p> <p>The possible layout of bus turning and using the AT land will require further review, assessment and a separate resource consent the following information is requested as part of the initial feasibility stage of determining whether the layout is feasible and workable:</p> <ul style="list-style-type: none"> • Pavement assessments for the area including the effects of accommodating heavy vehicle traffic and turning manoeuvres. Similarly, where traffic loading is anticipated in the proximity of seawalls and wharf structures, full structural assessments will be required. In the event that pavements, seawall or wharf integrity are unable to accommodate heavy vehicle loads, new designs or strengthening will be required. • In areas where new carriageway construction is proposed, full Geotechnical investigations would be required to support appropriate pavement design. • The existing stormwater management across the site is likely to be non-compliant of current standards. Redevelopment, additional pavement areas, reconfiguration of traffic routing and parking would require a comprehensive stormwater design in compliance with current environmental standards, please provide initial details /plans. • Planning of potential demolition and/or disposal of contaminated materials. • Arborist Report and details of impact to trees of significance e.g. Pohutukawa and what would be required for bus turning on the trees. • Assessment of environmental effects (AEE). • Please provide details /clarification of the bus turning options on the AT land are not feasible in the short to medium term. | |
| <p>Ferry Terminal</p> <p>29. The AEE and the landscape concept plans show the existing ferry terminal and the AEE notes that this facility will not be retained after 2031 when AT’s lease expires. However, the proposed plans and AEE do not discuss the retention of the existing passenger facilities by the ferry rather the Infrastructure report section 3.2.1 identifies that the buildings associated with the ferry terminal will be removed at the beginning of Stage 1.</p> | <p>The AEE, in section 5.4 says: <i>The proposal is to maintain the ferry terminal on pontoons accessed off the marina land. A passenger terminal will be retained until at least 2031 when the berth licences expire. Although AT has long term plans to construct a new ferry</i></p> | <p>The discussion between AT and the applicant /developer about the possible location of public facilities can continue throughout the consenting process.</p> | |

| | | | |
|---|--|--|--|
| <p>Please clarify what passenger facilities are to be provided during the next 10 years until the AT lease expires. Please provide updated /revised master plan sheets showing the existing ferry terminal and the location of the associated facilities are to be retained until the AT lease expires.</p> <p><i>The ferry terminal facility needs to be maintained in the existing location or similar until AT's lease expires and the Bayswater Precinct Plan under the AUP requires that there is sufficient space provided for the publicly managed transport facilities.</i></p> | <p><i>terminal on its own land, funding for this has not been provided for in the current long term funding plan, so it is safe to assume there will be no changes to the current arrangements at least in the medium term.</i></p> <p>The development of the land as proposed will require the passenger facilities presently available to be retired. Note, there is no obligation for BMHL to provide a waiting room. It presently does so on an informal arrangement with AT. Any new facility desired by AT would need to be subject to normal commercial arrangements. In that regard, the passenger waiting room could be relocated to the ground floor of one of the Apartment buildings.</p> <p>The existing ferry docking terminal (it is a berth) is not being changed and is not part of this application.</p> <p>In 2031 AT can approach the marina company to renegotiate the renewal of the licence to use the berth currently used as a ferry terminal in the event that it has not progressed its own terminal plans.</p> | | |
| <p>Pedestrian Connections from Park n Ride to Ferry Terminal</p> <p>30. It is not clear what route pedestrians would take from the park and ride to the ferry terminal. Please confirm what is intended for these pedestrians.</p> <p>There is car parking proposed along the eastern side of Sir Peter Blake Drive and there is the potential for conflict between pedestrians and vehicles /trailers using the boat ramp.</p> <p>Please provide revised plans showing a clear and legible route for pedestrians from the existing park and ride to the ferry terminal (including how possible conflicts between vehicles using the boat ramp and parking on the eastern side of Sir Peter Blake Drive will be minimised or avoided).</p> | <p>See response from Stantec, Appendix 2</p> | <p>The response does not address the query and it considered that based on the proposed design /layout with bus turning onto AT land and in the area of the boat ramp that the pedestrian route would not be overly safe or functional.</p> <p>Please provide plans showing a clear and legible route for pedestrians from the park and ride and proposed bus stop to the ferry terminal (including details of how the potential conflicts between vehicles using the boat ramp, parking on the eastern side of Sir Peter Blake Drive and turning buses will be minimised or avoided).</p> | |
| <p>Bike Parking</p> <p>31. Please show /detail on the plans the resident and visitor bike parking spaces for the proposed apartments and confirm that the number of spaces complies with the AUP requirements. Please show on the plans where the proposed 'bike' parking spaces will be located for the commercial activities on site and please confirm that the number of spaces complies with the AUP requirements.</p> | <p>See response from Stantec, Appendix 2</p> | <p>There appears to be a discrepancy between the number of bike parks noted in the s92 response under Item 31 as it is not clear on the plans where the visitor bike parking spaces will be for two of the apartment buildings or where the bike parking will be for the commercial activities.</p> <p>Please provide updated /revised plans clarifying the above.</p> | |
| <p>Visitor Bike Parking</p> <p>32. From the plans and application information, it is not clear how many visitor bike parking spaces it is proposed to provide or spaces for berth holders.</p> | <p>See response from Stantec, Appendix 2</p> | <p>The response confirms that visitor bike parking will be provided. AT will recommend a condition that final details of the number and location of the visitor bike parking (including stand types) are provided.</p> | |

| | | | |
|--|--|--|--|
| <p>The development is likely to attract a number of visitors who chose to arrive by bike and there is likely to create a demand for bike parking throughout the development.</p> <p>Please provide plans detailing the location and number of proposed visitor bike parking spaces throughout the development.</p> <p><i>AT note that the parking allocation plan in the Transport Assessment shows bike parking at the ferry terminal and we would like to clarify /understand exactly how much bike will be provided and also to understand if public bike parking will be provided in other locations throughout the site.</i></p> | | | |
| <p>Cycle Facilities / Routes</p> <p>33. From the plans /information provided, it is not clear where the cycle routes are throughout the development /site.</p> <p>The Precinct Plan under the AUP requires that there are cycle routes within the Precinct.</p> <p>Please provide plans that show /detail cycle routes within the Precinct (and it is anticipated the cycle routes would provide access to the ferry terminal, commercial activities and coastal areas.</p> <p>Note: It would be helpful that the plan is provided by way of a have a dedicated sheet within the landscape concept plan to the cycle movement strategy with any subsequent plans updated once the strategy is confirmed.</p> | <p>Boffa Miskell have prepared an additional drawing sheet (see Revised Landscape Package, Attachment 6.1) showing the cycle movement strategy – which is all on street and unrestricted – and the location of cycle parks for public use.</p> | <p>The response shows the cycle movement strategy and notes that the environment will be a low-speed traffic environment.</p> <p>We noted that the cycle strategy uses Sir Peter Blake Drive extension, and this has the potential for conflict between buses, cars / boat trailers and cyclists /pedestrians.</p> <p>As noted in Auckland Council’s Traffic Consultant’s response details of the traffic calming have been requested and the traffic calming measures should ensure that the roads are designed to achieve a 30 km/h speed. Please provide details of the traffic calming proposed and confirmation that this will achieve a 30 km/h speed.</p> | |
| <p>Road Cross Sections</p> <p>34. Please provide a typical cross section showing the proposed South Street, Cross Street, North Lane and Sir Peter Blake Drive Extension including</p> <ul style="list-style-type: none"> - footpaths; - carriageway; - landscaped berm/ area; - angled /parallel parking. | <p>See response from Boffa Miskell, included in Attachment 6.1.</p> | <p>Please clarify if the 6m carriageway shown for the Sir Peter Blake Drive will be wide enough to accommodate a bus and vehicle with a boat trailer in the opposite direction.</p> | |
| <p>Details of Entrance /Ties In’s</p> <p>35. Please provide details of how the extension of Sir Peter Blake Drive will interface with the marina entrance (i.e. will there be a barrier area or gate) and</p> <p>please detail how the extension will link into the existing portion of Sir Peter Blake Drive (including what will happen to the existing angled on street car parking spaces).</p> <p>Note: Item 22 above raised the same query.</p> | <p>See response from Stantec, Appendix 2</p> <p>There are no plans to interfere with the existing angled on street car parking spaces which are all on Council (AT) road.</p> | <p>Response is adequate.</p> | |

| | | | |
|---|--|---|--|
| <p>Cycle-ways</p> <p>36. Please clarify if cycling to and from the development (including the ferry terminal) on the existing road is considered to be safe and how this is achieved through the design of the new road network extension particularly given the expected volume and types of vehicles which will be using this road</p> <p><i>As the development is likely to generate additional cycle activity AT preference is for protected cycleways to be provided along the extension of Sir Peter Blake Drive and preferably up to the roundabout of Bayswater Avenue and Sir Peter Blake Drive.</i></p> | <p>See response from Stantec, Appendix 2</p> | <p>The response does not adequately address the query whether it is considered safe to cycle on the existing road and how the extension of Sir Peter Blake Drive will be safe to cycle on.</p> <p>As noted above under response to Item 28, it is considered that there is the potential for conflict between buses, cars and boat trailers and pedestrians /cyclists.</p> <p>Please clarify if cycling to and from the development on the existing road is considered to be safe and how the design of the road extension will be safe for cyclists (given the potential conflicts noted above).</p> | |
| <p>Confirmation of Width of Sir Peter Blake Drive Extension</p> <p>37. Please confirm /clarify that the extension of Sir Peter Blake Drive is wide enough to accommodate buses, as this information is not currently shown on the plans.</p> <p>It is noted that Auckland Transport’s TDM sets out the widths of road carriageway required for bus tracking and this information is required as buses need to be able to travel along Sir Peter Blake Drive.</p> <p>Note: <i>It is noted that the Sir Peter Blake Drive extension falls within sub-precinct C this identifies that this provides for a bus stop so needs to be wide enough o facilitate access to the stop.</i></p> | <p>See response from Stantec, Appendix 2</p> | <p>As noted above under AT’s response to Item 28, it is not clear from the information provided that there is sufficient space for on Sir Peter Blake Drive to accommodate a bus and car and boat trailer as shown in Figure 14 of the Stantec s92 response.</p> | |
| <p>Upgrade of Crossing Point on Sir Peter Blake Drive</p> <p>38. Please provide clarification as to whether the existing refuge on Sir Peter Blake Drive (see snip below) is considered to be appropriate given the additional volumes of vehicle movements and additional pedestrian demand from the redevelopment of the precinct. If you can provide an additional traffic assessment on the safety of this existing refuge.</p> | <p>See response from Stantec, Appendix 2</p> | <p>The response provided does not adequately address or answer the query as to whether the upgrading of the existing pedestrian refuge is warranted.</p> <p>Please complete the Austroads Pedestrian Facility Selection Tool to determine if an upgrade to the pedestrian refuge is warranted.</p> | |

| | | | |
|--|---|---|--|
|  <p>The development will generate additional pedestrian activity which may necessitate the upgrading of the existing pedestrian refuge on Sir Peter Blake Drive is not considered to be suitable to provide for safe and efficient pedestrian crossing.</p> <p>Note: It is AT's view is that the development generates the need for the refuge crossing to be upgraded to a raised pedestrian crossing to allow safe pedestrian access.</p> | | | |
| <p>Construction</p> <p>39. The application documentation, infrastructure report and the typical draft CTMP do not provide much detail on how safe and direct access will be maintained from the existing park and ride to the ferry terminal, the proposed location of the bus stop and turning area and access from the bus stop to the ferry terminal and pedestrian /cycle access through the site during construction.</p> <p>Please provide plans and a construction methodology setting out the following:</p> <ul style="list-style-type: none"> • The proposed three stages (including details of the areas for each staging, where workers will park, how /where access to the berth holder car parking /boat ramp and trailer boat will be located and maintained); • The proposed location(s) for the temporary location of the bus stop /bus turnaround area including confirmation that buses can safely turn, details of safe, direct and legible pedestrian access from the bus stop to the ferry terminal; • Details /route of how /where pedestrian access will be provided during the construction and each stage from the park and ride to the ferry terminal and details of pedestrian access along Sir Peter Blake Parade during construction; and • Details of how the boat ramp will function /work during construction and how access will be maintained; and • Details of how it is proposed to manage the construction of individual terraced houses and where tradespeople would park (as there will be limited parking on site and the demand for parking could spill onto the surrounding streets or occupy the park and ride parking). | <p>See Attachment 3.4 Draft Construction Management Plan May 2021 which has updates to includes the aspects requested.</p> <p>Due to the scale and complexity of the proposed construction we consider that a final construction management plan cannot be prepared until a construction contractor is engaged for the project, as many of the items raised relate to how the project will be constructed. We would consider that a condition requiring that a construction management plan containing the information noted in this query be provided and approved by Council prior to the commencement of construction.</p> | <p>It is not entirely clear from the updated Draft Construction Management Plan how the access to the boat ramp and boat trailer parking for the ramp will be during construction, please clarify.</p> <p>The bus tracking shown for Stages 2 and 3 appears to be very tight and it is not clear that the tracking will work.</p> <p>Please provide plans /details confirming that bus tracking for Stages 2 and 3 is feasible and works.</p> | |

| | | | |
|---|--|--|-----------------------------|
| <p><i>This information needs to be provided as part of the resource consent so that the effects of the construction can be assessed and understood and so it can be confirmed that safe and efficient access to public transport and pedestrian access through the site will be maintained.</i></p> | | | |
| <p>Fuel Tanks and Fuel Lines</p> <p>40. The existing underground fuel tanks for the fuel dock for the marina are located on the AT land and lines run down to the refuelling dock. However, it is not clear from the application how the development /construction on the site will impact on the fuel lines and fuel tanks? Please provide details of the existing location of the pipes from the fuel tanks to the fuel dock and confirm how these will be protected /managed during earthworks and construction works.</p> <p><i>AT note the proposed new easement for this infrastructure and would welcome a separate discussion directly with the applicant about this matter.</i></p> | <p>The location of the fuel line has been determined using ground penetrating radar (GPR), the alignment of the pipe is shown on Airey Consultants drawing sheets 100, 101, 103 (Attachment 3.1).</p> | <p>It is not clear from the s92 response how the development /construction will impact on the fuel lines and how this will be managed during construction. Please confirm how the fuel pipes will be managed during construction and earthworks.</p> <p>The s92 response still includes the draft easement document showing an easement with the right to convey fuel and right to maintain fuel lines and tanks over AT (AC land). We are not going to the proposed easement and it is proposed instrument is outside of the scope of this current resource consent. Please remove the easement document from the resource consent application.</p> | |
| <p>Subdivision Specialist – David Snowdon</p> | | | |
| <p>Staging</p> <p>41. Turning to Attachment 10.1, the plans accurately reflect the proposed nature of the unit title development at completion. However, no plans have been supplied in relation to staging and potential FDU’s although that is noted in the AEE. The provision of the staging drawings should be requested at s92 in order that we can gauge the effects of each stage and how they may be connected sequentially. The provision of those drawings will likely require additional evaluation and potentially lead to conditions of subdivision consent (if granted).</p> | <p>Three stages of development are expected to occur in succession:</p> <ol style="list-style-type: none"> 1. South precinct 2. Central precinct 3. North precinct <p>These stages will be constructed as part of one civil construction contract, providing for earthworks stock piling, temporary car parking and Berthholder access. While we envisage a staged approach to construction, we do not anticipate the issue of multiple 224c certificates in stages.</p> <p>Following issue of the 224c certificate, the first stage unit plan will deposit. That plan will create the stage 1 principal units and multiple future development units. Those future development units will be developed at different times depending on the readiness of each unit owner to complete the building and convert the title from an FDU title to a PU title. In that regard the completion of works and conversion of FDU titles to PU</p> | <p>I must admit to being a little confused by the response to my subdivision staging question?</p> <p>They are stating they anticipate one (single) s224(c). The scheme plan at attachment 10.1 (attached) conforms to this arrangement and identifies no staging.</p> <p>The s92 response (above) however states that while they anticipate the issue of the one s224(c), they will “create the stage 1 principal units and multiple future development units.”</p> <p>They must therefore either:</p> <ol style="list-style-type: none"> a) confirm removal of the staging references in the subdivision section of the AEE and proceed on the basis of scheme plan at attachment 10.1 or, b) provide staging plans (and any necessary staging assessments), conforming to the requirements of s24(2)(a-c) Unit Titles Act 2010 (providing the PUD Plan, Staged Unit Plans and Complete Plan) and identifying the FDU’s. | <p>See email from David</p> |

| | | | |
|---|--|---|---|
| | <p>titles will be staged but it is not possible to predetermine that staging because it is affected by matters outside of the developer’s control.</p> | <p>Also in respect option a) above, there will be a requirement for s32(2)(a) certification for all PU’s prior to any new titles issuing which is clearly not their intent from this response.</p> <p>I strongly suggest they seek advice from their Surveyor prior to responding.</p> | |
| Urban Design (John Steinberg) | | | |
| <p>Design Review Process</p> <p>42. Please clarify the Council oversight in the process of agreeing the detailed design for each FDU?</p> <p>Getting an appropriate level of certainty, independence and control over design outcomes needs to be explicit, and there are serious concerns about the lack of Council oversight.</p> <p>a- A2.1 The design committee is not known and can be made up from any members of the, non-design oversight committee, that could potentially outnumber the professional designers to be appointed to the design committee. How would split decisions be resolve?</p> <p>b- Bayswater Marina Holdings Ltd chooses the design professionals, although there is no obligation to ensure quality architects or urban designers with panel experience would be appointed.</p> <p>c- Can they be dismissed and replaced at whim?</p> <p>d- Does the appointed urban designer from council have veto role or referral role? Is this appointment solely at the discretion of BMH?</p> <p>e- Who pays for the Council’s urban designer and how is that charge system to be managed? Would council have to develop and manage a new charging system that relates to the various applicants which would add significant complexity and costs to the council.</p> | <p>Design Committee is proposed to include “1 × Appointed Urban Designer from Auckland Council”</p> <p>(a) Decisions and advice from the Design Committee must be with reference to the consent including the Design Manual, and backed by robust design rationale. They are not and should not be a vote. However, should this continue to be a Council concern, a rule could be added that there must be a majority of professional designers on any Design Committee review.</p> <p>(b) It is in the interests of the Bayswater Marina Holdings Ltd and its development to ensure appropriate expertise is on the Oversight and Design Committees, in order to achieve high standards and design.</p> <p>(c) See page Appendix 2, p30 of the Design Manual – “Membersh Oversight Committee (and Design Committee) is determined by Bayswater Marina Holdings Ltd (or its nominee)”.</p> <p>(d) As stated under Design Committee Rule 4 (DM page 30): “The Urban Designer from Auckland Council will attend in an observation role from time to time and at Auckland Council discretion.” Appointment and attendance is solely at discretion of Auckland Council, and Council does not have veto or referral role.</p> <p>If the volume of the proposal is outside the consented dimensions and not consistent with the Design Manual then the Design Committee has a veto role, and would also refer the applicant to Auckland Council for a consent application.</p> | <p>(c, d, e) The urban designer from council only used in an observation role, and appointment and attendance would be at ACC discretion. Council will not have a veto or referral role which is fine. Implicit in their reply is that council’s urban designer would not be able to charge time against any proposals and that aspect has not been explicitly answered by the applicant, but it also suggests that monitoring of the approved applications needs take place periodically, especially at building consent stage where things have been known to change significantly.</p> <p><u>Further matters that they need to address because of the information provided.</u></p> <p>Suggesting a rule could be added that there must be a majority of professional designers on any design committee review – would be acceptable. <u>It needs to be added in A2.1.</u></p> <p>It is noted that in A2.1.2 that <i>“the design committee has unfettered discretion to determine whether an application is consistent with this Design Manual and therefore should be approved or declined, and its decisions shall be final”</i> This seems to introduce some flexibility, and suggests it is up to the design committee to determine that the application is consistent with the design manual – so does that mean minor rule infringements would be considered as being consistent, with the design manual, or potentially ignored given their ‘unfettered discretion’?</p> <p><u>I think that a further clause be added to A2.1</u> – stating (if this is the intent?) that the Design Committee cannot approve an application if it infringes this design manuals Rules R2.1-R2.16 and R.3.1-R3.10. This may require a monitoring requirement to ensure that the committee is delivering on its responsibilities.</p> | <p>Post notification and prior to memo.</p> |

| | | | |
|---|--|---|---|
| <p>Another practical matter relates to the cumulative effect of individual designs and the extent to which an approved design/s within a terrace block</p> <p>a- need to form part of any proposal’s context?</p> <p>b- is there need for development to respond to that context and create an individual stitch to provide an overall co-ordinated aesthetic to a block, or is a contrasting potentially jarring design OK? Or are the rules and guidelines sufficiently powerful to ensure a general level of co-ordination.</p> <p><i>Note: In terms of queries raised on charging above. It would appear the simplest mechanism for this would be monitoring deposit and ongoing monitoring charges which occurs already through the existing process of giving effect to a consent. If you can confirm if you agree with this option.</i></p> | <p>(a) The matter of relation to units around is acknowledged and has been considered and specifically addressed by the highlighted text below: G3.3 Relation to neighbouring dwellings: Consider the context established by neighbouring units along a terrace, across the internal mews and across lanes in order to: a. optimise the outlook from and amenity of all units; and b. avoid any negative visual effects which would compromise the aesthetic of the terrace as a whole.</p> <p>G3.3 (b) signals expectations to the ‘applicant’ and gives leverage to avoid “potentially jarring design” as the design is reviewed by the Design Committee.</p> <p>(b) Note that the intention is individual unit design, and not a uniform and consistent aesthetic. However, the parameters for the bulk and form of each terrace and guidelines materials and colours will contribute to an appropriate degree of visual cohesion, and this will also be fundamental in precluding a potentially jarring design.</p> | | |
| <p>Maritime Environment</p> <p>43. It is not clear how the intention of “Policy I504.3 (2) requires new buildings to be located and designed to that they (a) visually appropriate for a maritime environment and are designed to reflect the maritime location” is being achieved in the DM (see Italics below). Please provide further assessment and discussion on how the Design Manual satisfies the above policy.</p> <p><i>This policy seeks the design of buildings to have an apparent visual response to their external design and appearance that is appropriate for a maritime environment and that reflects the maritime location. That location includes inferences to maritime activities of the sea or related to the sea and commonly would be interpreted to include built forms, design elements and materials located historically in maritime locations, this location and extend to Maori references to their maritime activities.</i></p> <p><i>Such a response is sought to retain some of the character of the activities and uses associated with the site, but also help to mitigate the effects of a strong residential character dominating the precinct.</i></p> <p><i>This is a significant issue as the long-standing community interest in the site as a place of recreation and open space enjoyment and involvement in maritime activities, relating</i></p> | <p>Maritime activities</p> <p>1. In any location, activity is a fundamental determinant of character. Bayswater’s authentic “maritime” identity results in large part from the retention of existing water-related activities and from the addition of new waterfront amenities:</p> <p>a. The proposal retains all but one of the existing uses associated with the site include marina; public transport including ferry, marina carparking; public water edge access and open space is precisely to meet Unitary Plan requirements.</p> <p>b. The activity deleted is the industrial boat yard which has limited utility for the general public.</p> <p>c. Land-based infrastructure enabling access and trade are respectively: useable public open space and water edge access both of which are enhanced in quality and extent,</p> | <p>Maritime Environment’</p> <p>Explanation has been provided, there remain concerns which are not easily resolved. However, I am relatively supportive of the approach taken and believe (and it’s only a belief) that the community would warm to the finer grain expression and the individual qualities of the units, and such an approach would reduce the implicit ownership and dominance of the site and public realm by the development, which by contrast could be exacerbated by a large comprehensively designed apartment complex.</p> <p>The explanation provided is rather self-serving, with modest claims to a maritime building response and cliched use of architectural and design jargon. Perhaps more robust consideration of the public views of maritime design could have been canvassed when a Local Board & Bayswater Community Committee initiative to get feedback from the public to explore the future use of the marina land was commissioned in 2018, a missed opportunity. There remain consenting hurdles.</p> | <p>Post notification. Prior to memo.</p> |

| | | | |
|--|--|---|--|
| <p><i>overtime with a range of buildings has to be considered in communicating a maritime architectural approach which speaks to the community, rather than an elite design profession.</i></p> <p><i>“Maritime” relates to the sea, of the sea and is used most frequently to describe navigation, activities associated with commerce of the sea, its supporting maritime activities, shipping, boating, seafaring, and supporting land-based infrastructure enabling access and trade.</i></p> <p><u>Terrace Architecture</u></p> <p><i>The urban design report suggests a narrowing down of the response as the marina has few contextual references (2.2-2.4) other than weathering and timber clad buildings in the vicinity, and states there are few relevant cues for contextual relationship beyond the variation between individual houses. In effect constructing an approach to ‘slip the moorings’ and have no fundamental approach to maritime design.</i></p> <p><i>The approach to design provided by the guidelines (G3.2) do not deal with the maritime character but reference is made to ‘intended coastal urban character’ delivered by a variety of means, covered in guidance provisions (a) to (e). These appear generic at best and part of any design brief for ‘anywhere’ development.</i></p> | <p>and commercial facilities which include new marina offices and the possibility of marina related retail.</p> <p>d. The proposal increases the extent and range of waterfront activities. In particular, it provides greater scope for recreation by people who do not own boats.</p> <p>Aesthetic design and character</p> <p>2. Good design in a maritime setting should make an associational connection with the maritime context, variously described in the Unitary Plan as “visually appropriate” and “to reflect the maritime location”. There are two architectural ways of achieving this: by overt representation or by abstraction. These are discussed in turn below.</p> <p>Achieving maritime associations through representation.</p> <p>3. Architectural representation employs overt symbolic devices: themes, motifs, elements and features that are commonly understood as having maritime associations. These devices typically refer to maritime activities or locations.</p> <p>4. Common strategies for achieving such associations include:</p> <ul style="list-style-type: none"> - Mimicry of naval architecture in terms of overall form (e.g. hull, deck, superstructure), styling (e.g. fluid lines of Moderne architecture) or vocabulary (e.g. portholes, companionways, railings). - Resemblance to maritime buildings (e.g. boatsheds, warehouses, lighthouses). - Reference to other forms of maritime infrastructure (e.g. cranes, gangways). - Inclusion of maritime themed furniture and decoration. <p>5. Although a designer might elect to apply one of these strategies to single Bayswater townhouse, none of the devices are considered appropriate for the whole development. The reasons for this are as follows:</p> <ul style="list-style-type: none"> - Simulated features lack authenticity: in a coastal setting, they can detract from the appearance and meaning of real maritime elements. - Ocean-going liners are the chief inspiration for Moderne architecture. This type of ship is not relevant to Bayswater or its maritime activity. - Simulated features easily become cliched, especially if they occur in large numbers. - At a macro scale, convincing controlled references are only possible within a comprehensively designed development (Bayswater townhouses are individually designed). | <ul style="list-style-type: none"> - Maritime activities are not the subject of policy I504.3 it is only the buildings - Objective I504.2 seeks an outcome of a comprehensively and integrated development, and as stated in the S92 response town houses are individually designed in contrast! page 20, 5 dash 4. <p>I will have to present these aspects in my report.</p> | |
|--|--|---|--|

| | | | |
|--|--|--|--|
| | <ul style="list-style-type: none"> - At a micro scale, references to maritime features are best left to the discretion of individual designers. - Some elements belonging to a traditional maritime vocabulary do not meet contemporary building design standards (e.g. horizontal ship’s railings). <p>Applying a representative or stylistic approach to the elements within a single building</p> <p>6. At the level of the detail of buildings and structures, overtly representative maritime references might include the type of handrails and balustrade associated with maritime vessels, portholes, ropes, canvas awnings or sails, maritime pennants, oars on display, weathered timber weatherboard cladding, elements of a lighthouse, shipping containers or even a rooftop ‘widows walk’.</p> <p>7. This type of representative approach tends towards cliché. A melange of maritime references would be kitsch, trite and ‘obvious’ in the pejorative sense of that word, and an arbitrary ‘style’. Overt reference to other styles from other places and/or times risks being architectural pastiche, lacks authenticity and is sought to be avoided. Such references might be seen to be found, for example in ‘themed’ environments such as seaside restaurants and cafes, and it risks association with other places. With this type of reference, the question might be asked: is this Auckland or is it Nantucket?</p> <p>Achieving maritime associations through abstraction</p> <p>8. Abstraction is more selective in its use of imagery. It simplifies and seldom makes overt associations. Connections are not always immediately obvious: instead, they may reward reflection. Clues to meaning may be present in the formal composition or the choice of materials. Links may also occur as a theme or narrative. Because abstraction is less literal and prescriptive, it provides more scope for creativity and interpretation by the designer. Abstraction is the preferred method for achieving maritime associations at Bayswater. The following paragraphs describe how connections are achieved and why the method is considered advantageous.</p> <p>9. As reclaimed land, the site has a distinctly coastal character. The site extends or amplifies an adjacent headland. However, the land’s straight edges and horizontal platform contrast with more natural terrain. Built form reinforces these innate site characteristics, because the uniformly low-rise townhouses emphasise horizontality.</p> <p>10. The configuration of overall building bulk, location and form is the underlying and first means of designing the terraced</p> | | |
|--|--|--|--|

| | | | |
|--|--|--|--|
| | <p>housing to be visually appropriate for this particular maritime location.</p> <ul style="list-style-type: none"> a. Changes in the alignment of terraces in the blocks around the north, west and south coastal edge and gaps between blocks of terraces avoid a continuous monolithic wall of building. The informality introduced by this variation in alignment relates to the characteristic informality of coastal edge development in this part of the harbour, such as seen in Devonport. b. Maintenance of 12m height to relate to the height of the escarpment to the north-east. c. Visual richness arising from individual dwelling design which will impact at the more fine-grained level of each terrace. This visual richness is also a characteristic of North Shore residential waterfront development and waterfront development in other locations. <p>11. Site layout resembles the familiar pattern of coastal access and seaside residential development. Specifically, rows of dwellings consistently face the water, and an intervening roadway provides almost continuous “public” access to the harbour edge.</p> <p>12. The residential terrace, while increasingly apparent, remains an atypical form for New Zealand coastal development. This means that a new character must be developed, rather than relying on referencing existing models such as, for example, the grand stand-alone villas along parts of the waterfront at nearby Devonport.</p> <p>13. Dwellings within each terrace are predominantly individually designed and constructed. This replicates the variation and informality of traditional coastal development but in terrace type development. This delivery process produces greater complexity and authenticity than can be achieved by enforcing a single architectural theme or style.</p> <p>14. Proposed landscape resembles coastal planting. The edges of the site are treated as esplanades: a public space type that is widely recognised and associated with marine or riverine locations.</p> <p>15. Weather resistant materials, harbour-facing windows and projecting balconies are also emblematic of inhabitation in a coastal setting.</p> <p><i>Abstract expression of a cultural narrative</i></p> <p>16. A further type of abstraction might be a metaphorical reference such as a cultural narrative. This may be a local</p> | | |
|--|--|--|--|

mana whenua cultural narrative. There are several challenges with this:

- a. For this approach to be valid, meaningful and appropriate mana whenua input is required. That would be both impracticable and unusual for the individual design of 94 different terraced houses.
- b. While reflecting local cultural values and potentially expressing narratives is entirely appropriate and desirable in a public building, or a large building complex, it is unlikely to be relevant to terraced housing, which is inherently an urban building type. References to mana whenua values and narratives may be more appropriately and readily addressed by in public realm and landscape design.
- c. Prescribing a single narrative risks proscribing other potentially equally relevant approaches to culturally sensitive design.

17. Nevertheless, while a cultural narrative or theme it is not to be required, the approach of expressing a cultural narrative in design is accommodated in the Design Manual by anticipating a design theme. The consent application and hence the Design Manual seeks to be open to allow individual design of each terrace, so the building designer is free and able to integrate whatever narrative they consider appropriate, subject to compliance with Design Manual rules and guidelines.

G3.1 Architectural Coherence is:

Ensure architectural design coherence in the design of any unit. This means considering the following when planning the dwelling, composing building form, façade, projections and setbacks, developing construction details and choosing materials and colours:

- c. consistency in the realisation of the design concept, idea or theme for the dwelling at all levels of design from formal and façade composition through to materials, detailing and colour

18. Considering the possibility of this approach, reference to a more representational approach might be added under G3.2 Architectural Character:

Intended coastal urban character will be achieved by a variety of means that might include but would not be limited to the following:

(a-d - no change, additional text as below)

| | | | |
|--|--|--|--|
| | <p>A. Terrace alignments that are broken and articulated, rather than aligned consistently to the street edge;</p> <p>B. The more intensively occupied facades and balconies than can be expected facing the coastal edge at all levels, including projecting balconies;</p> <p>C. Restriction on colour and materials;</p> <p>D. Provision for rooftop occupation;</p> <p>E. Entrance stairs that project beyond the site boundary for some units; and</p> <p>F. Limitations on the number of identical terraces in a row (three max.), as distinct from at Hobsonville (and similar developments) where typically all units in a terrace might be identical.</p> <p><i>Shipping containers</i></p> <p>24. Containers are both a waterfront cliché and inappropriate to this particular maritime environment. Industrial in nature, they are emblematic of large commercial ports rather than recreational boating. They also suggest temporary architecture. Their ephemeral character might be suitable for temporary construction sheds or marina-side storage associated with construction or a special project. However, they are not a suitable reference for Bayswater’s permanent buildings.</p> <p><i>Corrugated iron</i></p> <p>25. Long run cladding is identified by G4.1 as anticipated and acceptable. That is because ‘seam folded metal cladding’ is identified as one of the ‘anticipated materials’. While unfinished galvanised or reflective corrugated iron’ is identified to be not acceptable, ‘satin/matt finishes in preference to polished’ are anticipated and long run corrugated iron is therefore not specifically excluded.</p> <p>26. Nevertheless, there is little opportunity for long run sheet materials on seaward facing facades, and the monotony of corrugated iron or Colorsteel on terrace end walls is to be avoided. If sheet material is used, the intention on the larger wall surfaces is a more pronounced fine grain with ribbed profiles rather than standard corrugate. Although found in some maritime locations, corrugated iron has connotations of low grade industrial and agricultural sheds. The intended more robust ribbed profiles also use higher quality materials (aluminium, zinc and copper).</p> <p>Conclusions</p> <p>27. In summary:</p> <p>a. Maritime activities are retained and enhanced, and that is a key means of ensuring maritime character.</p> | | |
|--|--|--|--|

| | | | |
|--|--|------------------|--|
| | <ul style="list-style-type: none"> b. A fundamental means of relating buildings to their setting is bulk, form and location, and these buildings have been placed, aligned and are scaled to fit into this location. c. In general, there are two ways for architecture to make associations: overt representation and abstraction. Representation is avoided as risking arbitrariness, and cliché, and being an approach not compatible with the individual design of units within a line of terraces. d. The approach of abstraction is taken, with this reflecting on key features of the setting to achieve visual appropriateness. This avoids the architectural pitfalls of a representative approach, is less prescriptive and by allowing individual design interpretation is consistent with the individual design of buildings. e. When the individual design of each terraced house is anticipated, it is arbitrary and unnecessarily restrictive to define a common maritime narrative or style for the design of individual buildings. f. Some minor additions are suggested to the G3.2 Architectural character to signal the possibility of integrating aspects of a representational approach into the design of an individual terraced unit. | | |
| <p>Wall Height Fronting Streets</p> <p>44. Please provide further clarification and simplification of presented material is required in relation to the potential wall heights fronting streets and parks. It is not easily determined from Appendix 1 and the explanation and some examples and options could be tested.</p> <p><u>R2.5 Height of walls to the streets</u> needs to be better illustrated, in the first instance the height differential between ground level at the Mews and Street/Park is critical in setting up wall heights in combination with garage height requirements. It would be useful to identify those sites which are likely to see wall heights of over 1.3-1.5m.</p> | <p>This is described in the McIndoe URBAN <i>Bayswater Maritime Precinct Height Analysis</i> (23 February 2021) – see Appendix 5 to this s92 response.</p> <p>This demonstrates examples and typical options. Note that detailed design for each unit may reveal further cross-sectional options that will nevertheless maintain a frontage height of between 0.7m and 1.5m.</p> <p>Note that the original Urban Design Report submitted with the application (Attachment 7.1 at that time) contained the following statement: <i>4.7, Assessment e. Skyline variation is achieved: – Overall building height variation is limited due to application of the Auckland Unitary Plan requirements, but a 2m zone for identified roof protrusions is provided for that will allow some over-height elements. This in combination with lower buildings will help to develop variation (refer Figure A2.5).</i></p> <p>The 2m referred to is now incorrect and should read “1.5m”.</p> | <p>Resolved.</p> | |

Please provide details to confirm whether a wall height of 700mm be achieved without a split level to the ground floor levels.

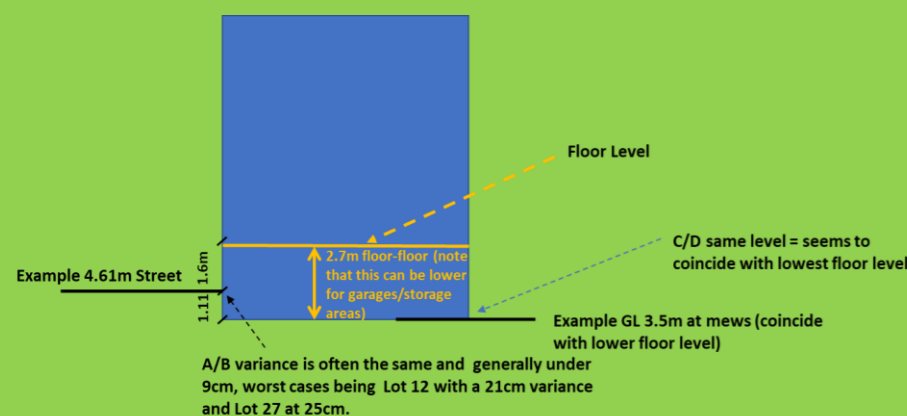


Fig 5: Illustrates an example where habitable rooms at mews level are provided resulting in a wall at the street of 1.6m height which would require the ground floor to be lowered 100mm below the mews level to meet the 1.5m maximum wall height to a Road or Park.

It would be useful to test the costs and flooding potential for garage floors to be lower than the level of the mews and provide some practical guidance the probability of this being a design option. Please provide commentary on how low can a garage floor-ceiling height be.

R2.5 Height of ground floor level relative to ground level at the street

Minimum 0.7 metres, maximum 1.5 metres. This does not apply to:

- a. the terrace end facade of any unit at a corner where that terrace end facade faces the street or a park; and
- b. the lowest floor level on the parking mews façade.

Ground level at the street will be the average of the levels at the Street frontage (or Park frontage depending on unit location). These are at points A and B as described in Appendix 1, figure 2.1A and Table 1 Building Heights.

No sites will have external frontage wall heights of over 1.5m except as identified in R2.5 above.

The Height Analysis demonstrates that a wall height of between 700mm and 1.5m can be achieved without a split level for 56 of 94 units (approximately 60%), and with varying types of split level for 37 of 94 units (approximately 40%).

Garage floor lower than the mews

From an architectural perspective it would be wise to avoid making the garage floor lower than the level of the mews as that is likely to require complex detailing at the door sill and/or mechanical systems to deal with stormwater ingress. However, that would be possible.


Garage floor-ceiling heights

Lowest floor to floor in garage is indicated in the analysis to be 2.5-2.6m. That would, assuming a 300mm deep structure, allow clear headroom in the garage floor of 2.2 – 2.3m, which is conservative and entirely satisfactory for a storage space of this type.

Typical vehicle heights are:

- Tesla Model 3 1.44m (sedan)
- Tesla Model Y 1.626m (compact cross-over utility vehicle)
- MG ZS EV 1.620m (electric SUV)
- Ford Ranger 1.852m (2020)
- Ford Ranger Raptor 1.873m (2020)
- Toyota Corolla 1.435m (2020, hatchback)
- Toyota Hilux 1.795m (2021)

Sectional garage doors are available in heights from 1.825m and require 350mm above that for a standard automatic opener and 200mm for a 'low headroom' track and automatic opener. Using this door type and allowing for a generous 100mm

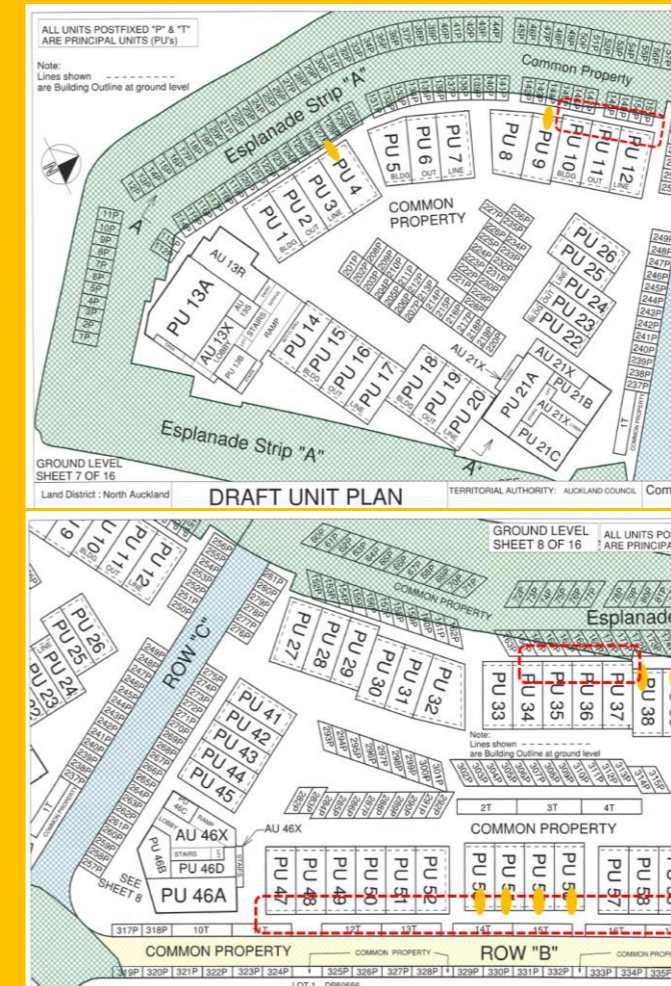
| | | | |
|--|--|---|--------------------------------|
| | <p>clearance above the tallest vehicle above (a 2020 Ford Ranger Raptor) a clear headroom of 2.173m would be required with a low headroom configuration, which would in turn require a floor to floor of 2.473m.</p> <p>Assuming a garage for a sedan only, then the minimum floor to ceiling height could be 2.025m which would mean a lowest floor to floor height of 2.325m. This is the lowest practicable height for an auto-opening garage door and with a ceiling clearance just above the standard 1.980m domestic door height.</p> | | |
| <p>R2.2 and 2.6 roof top projections</p> <p>45. The maximum height is 12m in this precinct, the application is seeking to allow for an increase in height to 14m, provided that part exceeding the AUP height standard does not exceed 15% of the building footprint (which I read as that area as being exclusive of projects), no more than 2m to the street and 4m along the long elevation. Please provide commentary and advise if or how cumulative effects of multiple height projections would have on the overall impression and scale of development relative to the cliff line.</p> <p><i>Note: This matter of maximum height compliance is raised in item 67 below.</i></p> | <p>Correct, the identified 'building footprint' is exclusive of projections.</p> <p>From an urban design perspective this would have no perceivable effect for two reasons:</p> <ol style="list-style-type: none"> 1. Even if they were to occur on all terraces, the extent of height projections is so limited and they are minor roof or rooftop elements, so the 12m height limit for the main building volume will remain as the primary visual datum; and 2. The edge of the cliff-line is itself characterised by variable height due to the trees and other planting along the edge (see image below). <p>Furthermore, this is only two thirds of the rooftop height variation anticipated by THAB zoning.</p>  | <p>Resolved</p> | |
| <p>Projections beyond the lot boundary</p> <p>46. My understanding is that all projections from the face of buildings will lie within the lot boundaries, the exceptions being 750mm projection of balconies, 500mm front door canopies, and up to 1.2m front entry stair projections. Please confirm that this interpretation</p> | <p>This understanding is not correct. The correct interpretation is:</p> | <p>Thank you for this information provided, it is also noted that the esplanade strip has been adjusted from that previously provide in Scheme Plan NA639741 Rev 6 and effectively means that balconies and steps are likely to</p> | <p>Identified as Post Not.</p> |

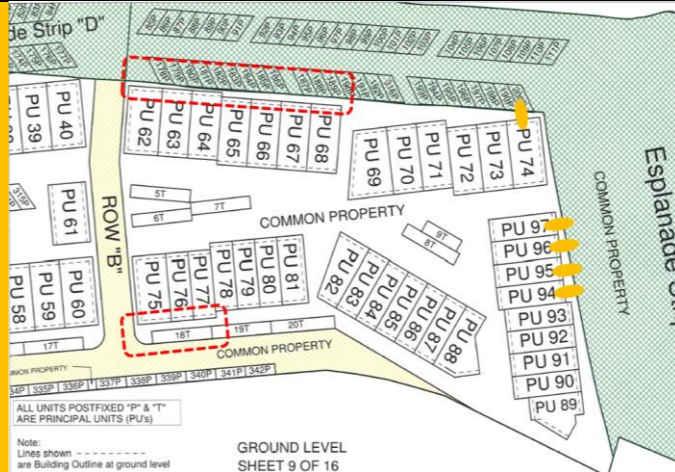
is correct and whether these projections will impinge on the 15m esplanade strip and 7200sqm open space provision on the site.

1. The PU boundaries include the zone of projections, with this covered in the Interpretation section of the Design Manual: Note In.5; and Figure In.1.
2. The only exception is that as identified by R2.14, some units may include steps within the common property, being those lots identified in Appendix 1 Table 2, and for avoidance of doubt recorded also in R2.14 (a). The lowest stair riser is required to be set back 450mm from the back of the footpath.

be located on or over common property and will not extend into the esplanade strip.

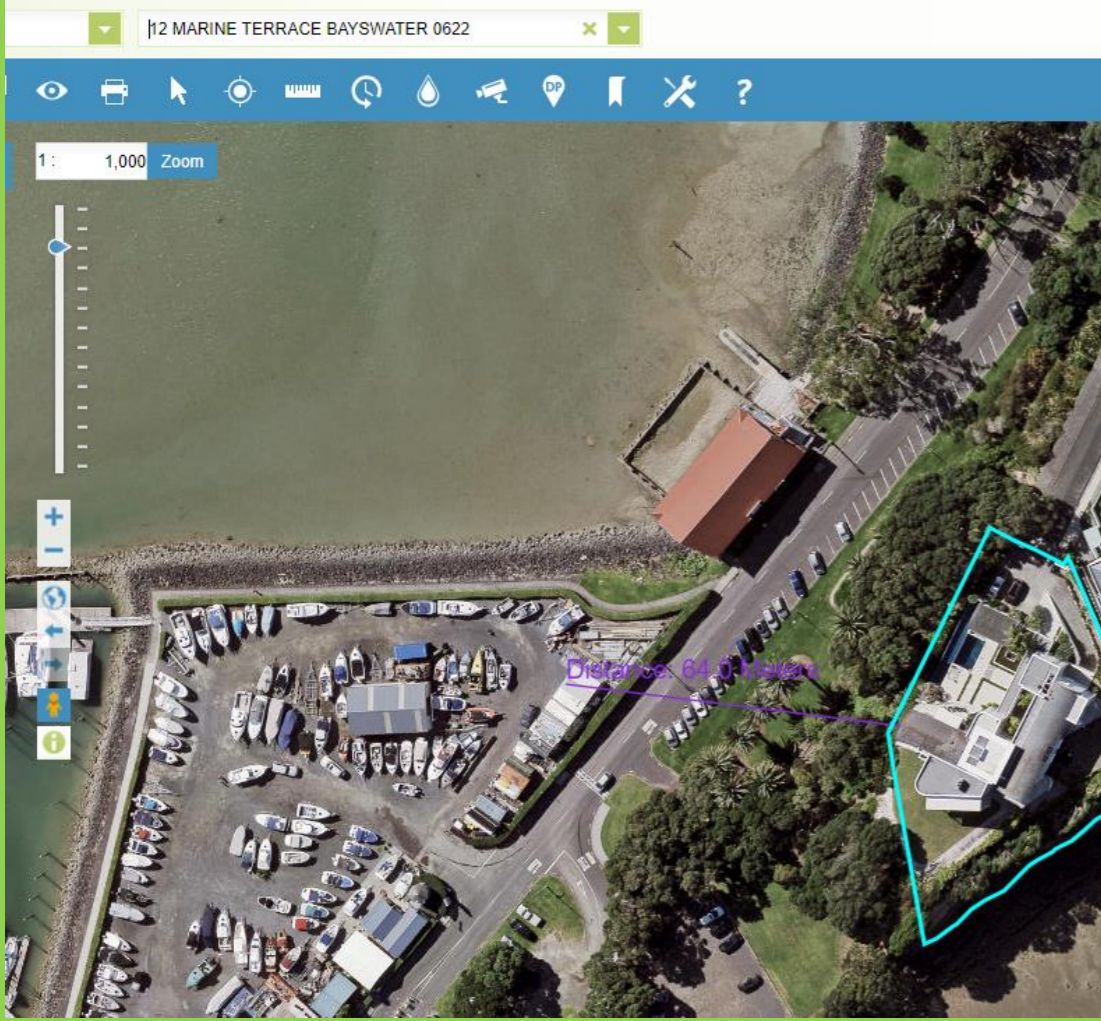
However, there are still concerns that balconies and steps may intrude into the esplanade strip, which would be a planning issue, the effects of these on the western foot pavement which extends Sir Peter Blake Parade also needs to be considered. The key areas which need confirmation are illustrated below, in particular the need for sufficient space to accommodate the steps and footpath?



| | | | |
|--|---|--|--------------------------------|
| | |  <p>Above: Steps Yellow, Red outline relates to potential balcony overhang and its effects on pedestrian amenity.</p> | |
| <p>Overhanging Balconies</p> <p>47. Please confirm if the Design Manual allows for the potential for balconies to overhang footpaths running in front of lots 1-4, 9-12, 27-29, 33-37, 47-60, 62-68, 75-77 and 89-93?</p> | <p>Front and rear balcony projections are provided for as follows in the Design Manual Appendix 1 Table 2 Façade projections:</p> <p>Lot 1 – no. Lots 2-4 yes. Lots 9-12 -yes Lots 27 no, Lots 28, 29 yes Lots 33-37 yes Lot 47 – no. Lots 48-58 yes. Lots 59 and 60 no. Lots 62-68 yes Lots 75-77 yes Lots 89 no; lots 90-92 yes; lot 93 no</p> <p>The balconies are all within the identified PU area. (Refer to Design Manual Appendix 1 for the units where balcony and front step projections can occur.)</p> | <p>The footpath is public space, please provide the benefits/ adverse effects of balconies over the public footpath in terms of pedestrian amenity and comfort of use and or a rational why. Useful would be the type of relationship between balconies and footpath outlined above in red. A typical cross section around PU47-60 would be useful.</p> | <p>Identified as Post Not.</p> |
| <p>Boat Trailer and Central Apartment Block</p> <p>48. It is unclear the rational for the positioning of this single trailer park outside the central apartment block. Please clarify why this location was chosen against others? It would appear to cut down the casual pedestrian crossing options in this location.</p> | <p>From an urban design perspective there is a clear, direct and generously wide line of crossing possible from the footpath along the edge of Sir Peter Blake Parade, so this trailer park does not impact pedestrian crossing options in this location.</p> <p>The location of this trailer park (and all proposed trailer parks) is considered appropriate by reference to the relevant Precinct provisions.</p> | <p>A rational for the trailer park location has not been provided, other than it is considered appropriate, which is not an explanation, the layout of parking and access is a matter of discretion. The trailer park seems to be located not only to prevent easy movement across the road on a broader front, but also appears incongruous with the potential ambiance being created by the food and beverage tenancy and would tend to increase threshold resistance to the tenancy which is never helpful.</p> <p>From an urban design perspective, it's the rational and appropriateness of the trailer park which requires justification, not that there is an alternative route which is unimpeded.</p> | <p>Identified as Post Not.</p> |
| <p>Parks (Raj Maharjan)</p> | | | |

| | | | |
|---|--|---|--|
| <p>Esplanade Strip and Schedule 10</p> <p>49. Please provide a commentary in relation to how the proposed esplanade strip meets the requirements for instruments creating esplanade strips and access strip as outlined under Schedule 10 of the Resource Management Act.</p> <p>In terms of the draft instrument the following queries are raised:</p> <ol style="list-style-type: none"> 1. There does not appear to be provision about BML responsibility for the ongoing maintenance and management of the esplanade strip, as there will be an expectation of certain improvements (i.e. a formed driveway, footpaths, curbing etc) and that these are maintained in perpetuity. 2. There should be a provision about prohibiting buildings and structures within the esplanade strip (beyond those consented) without the express permission of Auckland Council. 3. There needs to be provisions about the agreeing when and how the esplanade strip can be closed off. This closure should not differentiate between the berth holders and the general public i.e. the esplanade strip should not be closed off to the general public but still allow access by berth holders at any point. 4. In terms of the remaining provisions of Clause 2, Schedule 10 RMA, do not appear to be included please clarify? For example; 2(g) is not addressed. Parks would expect the removal of plants to be included in the esplanade strip instrument. 5. Clause 5(b): Please clarify why leasing is sought over a license? Parks consider this should be amended to clarify that the esplanade strip can be ‘used for vehicular circulation and licensed for parking’. Council Parks does not consider that the esplanade strip should be leased at all, and definitely not leased or licensed for vehicular circulation. 6. Further to point 5 above. Parks have raised concerns schedule 10 doesn’t anticipate car parking, or permanent closure of an esplanade strip, and certainly not parking that would be allocated permanently to berth holders in the form of principal units. Parks consider that this could be interpreted as those areas of the esplanade strip dedicated to carparking spaces being permanently closed to the public. Parks are assuming that clause 3 relies on section 7 - Closure of under Schedule 10? Please confirm. | <p>The form of Esplanade strip instrument submitted with the application is the standard form prescribed by the Resource Management Act.</p> <ol style="list-style-type: none"> 1. The esplanade strip will be within the jurisdiction of the Body Corporate. The Body Corporate will require the proprietor to maintain the property. 2. Constructing buildings and structures within the esplanade strip would breach the provisions of clause 5(a) (any person shall have the right, at any time, to pass and repass over and along the strip, subject to any other provisions of this instrument). 3. Closure will not differentiate between berth holders and general public. 4. Clause 2(g) is in the form attached to the application but is lettered (f). 5. The reference to leasing reflects the fact that the berth holder parks are subject to a lease arrangement with the Bayswater Marina Trust. 6. The parking arrangements will not prohibit public passing over those parts of the carpark which are not in use from time to time. Parking of a car on part of the esplanade strip does not cause that part of the strip to be “permanently closed to the public”. | <p>The comments below have been provided by Legal Services of Parks Planning Division. The same numbering has been retained as it is in the document titled "BUN60373319 Bayswater Marina Development – S92 Queries and Other Comments – 15 April 2021" pages 27-29.</p> <ol style="list-style-type: none"> 1. Response is unsatisfactory. The Body Corporate documents and its arrangements with third parties are outside of Auckland Council’s control. The Applicant needs to confirm that there will be provision in the Esplanade Strip Instrument that the relevant improvements are maintained in perpetuity. 2. Response is unsatisfactory. Clause 5(a) of the draft Esplanade Strip Instrument does not prevent buildings and structures. Applicant needs to confirm that there will be a provision in the Esplanade Strip Instrument prohibiting buildings and structures without the approval of Auckland Council. 3. Response is partly unsatisfactory. Clarification is still required regarding when and how the Esplanade Strip can be closed and the Esplanade Strip Instrument still needs to be amended to clarify this point as well as noting closure will not differentiate between berth holders and the general public. 4. Response seems satisfactory. 5. Response is unsatisfactory. Parks Planning does not see any reason why the arrangements with The Bayswater Marina Trust cannot be created as licences rather than leases. Leasing provides exclusive occupation which is inconsistent with an Esplanade Strip as it does mean that area is permanently closed to the public. And in fact licensing is more consistent with the Applicant’s comments in point 6 that the public will have access to pass over the carparks which are not in use. The Applicant needs to confirm that the Esplanade Strip Instrument will be amended to provide that the Esplanade Strip can be used for vehicular circulation and licensed for parking, and not leased at all. 6. See comments above. | <p>Response covered in letter dated 23/8. Not response, from parks yet, but if there are any further queries these can be post notification.</p> |
| <p>Esplanade Strip Dimensions</p> <p>50. Please confirm that the width of the esplanade strip is consistent with Policy I504.3(1) and Standard I504.6.4 of the Unitary Plan in regards to its required minimum width of no less than 15m. It is noted that the 15m wide esplanade strip has been discussed in the AEE</p> | <p>Subsequent to this Sec 92 request, we have consulted with LINZ who have instructed us to amend the definition of the Esplanade Strip and the offset dimensions are now shown on the easement</p> | <p>Esplanade strip width – any variations must be immediate and not gradual. This doesn’t appear to be the case on the attachment 10.1 showing the esplanade strip location and the location of the carparks. Further info needs to be provided that shows the width of the</p> | <p>See attachment 10.3 included in the email dated 31/8.</p> |

| | | | |
|---|---|---|--|
| <p>page 16. It will be helpful to our assessment if the width of the esplanade strip is visually demonstrated on a plan, especially at locations where it is narrow, to demonstrate that the required minimum width of 15m has been achieved.</p> <p>Note: Please refer item 76 below it has been requested that dimensions be added either to an existing master plan sheet or a new sheet is provided. It is noted that the scheme plan provides no dimensions to easily check this.</p> | <p>plan LT 549556 which defines the Esplanade Strip. This is replicated on the draft unit plan and in the original application via the letter/report prepared by Hampson & Associates dated 1 February 2021 which explains that the width of the strip is in excess of 15m.</p> <p>The Esplanade Strip is now coloured green (see Attachment 10.1) and note 1 has been added to sheet 16 of 16 “the Esplanade Strip is areas A, D & E. The offset dimensions are shown on DP 549556. The plans are CAD generated and any dimensions will be advised on request.</p> <p>Note: on sheets 7 of 16 to sheets 14 of 16 all the units are shown to scale at 1:400.</p> <p>Note also the Easement and Esplanade Reserve Plan (Attachment 10.3) has been amended and is attached.</p> | <p>esplanade strip where it varies – i.e. How wide are each of the separate sections where the width is obviously different.</p> <p>Note from Ila – If we can just get some dimensions added on the Draft Unit Plans prior to notification. So clear to submitters esplanade strip width around the relevant part of the site.</p> | |
| <p>Open Space</p> <p>52. Please confirm the total area of the proposed open space. The area of the proposed public open space outlined in the AEE and the plans seems to be different. Please see below:</p> <ul style="list-style-type: none"> - The AEE, on page 24 (within section 5.11 Summary, Table 1: Comparison between existing land uses and proposal for development), outlines area of the proposed public open space to be 7,650m². - The AEE on page 35 (within section 7.4 Other community consultation) outlines area of the proposed public open space to be 7,750m². - The AEE on page 66 (within Section 6) notes that the area of proposed public open space to be 7,750m². 2.3.4. - Area of the proposed public open space in Drawing A15265A_231 (Attachment 1 Masterplan Set page 3) is outlined to be 7,750m². <p>Note: It is assumed that page 24 is just an error and that 7,750m² is sought to be provided. It would be helpful to clarify the inclusion of some areas in the figure see item 90 below.</p> | <p>We clarify the area is 7,515m² – see Boffa Masterplan set. The AEE has been amended (attachment 9) and is attached to the s92 response.</p> <p>The reason for the change is the areas on the gantries – which are in the CMA – were previously included in the public open space calculations. This has resulted in a reduction from 7,750 to 7515m².</p> | <p>Resolved.</p> | |
| <p>Acoustic (Daniel Winter)</p> | | | |
| <p>Construction noise</p> <p>53. Section 5.2.1 states that the AUP construction noise limit of 70 dB L_{Aeq} will be exceeded. But does not say which receivers will be affected and what the predicted noise levels will be. The MDA report states that all construction work is predicted to comply at the at the nearest residential dwellings. Please confirm that the exceedance is only at the ferry terminal. Please provide a table of the predicted noise levels at receivers, not just the setback distances.</p> | <p>See response from Marshall Day, Appendix 1.</p> | <p>Jon Styles confirmed satisfactory 22/7.</p> | |
| <p>Proposed conditions</p> <p>54. We do not support proposed condition (1): <i>Construction noise shall comply with the following noise limits unless otherwise provided for in the CNMP</i></p> | <p>See response from Marshall Day, Appendix 1.</p> | <p>Jon Styles confirmed satisfactory 22/7.</p> | |

| | | | |
|---|---|--|--|
| <p>We cannot support a no noise limit condition for these works. The appropriate approach is to authorise the level of noise effect that has been assessed and applied for. Please amend the proposed conditions, as well as providing a detailed assessment noise effects as well as noise levels generated by the proposed construction activity.</p> | | | |
| <p>Closest Residential Dwelling</p> <p>55. The MDA reports that the closest dwellings are located approximately 100 m to the north. There appears to be residential dwellings closer than 100m, for example 12 Marine Terrace is less than 70m (see snip below). Please confirm the distance to the closest residential dwelling and the predicted construction noise and vibration levels.</p>  <p>The image is a screenshot of a Google Maps aerial view. The search bar at the top contains the text '12 MARINE TERRACE BAYSWATER 0622'. Below the search bar is a toolbar with various map controls. A zoom slider on the left shows a scale of 1:1,000. The map itself shows a coastal area with a marina full of boats on the left, a road with a parking lot in the center, and a residential building outlined in red on the right. A purple line with a double-headed arrow indicates a distance of 64.0 meters between the building and a point on the road.</p> | <p>See response from Marshall Day, Appendix 1.</p> | <p>Jon Styles confirmed satisfactory 22/7.</p> | |
| <p>Operational noise</p> <p>56. The AEE states that the proposal is for 94 terraced houses and three apartment buildings (9 apartments in each), offices, marine retail and industry and up to two cafes/restaurants. Section 6.3 of the MDA report refers to “cafes with outdoor area and commercial activities”. Please provide more detail on the proposed marine industry that will be located to the north west of the site, including times of operation, main noise sources, and predicted noise levels</p> | <p>See response from Marshall Day, Appendix 1..</p> | <p>Jon Styles confirmed satisfactory 22/7.</p> | |

| | | | |
|--|---|---|--|
| <p>both to the dwellings within the development and the closest dwelling in the residential zone.</p> | | | |
| Development Engineering (Rohan Khar) | | | |
| <p>Stormwater Calculations</p> <p>57. Please provide stormwater calculations to ensure the outlet velocity is less than 2m/sec and that outlets are to be aligned to ensure that direction of flow is aligned. Has the structural integrity of the culvert/outlet being checked? The outfalls to be designed a s TR2013/018. The hydraulic grade line of the network to be checked. (Note: (As per the hydraulic energy management: Inlet and Outlet design for treatment device) is required for the discharge from the site). Provide clarification that flows from the development site will not create any erosion or additional effects</p> | <p>We accept these requirements and would suggest that these details be provided as part of the Building Consent application for the private stormwater drainage. We confirm that all outfalls will be designed in accordance with TR2013/018 to minimise erosion and scour. A condition to this effect would be acceptable.</p> | <p>Rohan Khar confirmed satisfactory 8/7.</p> | |
| <p>Finished Floor Levels and OLFP</p> <p>58. Please provide the details including the flow rate and depth of the 100-year local overland flow paths contained within the site and confirm the finished floor levels of the proposed dwellings are above the 100 year flow level.</p> | <p>We confirm that the finished habitable floor levels of all proposed dwellings will be above the 1 % AEP overland flow level. We have prepared overland flow calculations and have provided cross-section details of overland flow paths where the flow is not contained within kerb & channel or swale. Refer to Airey Consultants drawings 430 & 435.</p> | <p>Rohan Khar confirmed satisfactory 8/7.</p> | |
| <p>Overland Flowpath Alignment</p> <p>59. Does the position of the proposed overland flow path confirm with the alignment and level of existing overland flow paths from the upstream catchment?</p> | <p>There are no upstream overland flow paths entering the site. There is an overland flow path that arises in the reserve opposite the existing trailer boat yard and flows south towards the AT land. This overland flow path will be unaffected by the development.</p> | <p>Rohan Khar confirmed satisfactory 8/7.</p> | |
| <p>Long Section</p> <p>60. Please provide a long section showing the existing ground levels and gradients upstream and downstream of the outlet structure, where will the water go in case of culvert capacity is exceeded, where is an alternate path</p> | <p>As noted in the Infrastructure Report, the large diameter (600m & 750mm) pipelines have been designed for the 1% AEP storm including an allowance for blockage (50% blocked). No alternate path is able to be provided in these cases.</p> | <p>Rohan Khar confirmed satisfactory 8/7.</p> | |
| <p>Stormwater Catchment Plan</p> <p>61. Provide a stormwater catchment plan, this is missing from the infrastructure report</p> | <p>Please refer to the newly provided Airey Consultants drawings, sheets 430 & 431 (Attachment 3.1) which are stormwater catchment plans for the overland flow paths and the reticulated system.</p> | <p>Rohan Khar confirmed satisfactory 8/7.</p> | |
| <p>Stormwater Management Plan</p> <p>62. The development of this site will be classified as a large Brownfield under Schedule 4 of the NDC. Despite the fact that development is scheduled in 3 stages, the consent application at each stage to include, at least a high level SMP for the whole site and a detailed SMP for specific stage to ensure a unified approach to stormwater management. As the site runoff is not discharging to a stream, hydraulic mitigation for SMAF is not needed.</p> <p><i>Note: I understand that the site is actually applying for a private NDC for stormwater and not to fall under the nationwide NDC. If this is not the case then please respond to the</i></p> | <p>We confirm that the development is applying for a private stormwater discharge consent and therefore the Auckland Regionwide NDC does not apply.</p> | <p>Rohan Khar confirmed satisfactory 8/7.</p> | |

| | | | |
|--|--|--|--|
| <p>above. I have gone back to the Development Engineer on this but have yet to receive a reply.</p> | | | |
| <p>Flow Velocity 63. The acceptable maximum flow velocity for all pipes for the 10% AEP design storm is 4.0m/s, check the stormwater capacity calculations and comment.</p> | <p>Note that all stormwater pipes are proposed to be private (as noted in section 3.7.2 of the submitted Infrastructure Report), detailed design including long-sections and calculations will be provided at Building Consent application stage. Note that the site is very flat and that no pipe velocities will exceed 4m/s in the 10% AEP storm.</p> | <p>Rohan Khar confirmed satisfactory 8/7.</p> | |
| <p>Maintenance 64. Please provide more detail as to who will responsible for the long-term ownership, operation and maintenance for the proprietary devices – Will these remain in private ownership and maintained privately? What will be the mechanism for this – a body corporate?</p> | <p>All stormwater reticulation, including treatment devices (proprietary devices and raingardens) will be owned and operated by the Body Corporate (or similar legal mechanism). A stormwater operations and maintenance manual will be prepared at the Building Consent design stage for the stormwater treatment devices.</p> | <p>Rohan Khar confirmed satisfactory 8/7.</p> | |
| <p>Planning (Ila Daniels)</p> | | | |
| <p>AUP Interpretation, Policy and Compliance Matters</p> | | | |
| <p>Primary Focus of Precinct and Economic Evidence 65. Please provided further evidence to prove that the land required for residential development the precinct is not needed for marine activities. The primary focus required by 1504.2. (1) and (2) were discussed in the IHP decision (relevant portions inserted below with emphasis added) which stated that these objectives “will work to ensure that residential activity is not approved unless it is proven that the area is not needed for marine activities”.</p> <p>It was identified in the last pre-application minutes that economic evidence in a similar manner to that provided in the IHP process appeared to be the best way to ‘prove’ that this land is not required for marine activities. Given, the clear interpretation made by the commissioners on the steps necessary to interpret the wording they chose for these objectives/ policies see points extracted sections from the decision below.</p> <p>IHP Decision</p> <p>4.1.3 Weight of Evidence</p> <p><i>“The Panel heard from various witnesses about the existing and expected future demand for marine services at Bayswater. The Panel prefers the evidence of Mr Akehurst for the Council in this regard and accepts that due to the limited size of the marina, its isolation from other marine industry areas, and the need for critical mass for commercial viability, there is unlikely to be a demand for significant areas for marine-related activities in the future.</i></p> <p><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. This will lead to the most efficient use of this land resource”.</i></p> | <p>See Attachment 15 Economic Assessment, an assessment from Property Economics for a response to this assessment.</p> | <p>See Memo from Greg Akehurst dated 21/7/21</p> | |

| | | | |
|---|---|---|--|
| <p>4.2.2 Objectives</p> <p>ii. <i>The Panel considers that Objective 1 and 2 working together strongly favour marine activities but if it can be proven on the evidence of an application that residential use can be accommodated as well, then it could be approved. The Panel considers that this will ensure that the land is used efficiently.</i></p> <p><i>Policy 12 - this is an important policy in the Panel’s view. Bayswater Marina Limited had wanted to slightly liberalise this policy as per their amendments shown in green tracked changes. Essentially the Bayswater Marina Limited wording would provide for the marina activities etc then the owner would be free to develop the rest of the sub-precinct. The Panel sees some merit in that position as long as it catered for future growth in marine activities. The Council wording includes the term “sufficient space” which is fairly open-ended and not particularly time-bound. The Panel considers that the final wording recommended is appropriate because “sufficiency” will be a matter of evidence, of the kind Mr Akehurst provided, at the time of application. That evidence should assist in determining a sustainable outcome regarding the mix of future activities.</i></p> <p>The commissioners indicated that the test expected for a consent application was as outlined in the last sentence above being evidence of the kind provided by Mr Akehurst.</p> | | | |
| <p>Reasons for Consent under Zone and Overlays</p> <p>66. Council legal services team have provided advice that the whole plan needs to be considered unless the specific underlying zone or overlay standards and activities have a specifically worded exclusion in the precinct.</p> <p><u>Legal advice from Corina Faesenkloet is included below:</u></p> <ul style="list-style-type: none"> It seems to me that the provisions in any relevant overlays, zone and Auckland-wide provisions <i>do</i> apply in the Bayswater Marina precinct, as the wording does not ‘otherwise specify’ that the relevant overlays, zone and Auckland-wide provisions <i>do not</i> apply. This view is further supported by the precinct provisions specifying stating that the overlay, Auckland-wide and zone objectives, policies and standards apply in the precinct in addition to those specified (in the precinct provisions) directly under I504.6. <p>Some examples from another AUP precinct are included being that have wording specifically identifies that standards from other chapters of zones do not apply.</p> <p><u>I300 Alexandra Park Precinct:</u></p> <p>I300.4. Activity table The provisions in any relevant overlays and Auckland-wide provisions apply in this precinct unless otherwise specified below. The following provisions do not apply: (1) E24 Lighting; (2) E25 Noise and vibration (noise provisions only); and</p> | <p>Changes have been made to the AEE accordingly – see re-issued document, BM Village Application for Resource Consent and Assessment of Environmental Effects, June 2021</p> | <p>AEE has been amended to cover additional matters. The only ones that I can see that are not included in current AEE are below.</p> <p><u>Activity Development</u></p> <p>OS-SARZ – New Buildings (A39) that do not comply with Standards, the max height (8m), GFA, impervious is not included only retaining – DA, but page 85 of AEE identified non-compliance so probably just an error not included in table on page 34. Confirm with Craig.</p> <p><u>Activity Subdivision</u></p> <p>Subdivision – creation of esplanade strip will require consent under (A9) of Table E38.4.1 as a DA.</p> <p>If applicant disagrees with above then will just still identify these reasons in the notification cover document and in s42A report. Commissioners can decide in decision.</p> | <p>Need to follow up creation of strip with David Snowdon. A post not-matter and prior to s42A matter.</p> |

(3) E40 Temporary activities.

Table I300.4.1 Activity table specifies the activity status of land use and development activities in the Alexandra Park Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Hobsonville Point Precinct I605

I605.6.5.1. Building height

Purpose: manage the scale of development to provide for medium-rise terrace housing and apartments.

- (1) Standard [H.6.6.5\(1\)](#) in [H6 Residential – Terrace Housing and Apartment Buildings Zone](#) does not apply in the Catalina Sub-precinct (Sub-precinct E)
- (2) Buildings in the Catalina Sub-precinct (Sub-precinct E) must not exceed 20.5m in height.

It is noted in your relatively recent Pine harbour application that the reasons for consent in the decision identified activities for both the precinct and the zone for the activity of constructing buildings. See snippet from the decision below.

- Restricted Discretionary Activity pursuant to Rule I431.4.3(A17) for the construction of new buildings in Pine Harbour Sub-Precinct F.
- Restricted Discretionary Activity pursuant to Rule I431.4.3(A19) for food and beverage activities in Pine Harbour Sub-Precinct F. A maximum gross floor area of 775m² is proposed (all of the ground floor tenancies).
- Restricted Discretionary Activity pursuant to Rule I431.4.3(A21) for dairies with a gross floor area greater than 100m² in Pine Harbour Sub-Precinct F. Only one of the proposed ground floor tenancies would contain a dairy, with a gross floor area of up to 150m².
- Restricted Discretionary Activity pursuant to Rule I431.4.3(A24) for marine retail activities with a gross floor area greater than 100m² in Pine Harbour Sub-Precinct F. A maximum gross floor area of 775m² is proposed (all of the ground floor tenancies).
- Discretionary Activity pursuant to Rule H7.9.1(A39) for new buildings in the Open Space – Informal Recreation zone that do not comply with one or more standards. The walkway veranda does not comply with Standard H7.11.3 Yards, as the veranda is closer than 3m to the boundary of Lot 1 DP 489019 (zoned Coastal – Marina) and is closer than 20m from mean high water springs.

C1.6.(4) Overall activity status

It is clear from C1.6.(4) below that the ‘activity status’ from a precinct trumps the underlying zone ‘activity status’. However, this wording is limited to activity status and does not go on to state that activities from the underlying zone do not need to be considered in precincts.

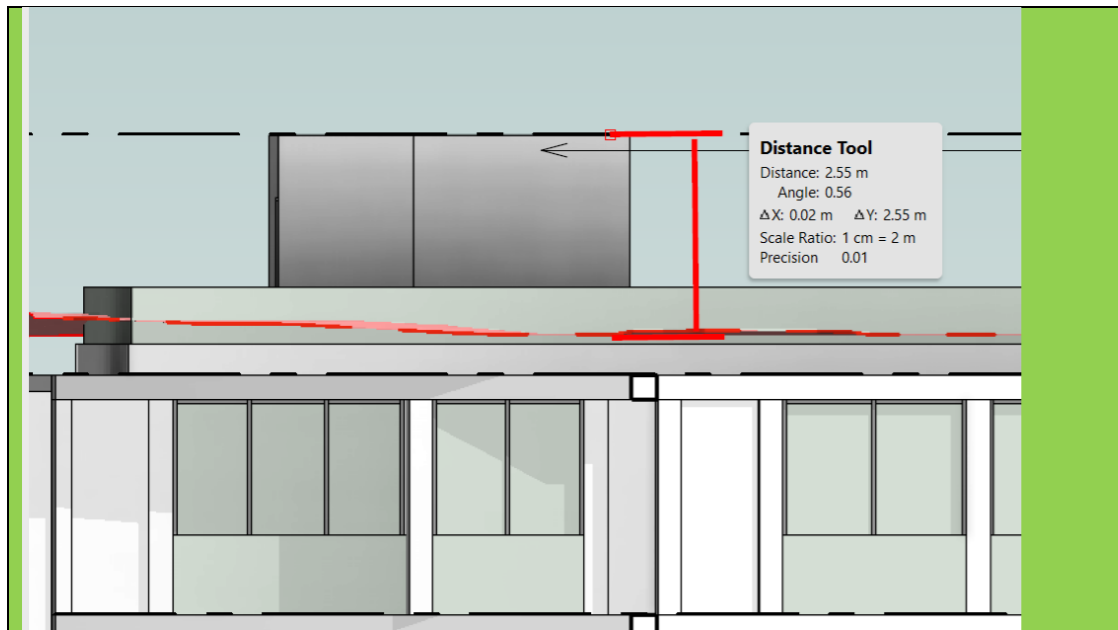
(4) Where an activity is subject to a precinct rule and the activity status of that activity in the precinct is different to the activity status in the zone or in the Auckland-wide rules, then the

| | | | |
|--|--|--|--|
| <p><i>activity status in the precinct takes precedence over the activity status in the zone or Auckland-wide rules, whether that activity status is more or less restrictive.</i></p> <p>C1.8(1) makes it clear that the Council will consider “all relevant overlay, zone, Auckland-wide and precinct objectives and policies that apply to the activity or to the site or sites where that activity will occur”.</p> <p>Under C1.9 there is no mention that precincts or overlay standards will trump others. Rather it states every activity type must comply with the standards applying to that activity.</p> <p>On the basis of the above legal advice please either identify the additional reasons for consent to be included from the underlying zone Coastal Marine Zone (CMZ) and the Open Space – Sport and Active Recreation Zone (OS-SARZ) which appear to be the following and provide an additional assessment as required.</p> <p>Activity: Use</p> <p>CMZ - Dwellings (A5) – Non-Complying (*Precinct changes this activity status to DA) CMZ – Food and Beverage (A8) – Restricted Discretionary CMZ – Marine Retail – Permitted CMZ – Offices accessory to marine activities – Permitted</p> <p>Activity Development</p> <p>OS-SARZ – New Buildings (A39) that do not comply with Standards – DA</p> <p>Standards</p> <p><u>CMZ</u></p> <p>Max coverage</p> <p><u>OS-SARZ</u></p> <p>Gross Floor Area Threshold: 150m² Maximum building height:10m Maximum Impervious: 40% 3m Side Yard appears to be infringed (see item 74 below)</p> <p>It is noted that the compliance table within Appendix 1 of the AEE does not actually included compliance in respect of the OS_SARZ. However, the CMZ directs you to this chapter. Please update this Table to accurately reflect the standards that are applicable and identify if they are complied with.</p> <p>Alternatively, if you disagree with the Council legal advice please provide a legal opinion outlining the reasons why so we can review and form a view between the two different views.</p> | | | |
|--|--|--|--|

| | | | |
|---|--|-------------------------|--|
| <p>Note: It would be good to get agreement on this matter prior to the reporting and hearing so we have a shared position on the matter.</p> | | | |
| <p>Consented Building Envelope for Terraced Dwellings and Maximum Height</p> <p>67. It is understood that this consent is seeking to obtain consent for both the land use and development for each of the proposed terraced dwellings with the building development being proposed in the form of a building envelope, with a subsequent design review process to determine the final design of each of the dwellings/ buildings. The extent of information on the built envelope for the terraced dwellings appears to be limited to the following documents and descriptions:</p> <ul style="list-style-type: none"> • Engineering drawing 120 Rev A. This shows a width of 4.5m and length of 12m. • Draft scheme plans show the PU number for each Future Development Unit (FDU) and then provides a table that identifies the average ground level calculated, permitted AUP height 12m and then an upper unit boundary limit 12m+2m (14m). However, it gives no dimensions to work out the length or width of each FDU to establish the actual dimensions of the building envelope or bulk being consented for each FDU. • The Urban Design statement states at section 4.7 (page 19) under principle 26(e) that an additional 2m height protrusion is sought for over height elements. | <p>Draft Unit (scheme) Plans (Attachment 10.1) show most of the terraced houses to be a standard shape as follows- PUs 1-4, 6-7, 9-12, 14-20, 27-31, 33-40, 47-68 and 70-75 (without the allowance for appendages) are a standard shape 6.0m x 12.0m. PUs 22-26, 41-45, 76-81, 83-87, and 90-97 are a standard shape 4.5m x 12.0m. PUs 13A, 21A & 46A are apartments. PUs 5, 7, 32, 69, 82, 88, & 89 are irregular shapes all plotted to scale-1:400 as CAD drawings.</p> <p>The built envelope is fully described in the Design Manual (Attachment 7.2) for Terraced Housing. Refer in particular:</p> <ul style="list-style-type: none"> • Interpretation (pages 3 and 4) including Note In.1 and Figure In.1 • Section 2 Height Bulk and Form. The rules that define the permitted envelope including the nature and extent of projections are: <ul style="list-style-type: none"> - R2.2 Maximum height - R2.6 Rooftop projections - R2.7 Building height in relation to boundary - R2.8 Setbacks from street and mews boundaries | <p>Resolved.</p> | |

| | | | |
|---|--|--|--|
| <ul style="list-style-type: none"> Design Manual gives a number of illustrated figures though as raised by Peter Kensington about these lack dimensions. Design Manual identifies under R2.6 (page 9) and under Appendix 1 identifies an additional projection of 2m beyond the 12m maximum height for a maximum volume of 15% is possible under the design manual. It is noted that this does not align with the AEE states on page 68 that the apartment buildings and terraces will be less than 12m in height given this is required by the Design guide. <p>The following clarity and additional information are requested to accurately assess and understand the consented envelope actually being sought for each FDU.</p> <p>a) The scheme plans must have dimensions for all proposed FDU for all boundaries. An elevation/section of the plan similar to the section on Sheet 15 needs to be provided for each FDU. This is to ensure that the bulk and form of the envelope is clear as part of the consent and so its form can be accurately assessed both at this stage, the design review stage and also in the event a s127 being sought for an altered building envelope.</p> <p>b) The additional 2m roof projection allowing for a 'building' raising to 14m up to 2m and 15% on a FDU does not actually meet the definition of exclusions under the 'height' definition under Chapter J of the AUP. The AUP allows the following exclusions in 'all other zones' of 1.5m and 10%. It also does not allow for pergolas as sought by the Design Manual and 'handrails and transparent safety barriers' are limited to 1.5m in height. A reason for consent has not been included for a maximum height infringement and the AEE is not aligning with the bulk anticipated by the DM. Please clarify and amend the AEE accordingly.</p> | <ul style="list-style-type: none"> R2.9 Setbacks from side boundaries R2.10 Potential for shared/common walls R2.11 Balcony projections R2.12 Building volume projections on terrace end walls R2.13 Front door canopy projections R2.14 Front entry stair projections R2.15 Roof edge projections R2.16 Minor architectural façade projections Appendix 1: Building heights and façade projections <p>As above: These dimensions are described in:</p> <ul style="list-style-type: none"> Interpretation In.5 and figure In.1 (Design Manual Pages 3 and 4). This makes specific reference to the "volume described in the Principal Unit plan for each lot". Appendix 1 Building Heights and Façade Projections, and specifically Figures 2.1 and 2.1A which describe the interpretation of these. <p>Various rules then cover dimensions including:</p> <ul style="list-style-type: none"> R2.1 Compliance with envelope R2.2 Maximum height <p>and</p> <ul style="list-style-type: none"> A range of rules for projections. <p>The Design Manual is read in combination with the survey drawings.</p> <p>Correct, and that is described in R2.6 Rooftop projections, and Appendix 1 p 21, Table 1 (building heights). Subsequently the applicant team have reconsidered the extent of maximum rooftop projections and the height extension has been reduced from 2.0m to 1.5m. Consequently, the Design Manual has been modified to accommodate this change with the revised Design Manual now being dated 13May2021.Version 2.</p> <p>Therefore, we confirm that only 1.5m is sought for protrusions, and the Urban Design Report should now be read with that in mind.</p> <p>That is incorrect All illustrated figures that relate to height bulk and form (figures 2.1-2.7) include dimensions.</p> <p>Subsequently the applicant team have reconsidered the extent of maximum rooftop projections and the maximum area of rooftop projections has been reduced from 15% to 10%.</p> | | |
|---|--|--|--|

| | | | |
|---|--|-------------------------|--|
| <p>(3) The following projections:</p> <ul style="list-style-type: none"> • lift wells; • lift towers; • elevator and stair bulkheads; • roof water tanks; • machinery rooms; • plant, including cooling towers, air-conditioning units, including any access walkways and any screening directly associated with the plant; <p>Provided that:</p> <p>a) in business zones, Terraced Housing and Apartment Building zone and the special purpose zones:</p> <ol style="list-style-type: none"> the projection does not exceed the greater of either 3m above maximum permitted activity height for the site or an additional 20% of the maximum permitted activity height for the site, up to a maximum of 6m; and the cumulative area of the projections does not exceed an area measured in a horizontal plane equal to 15% of the area of the roof to the storey immediately below such structures. <p>b) In all other zones:</p> <ol style="list-style-type: none"> The projection does not exceed 1.5m above the maximum permitted activity height for the site: and The cumulative area of the projections does not exceed an area measured in a horizontal plane equal to 10% of the area of the roof to the storey immediately below such structures. <p>c) Please confirm if the visual simulations in the LVEA and the rendered views have been based on the 12m permitted or 14m additional height volume being sought in the DM? If they have not been included, please update these views.</p> <p>Note: The flexibility being sought through this roof projections allowance is supported in principle, additional reasons for consent and assessment are needed to actually provide for this bulk in the consented building envelope.</p> | <p>Consequently, the Design Manual has been modified to accommodate this change with the revised Design Manual now being dated 13May2021.Version 2.</p> <p>From comments above there appears to be a misapprehension about materials contained in the document, with Appendix 1 and various diagrams apparently unsighted. Considering the survey drawings and the dimensioned content in the Design Manual including all rules and Appendix 1 Tables 1 and 2 as referred to above, the bulk and form for each unit is clear.</p> <p>Subsequently the applicant team have reconsidered the extent of maximum rooftop projections from 2.0m and 15% to 1.5m and 10%. Consequently, the Design Manual has been modified to accommodate this change with the revised Design Manual now being dated 13May2021.Version 2.</p> <p>Confirming that the Boffa Miskell visual simulations show building heights for the terrace houses modelled at max 12m height above existing ground. The applicant is keen to stay within the permitted height limit.</p> | | |
| <p>Maximum Height Roof Projections Compliance – Apartment Buildings</p> <p>68. Southern Apartment Building - The roof access shaft projection is measuring at being approx. 2.5m over the 12m maximum height plane for the southern apartment building. The exclusions under height for stair bulkheads and lift overruns is 1.5m. Please apply for a maximum height infringement and provide an assessment of the infringement.</p> | <p>The Architectural drawings have been amended (see Attachment 2) so the projections do not exceed 1.5m.</p> | <p>Resolved.</p> | |

| | | | |
|--|---|------------------|--|
|  | | | |
| <p>Central Apartment Building - the roof access shaft projection is measuring at being approx. 2m over the 12m maximum height plane for the central apartment. The exclusions under height for stair bulkheads and lift overruns is 1.5m. Please apply for a maximum height infringement and provide an assessment of the infringement.</p> <p>Northern Apartment Building - the roof access shaft projection is measuring at being approx. 2.4m over the 12m maximum height plane for the central apartment. The exclusions under height for stair bulkheads and lift overruns is 1.5m. Please apply for an infringement of the maximum height infringement and provide an assessment of the infringement, or amend to comply.</p> | | | |
| <p>Average Ground Level</p> <p>69. It is not clear how the average ground level has been derived for all the maximum height levels on the scheme plans for the FDU in terms of relationship to the existing ground level on site and how this aligns with the new areas of fill that appear to be close to some FDU in the northern residential precinct in particular. If you can clarify as we could not find an existing site contours plan in the engineering set to compare to the proposed contours. It is noted that ground level is defined under Chapter J as included below. This means ground level is as it existed at subdivision when the title was created in 2013. The AUP defines how the average ground level is established under the 'height' definition.</p> | <p>DP 309604 in October 2000 defined the area of reclamation- previously this was Pt Bed Waitemata Harbour. DP 50556 shows in 1962 the area as such- Pt Bed Waitemata Harbour. Lot 1 DP 50556 is adjacent to Lot 1 DP 309604. In December 2013 Hampsons carried out a grid of levels (spot heights) over Lot 1 DP 309604 and in March 2020 had a drone survey over the area and the contours developed were in good agreement with the 2013 survey.</p> <p>These are a good record of the ground level post reclamation. The above data was used to carry out an average ground level calculation for each of the proposed building corners and carried out a mean ground level calculation from which each of the average ground levels were determined.</p> | <p>Resolved.</p> | |

| | | | |
|---|---|-------------------------|--|
| <p>Ground level</p> <p>The finished level of the ground at the time of the completion of the most recent subdivision in which additional sites were created, unless stated otherwise in the subdivision consent, except that where no such subdivision has occurred since January 1975, ground level must be deemed to be the finished level of the ground as of November 2013.</p> <p>Outside the coastal marine area there are two techniques available for measuring height:</p> <p>(a) the rolling height method where height is measured as the vertical distance between ground level at any point and the highest part of the building or structure immediately above that point. The rolling height method is illustrated in Figure J1.4.2 Height – rolling height method below; and</p> <p>(b) the average ground level method where height is measured as the vertical distance between the highest part of the building or structure and the average ground level, being the average level of the ground measured at 1m intervals from the external foundations of the building walls or the base of the structure, provided that no part of the building or structure exceeds the maximum permitted height for the site by 2m if measured using the rolling height method. The average ground level method is illustrated in Figure J1.4.3 Height – average ground level method below.</p> | | | |
| <p>Retaining wall Drawing 203 Rev A</p> <p>70. A retaining wall is annotated on Drawing 203 Rev A and it is identified on page 25 of the infrastructure report that this wall will be about 0.5m high, however it is not clear of the length or location adjacent to the boundary. Please clearly illustrate this on a plan. Furthermore, a query has been raised by AT in item 30 above about pedestrian accessibility from the existing AT park n ride to the ferry terminal. This retaining wall would impact on the ease of access between the sites given no dedicated pedestrian connection or routes are proposed on the submitted plans.</p> <p>It is noted that the adjacent AC/AT owned site appears to meet the definition of public place under the AUP see below.</p> <div data-bbox="45 1522 854 1819" style="border: 1px solid black; padding: 5px;"> <p>Public place</p> <p>Has the same meaning as defined in the Trading and Events in Public Places Bylaw 2015:</p> <ul style="list-style-type: none"> any place that, at any material time, is owned, managed, maintained or controlled by the council or council controlled organisation and is open to or, being used by the public, whether free or on payment of a charge. It includes any road, footpath, public square, grass verge, berm, public gardens, reserves and parks, beaches, wharves, breakwaters, ramps and pontoons, foreshore and dunes, access ways, recreational grounds and sports fields. </div> | <p>Airey Consultants Engineering drawings 203 & 204 have been revised to show the wall extent and maximum height more clearly. The wall is located parallel to parking bays and we would consider that it is not located in a location that is appropriate for pedestrian access in any case.</p> <p>Agree. The AEE reasons for consent table has been adjusted to include consent for the retaining wall, and the assessment of objectives and policies refer to the retaining wall in the assessment.</p> | <p>Resolved.</p> | |

Consequently, the retaining wall would therefore meet the building definition under Chapters J as the retaining wall is within 1.5m of the side boundary and the underlying zone requires a 3m side yard setback for Structures which are defined under the 'building' definition. See definition below.

Please include this as a reason for consent and provide an assessment under the provisions of the AUP for this activity.

Building

Any permanent or temporary structure.

On land for the purposes of district plan provisions, "building" includes the following types of structures listed in Table J1.4.1, only where they meet the qualifying dimensions or standards:

Table J1.4.1: Buildings

| Type of structure | Qualifying dimension or standard (for height the rolling height method is to be used) |
|---|---|
| Decks, steps or terraces | Over 1.5m in height |
| Fences or walls | Over 2.5m in height |
| Flagpoles, masts or lighting poles | Over 7m higher than its point of attachment or base support or Has a width at any point exceeding 1.2m |
| Grandstands, stadia or other structures that provide seating or standing accommodation (whether or not open or covered or enclosed) | Over 1m in height |
| Retaining walls or breastwork | Over 1.5m in height or Located within 1.5m of the boundary of a road or public place |

Note: It is recommended that the applicant consult with Auckland Transport regarding the best location for access points through this retaining wall along this boundary.

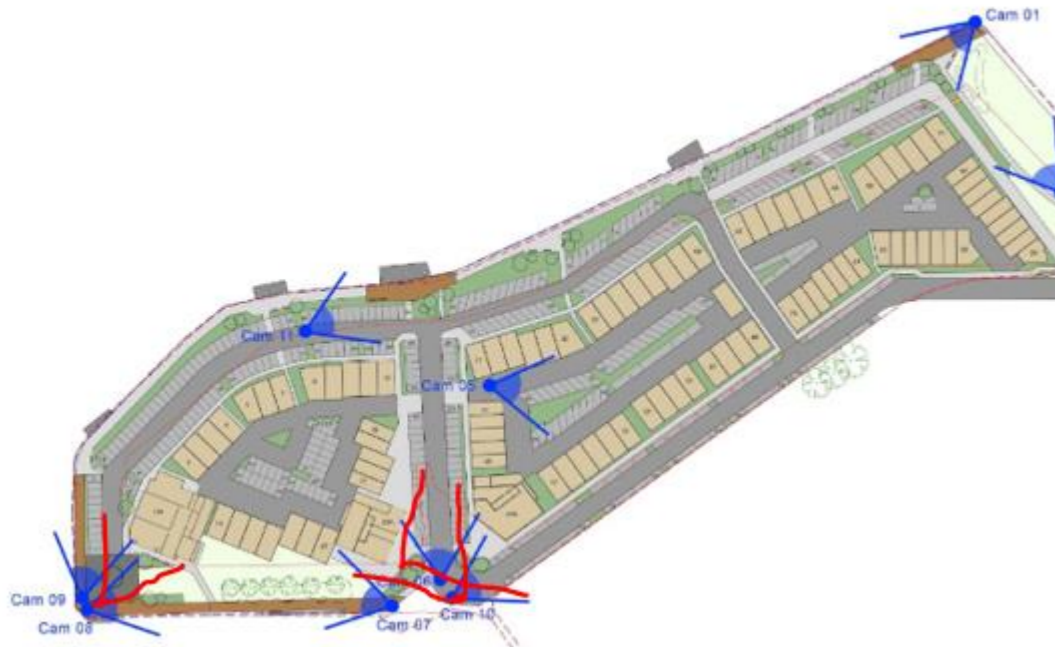

| <p>Coastal Protection Yard</p> <p>71. The underlying zone standards are from the open space sports and active recreation zone and require a 10m coastal protection yard, snippet below.</p> <div data-bbox="45 378 940 1099" style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">Table H7.11.3.1 Yards</p> <table border="1"> <thead> <tr> <th>Yard</th> <th>Conservation Zone</th> <th>Informal Recreation Zone</th> <th>Sport and Active Recreation Zone</th> <th>Civic Spaces Zone</th> <th>Community Zone</th> </tr> </thead> <tbody> <tr> <td>Front yard</td> <td>5m</td> <td>5m or the average setback of buildings on adjacent front sites, whichever is lesser</td> <td>5m</td> <td>The average setback of buildings on adjacent front sites</td> <td>The average setback of buildings on adjacent front sites</td> </tr> <tr> <td>Side and rear yards</td> <td colspan="2">6m where the open space zone adjoins a residential zone, special purpose zone or the Future Urban Zone otherwise 3m No side and rear yards are required where the open space zone adjoins a business zone</td> <td></td> <td>3m where the open space zone adjoins a residential zone</td> <td>3m where the open space zone adjoins a residential zone</td> </tr> <tr> <td>Riparian yard</td> <td colspan="2">10m from the edge of permanent and intermittent streams</td> <td></td> <td>10m from the edge of permanent and intermittent stream</td> <td>10m from the edge of permanent and intermittent streams</td> </tr> <tr> <td>Coastal protection yard</td> <td>25m from mean high water springs</td> <td>20m from mean high water springs</td> <td>10m from mean high water springs</td> <td>10m from mean high water springs</td> <td>10m from mean high water springs</td> </tr> </tbody> </table> </div> <p>If you can confirm there are no other structures that meet the building definition under Chapter J that are within the required 10m protection yard. The building definition identifies the following qualifying dimensions for the following structures.</p> <p>Please confirm if this yard is infringed and identify the non-compliance on a plan. Then provide an assessment under the relevant provisions of the AUP.</p> <p>It is noted that the queries under 3 and 12 above may meet this definition and fall within the yard.</p> <div data-bbox="45 1481 1016 1841" style="border: 1px solid black; padding: 5px;"> <table border="1"> <tr> <td style="vertical-align: top;"> <p>In an Open Space Zone:</p> <ul style="list-style-type: none"> Bicycle stand/parking structures Board walks Boxing or edging Drinking and water fountains Gates, bollards and chains Rubbish and recycling bins Seating and tables Stairs </td> <td style="vertical-align: top;"> <p>Over 1.5m in height from ground level, inclusive of the height of any supporting structure</p> </td> </tr> </table> </div> | Yard | Conservation Zone | Informal Recreation Zone | Sport and Active Recreation Zone | Civic Spaces Zone | Community Zone | Front yard | 5m | 5m or the average setback of buildings on adjacent front sites, whichever is lesser | 5m | The average setback of buildings on adjacent front sites | The average setback of buildings on adjacent front sites | Side and rear yards | 6m where the open space zone adjoins a residential zone, special purpose zone or the Future Urban Zone otherwise 3m No side and rear yards are required where the open space zone adjoins a business zone | | | 3m where the open space zone adjoins a residential zone | 3m where the open space zone adjoins a residential zone | Riparian yard | 10m from the edge of permanent and intermittent streams | | | 10m from the edge of permanent and intermittent stream | 10m from the edge of permanent and intermittent streams | Coastal protection yard | 25m from mean high water springs | 20m from mean high water springs | 10m from mean high water springs | 10m from mean high water springs | 10m from mean high water springs | <p>In an Open Space Zone:</p> <ul style="list-style-type: none"> Bicycle stand/parking structures Board walks Boxing or edging Drinking and water fountains Gates, bollards and chains Rubbish and recycling bins Seating and tables Stairs | <p>Over 1.5m in height from ground level, inclusive of the height of any supporting structure</p> | <p>Consent has been requested see- Section 6 of the AEE, Table 2. The assessment is also included in the AEE.</p> <p>There are no other structures in excess of 1.5 above ground within the 10m Coastal Protection Yard:-</p> <ul style="list-style-type: none"> - Retaining walls on the western side (see Engineering drawing 222) are typically up to 2.5m, but they are below ground level. No other retaining walls are in excess of 1.5m above ground. - Boardwalks are also at ground level. - None of the other structures in the coastal protection yard on land – bike stands etc would meet this threshold. - Rubbish and or recycling bins are generally not “structures” and are moveable. | | |
|---|--|---|----------------------------------|--|--|----------------|------------|----|---|----|--|--|---------------------|--|--|--|---|---|---------------|---|--|--|--|---|-------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|--|---|---|--|--|
| Yard | Conservation Zone | Informal Recreation Zone | Sport and Active Recreation Zone | Civic Spaces Zone | Community Zone | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Front yard | 5m | 5m or the average setback of buildings on adjacent front sites, whichever is lesser | 5m | The average setback of buildings on adjacent front sites | The average setback of buildings on adjacent front sites | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Side and rear yards | 6m where the open space zone adjoins a residential zone, special purpose zone or the Future Urban Zone otherwise 3m No side and rear yards are required where the open space zone adjoins a business zone | | | 3m where the open space zone adjoins a residential zone | 3m where the open space zone adjoins a residential zone | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Riparian yard | 10m from the edge of permanent and intermittent streams | | | 10m from the edge of permanent and intermittent stream | 10m from the edge of permanent and intermittent streams | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Coastal protection yard | 25m from mean high water springs | 20m from mean high water springs | 10m from mean high water springs | 10m from mean high water springs | 10m from mean high water springs | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>In an Open Space Zone:</p> <ul style="list-style-type: none"> Bicycle stand/parking structures Board walks Boxing or edging Drinking and water fountains Gates, bollards and chains Rubbish and recycling bins Seating and tables Stairs | <p>Over 1.5m in height from ground level, inclusive of the height of any supporting structure</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | |
|--|--|---|--|
| <p>Objective and Policy Assessment</p> <p>72. The AEE does not appear to cover the objective and policy assessment against the following chapters in the Appendix 4 appended to the AEE. There are also other chapters relevant given other s92 matters have been raised in the table. These are included for completeness below (refer *). Please provide an updated assessment and Appendix 4 to cover all objectives and policies.</p> <p>It would be helpful to create a table with assessment for all relevant policies in one appendix to allow for ease when assessing given the number of chapters. Some are just within the body of the AEE and not the appendix and vice versa.</p> <ul style="list-style-type: none"> - Chapter E8 – Stormwater Discharge and Diversion - Chapter E9 – Stormwater Quality - Chapter E11 – Land Disturbance - Chapter E12 – Land Disturbance - Chapter E15 – Vegetation Management and Biodiversity - Chapter E16 – Trees in Open Space Zones* - Chapter E18 – Natural Character of the coastal Environment - Chapter E25 – Noise and Vibration* - Chapter E26 – Infrastructure - Chapter E30 – Contaminated Land* - Chapter E36 – Natural Hazards and Flooding - Chapter E38 – Subdivision - Chapter E40 – Temporary Activities | <p>Agree and completed - See Revised BM Village AEE and Consent Application attached to this response</p> | | |
| <p>Gantries/ Look out platforms</p> <p>73. In respect of the additional drawings to confirm extent of works for the new gantries and boardwalk lookouts under items 3 and 12 above. Please confirm if there are any additional reasons for consent as a result of these works from the coastal Chapter of the AUP.</p> | <p>The landings are functionally required to enable the reconfiguration of the pier access gantries or gangways (given the raised site ground levels) for the marina. These have now been correctly identified as marina pier access/gantry landings and the annotations on the plans updated. For clarity these do not form part of the Resource Consent as the proposal is to replace (or reconstruct) existing gantries/gangways leading down to the marina pontoons, and this is a permitted activity under Table F3.4.3 (Coastal – Marina Zone) (A24), where Marine and port accessory structures and services (includes gangways) are a permitted activity.</p> <p>Note that a 35 year consent was granted to Bayswater Marina Limited To undertake piling activities in the coastal marine area related to the establishment, use and maintenance of permitted marine and port accessory structures (CST60355402) on 8 May 2020. This activity related largely to underwater noise associated with such activities.</p> | <p>Agree with Craig activity permitted under:</p> <p>Table F3.4.2 Use/ Activity</p> <p>(A20) Marine and port activities definition includes piers and gantries and are permitted on land or CMA.</p> <p>Table F3.4.3 structures on land and in CMA</p> <p>(A21) Marine and Port Facilities PA on land and in CMA.</p> <p>(A24) Marine and port accessory structures PA on land and in CMA.</p> <p>(A34) does not apply as existing occupation consent for Marina held by BML. <u>Get copy of occupation consent off Craig.</u></p> <p>Consent CST 60355402 description states 'establishment' of PA structures which this piling is. So, agree with argument that it could fall under this.</p> | |
| <p>Urban Design Statement and Design Manual</p> | | | |

| | | | |
|--|---|---|---|
| <p>PBA Design Statement</p> <p>74. The Urban Design report at section 2.4, Principle 15(d) at page 14, page 25 and 26 identifies and references a PBA Bayswater Design Statement. However, this was not included in the submitted documents. Please provide this document.</p> | <p>See Appendix 4 – Bayswater Design Statement</p> | <p>Resolved.</p> | |
| <p>Acoustic Recommendations and Design Manual</p> <p>75. Please clarify why the Design Manual has a section on noise R3.10 but it does not cross reference or draw on the noise recommendations from Marshall Day and matters of reverse sensitivity to the adjacent marina facilities and activities?</p> <p>It is considered that outlining the recommendations from the acoustic report under section 4.3 and 70 so it is clear what internal noise levels are required in the building design of the facades.</p> | <p>R3.10 Avoiding noise nuisance is: <i>Specify quiet air-conditioning units and locate these to avoid noise nuisance for neighbours.</i></p> <p>Assessment of building fabric and acoustic performance matters is not something that an applicant is likely to be able to provide at initial review time. Detailed matters should be tied into building consent requirements.</p> <p>If this was required, construction details, materials and services specification might be necessary, and some sort of acoustic review would be necessary in the review process. That would seem to be an inordinate level of detail at the initial design review stage.</p> | <p>Resolved. Could deal with by condition.</p> | |
| <p>Public Access and Principle 7(c) and the Scheme Plans</p> <p>76. This urban design principle on page 12 of the Urban Design statement identifies that the mews and lanes will be accessible to the public. However, the scheme plan does not appear to include a right of way over this piece of land. Please clarify what it intended.</p> | <p>On the first stage unit plan we will show an easement in gross in favour of the Auckland Council over the relevant areas of common property”</p> | <p>Could be dealt with by condition, will confirm the extent of relevant area with Craig.</p> | |
| <p>Architectural, Landscape Plans and Renders</p> | | | |
| <p>Masterplan Sheets</p> <p>77. Please provide additional masterplan sheets or amend the existing plans to clearly illustrate the following. This is required for clarity and to assist when the public review the application under notification:</p> <p><u>Apartment Buildings and ground floor uses</u></p> <ul style="list-style-type: none"> - Adding annotations identifying the location of the south, central and north apartment buildings. Provision of the ground floor layout of these building with uses identified at ground floor. <p><u>Marine Facilities, Parking and Trailer Parking</u></p> <ul style="list-style-type: none"> - Identify the berth holders parking - Identify the public parking | <p>See Attachment 2, Apartment Architecture Drawings, which shows in detail the layout and uses on the ground floor</p> <p>Sheet 7 of Attachment 4 Transportation assessment identifies all the various parking</p> <p>Marine retail – see Attachment 2 Apartment Architecture Gantries – see Attachment 6.1 Landscape Concept Marina Facilities – see Attachment 2 Apartment Architecture South Apartment Ground floor</p> | <p>You need to go through multiple drawing sets.</p> | <p>Applicant response 23/8 not prepared to create this.</p> |

| | | | |
|--|---|---|---|
| <ul style="list-style-type: none"> - Identify trailer parking; - Location of the marine retail; - New gantries and entry points to berths including access control; and - Identify marine facilities referenced under para 5.2. of the AEE. <p><u>Public Facilities</u></p> <ul style="list-style-type: none"> - Please identify the public accessible facilities including toilets, parking and cycle parking. - Please show the ferry terminal and associated facilities. - Please show the bus stop and shelter. | <p>Parking + cycles – see Transportation assessment; Public toilets – potentially on ground floor North apartments Ferry terminal – no change Bus stop – Transportation Assessment</p> <p>Note, it is not intended to provide public toilets but if AT/AC wishes to do so then they can provide them.</p> | | |
| <p>Drawing A15265A_231 –</p> <p>78. Please annotate the m² area of sub precinct A, B and C and the % building coverage on this plan for clarity.</p> | <p>Sub-precinct A and C have no buildings on them. All ‘buildings’ are in sub-precinct B. Building coverage, 7600m², is set out on Plan A15265A_231 (Boffa Miskell), in Attachment 8 Masterplan Set, modified since the original application material.</p> | | |
| <p>Apartments Drawings PBA in context</p> <p>79. Please show the apartment building floor plans in context with the final masterplan for each apartment level and extend the outline of the consented envelope on the elevations. For example, the decks on the central apartments appear to almost wrap around onto the terrace dwelling on the FDU adjacent and the parking within the Cross Street are not accurately shown nor at ground floor the landscaping or parking. Snippet example below, yellow the adjacent consented envelope terrace buildings and red parking in Cross Street. Please amend the drawings to align with the landscape concepts and terraced layout so the buildings can be assessed accurately.</p> | <p>Please refer the updated Architectural Drawings, Attachment 2 for details.</p> | <p>Terraces shown, though awaiting reissued apartment drawings. Confirm what they are doing for screening for balconies back to terraces. Assume screening of some description.</p> <p><u>Comments from John following review of the response.</u></p> <p>Having viewed the S92 response there are two issues where further information is sought.</p> <ol style="list-style-type: none"> Is there any proposal to address the blank wall on the direct eyeline when walking east on the central – east-west road? Is there screening on the north western balconies to manage privacy between future residential terrace and apartment balconies 5-6m away? <p>See illustration below.</p> | <p>Condition screening. Check with John on response. Can be post notification</p> |

| | | | |
|---|---|--|-----------------------|
| | | <p>Blank wall at focus of pedestrians walking eastward down the east-west central street. Any treatment?</p> <p>Central Apartment Building</p> <p>Is this screening, terrace orientation is to the street, but the apartment balconies has views the west and there is likely to be privacy issues being approximately 5-6m from each other.</p> | |
| <p>Massing and Landscape Renders</p> <p>80. The roof projections to the apartment buildings do not appear to be included on all the views, please confirm.</p> <p>Furthermore, it is not clear if the bulk form in the views is based on the maximum outer volume shape outlined in Figure In.1 of the DM which corresponds to the consented envelope sought for each FDU or if it is just based on the 12m maximum height from existing ground level.</p> <p>It would be helpful to get some additional views to taken from these locations in red so that a wider view of some of apartment buildings can be achieved to allow for assessment.</p> | <p>The applicant appreciates Council’s wish to see updated Renders.</p> <p>Updated Massing and Landscape Renders will be provided under separate cover once they are completed.</p> | <p>Awaiting receipt of these.</p> | <p>Received 23/8.</p> |

| | | | |
|---|--|--|---|
|  | | | |
| <p>Additional Cross Section Landscape Concept</p> <p>81. The additional sections requested by Peter Kensington and Kala Sivaguru through the boardwalk extensions are not repeated. However, please provide an additional section through the steps to MHWS. See snippet below.</p>  <ul style="list-style-type: none"> 6. Mesh surface 7. Turnaround plaza 8. Seating space 9. Bayswater marin with apartments 10. Hedge adjacent residential dwelli 11. Café with apartm above 12. Island planter wit concrete seating 13. Pedestrian lanew | <p>This cross section has been added to the Updated Landscape Concept Plan package attached to this response (Attachment 6.1).</p> <p>The boardwalk is positioned to facilitate direct access to the Ferry terminus for commuters. The Pohutukawa trees are existing and are to be retained as an important mature vegetation feature of the sit and park. An open lawn is created in the shade of the trees for public use and enjoyment. The smaller scaled path at the back of the park is located to define the building edge and prevent private appropriation of the park. This path also provides access to the ‘front doors’ of the terrace houses to support activation and passive surveillance of the park.</p> | | |
| <p>Pedestrians, Open Space and Parking</p> | | | |
| <p>Pedestrian connections to the existing Park n Ride Facility</p> <p>82. Please clarify why there are no pedestrian routes provided for in the design of the proposal from the existing park n ride facility given requirements of I504.9.(1)(c)? Principle 9 of the Urban Design statements states that the proposal seeks to achieve ‘excellent public pedestrian access’, in particular that the public access will achieve logical,</p> | <p>The pedestrian route from the AT park and ride to the ferry access route has been added to the Pedestrian Circulation diagram. This is an existing condition which is why it wasn’t initially shown. The pedestrian circulation within the site has been designed to facilitate quality, legible, direct access to / from the ferry terminus.</p> | <p>AT have raised concerns about this at point 30 above.</p> | <p>Awaiting AT response. However, could condition this.</p> |

convenient, safe and generous public access. However, it does not talk about the pedestrian access to the ferry terminal and the Boffa Miskell Landscape Concept pedestrian strategy does not even indicate it as a source of a main or secondary pedestrian route.

The special information requirements under I504.9 require:

(1)(c) Requires identification of the main pedestrian routes that provide circulation around each sub-precinct area and between sub-precincts, showing how they are integrated with the coastal margin, public transport nodes and bus stops.

(1)(j) How sub-precincts will integrate with each other and other surrounding land and the coast;

(1)(k) How the development provides or facilitates adequate transport connections, including connections to the surrounding road network.

The park n ride facility serves passengers using the ferry terminal. This terminal still has 10 years to run on this ferry lease with this area of the site identified as stage 1. Consequently, pedestrian access through from the park n ride and bus stop must be considered yet this is not included as an assessment point nor is it shown on the pedestrian movement strategy prepared by Boffa Miskell. It is unclear from the landscape concepts, engineering plans or urban design assessment how users of the existing park n ride facility adjacent to the site would actually access the ferry from this parking area or whether any assessment of the existing desire lines from this facility have been considered or incorporated into the site proposals. There are no clear pedestrian connections shown with a new retaining wall and parking areas actually defining this interface see item 73 above.



Note: It is noted that AT and Kate Brill and John Steinberg have raised similar queries on this matter.

| | | | |
|---|--|--|--|
| <p>Berth Holders Agreement</p> <p>83. Can you please provide a copy of the legal agreement or license between BML and the berth holders that requires the 310 parking spaces sought? This is requested given the precinct only actually requires a ratio of 0.50 berth holder spaces and if this number was reduced as sought by both AT and Kate Brill then additional open space would actually be available adjacent to the coastal walkway rather than parking which the UD report has identified on page 18 under principle 24(b) that the parking would not be fully occupied given the use surveys.</p> | <p>See Appendix 4 on this matter.</p> | <p>Note the comments in Appendix 4, but a copy has been provided by the separately to Council by Berth Holders themselves.</p> | |
| <p>Turnaround plaza and Ferry Facilities</p> <p>84. It is not clear why the existing ferry facilities are not being retained and then why the proposed turnaround plaza needs to be so large. Please clarify?</p> <p>The lease for the ferry terminal still has 10 years to run it is necessary to have facilities to allow passenger to wait out of the weather, safety and for it to be accessible for all users. The ferry has over 20 sailings a day in each direction during a week day and has services running over the weekend. The sailings include times early in the morning before 7am and after 8pm.</p> <p>Furthermore, there is also the need to retain space public access along the coastal edge alongside these passenger facilities. Is there sufficient width to provide for all of these users? Please confirm how these facilities are to be provided for on the current landscape concepts for a turnaround plaza over the next 10 years whilst also maintaining a walkway of sufficient depth.</p> <p>It is not clear from the Transport Assessment why such an extensive area of vehicle manoeuvring is required in this location? particularly given buses do not travel this far into the scheme, the access routes to the residential precincts and the tracking diagrams provided. Please clarify.</p> <p>Note: <i>In 10 years', time when the lease expires and the terminal moves to a different location then the extension of this as an area of public open space is preferred over it being used for vehicle manoeuvring. Given it is unclear why such an extensive turnaround area is necessary particularly when the precinct seeks to maximise significant open space on the coast and enhance public access to the CMA. Please consider reducing this turnaround plaza down.</i></p> | <p>The existing ferry facilities (the terminal = one berth) is being retained, and a waiting room area can be made available on the ground floor of one of the apartment buildings, subject to normal commercial negotiations.</p> <p>The turnaround is needed for trucks that may need to access South Street, and is designed to allow them to turn around. This street is however a shared space, for vehicles, cyclists, pedestrians.</p> <p>The south park alongside and up to the terminal provides sufficient space, more than exists at resent.</p> <p>See explanation above re trucks. The turnaround plaza has been reduced in size to accommodate a three-point U-turn manoeuvre for a fire truck. See also Stantec response.</p> | <p>Check Stantec report</p> | |
| <p>Engineering and Infrastructure</p> | | | |
| <p>Waste Water Pump Station</p> <p>85. The application seeks to decommission and replace the existing pump station (Drawing 104 Rev A) and it is understood that this forms part of the application and proposed extent of works. The works needed to replace the pump station are identified on the drawing 520 Rev A and detailed in the Attachment 3.3 with Option 2 required to meet the demand of the proposed wastewater flows. However, the earthworks necessary to construct this replacement underground structure and new storage tank are not shown on earthworks plan and this site is not identified as forming part of the application in terms of the</p> | <p>The earthworks required to construct the pump station upgrade and associated structures have been shown on Airey Consultants drawing 214. We confirm that the proposed works for the pump station are a permitted activity under E26(A51). No consultation has been undertaken with AT specifically on the pump station upgrade proposal. Consultation with Watercare was undertaken</p> | <p>Resolved, trees close to station covered in the Arborist Report. Rhys raised no concerns on that aspect of the report.</p> | |

| | | | |
|---|--|--|--|
| <p>application site on the form. Further, as identified in item 5 above it appears these works and the works to extend the lines would necessitate works within the rootzone of these mature Pohutukawa trees please provide an arborist assessment assessing these works. Please confirm compliance with Chapter E16 and if additional reasons for consent are required, please outline these and provide an additional assessment of effects.</p> <p>Can you please confirm that the works comply with Chapter E26 and an underlying zone/precinct provisions and if additional consent are required, please outline these and provide an additional assessment of effects.</p> <p>Furthermore, if you could confirm what the consultation with AT property and Watercare in terms of site access for works and compliance with the Watercare requirements has been undertaken. It is not clear if AT in particular agrees to this location given, they will be redeveloping this site for a new ferry terminal. This question has been raised back to them as part of the review of the scheme.</p> <p>Note: It is noted that the application has been sent to Watercare for comment, but we are yet to receive any comments under s92. This will be forwarded separately once received.</p> <p>It is noted that a separate Tree Asset Owner Approval will be required for works within the rootzone of any Council owned trees. See the following link: https://www.aucklandcouncil.govt.nz/building-and-consents/working-on-around-trees/Pages/check-you-can-chop-prune-trim-tree-council-property.aspx</p> | <p>by MPS Ltd in 2017 and 2018 and Watercare agreed with the proposal to upgrade the pump station.</p> | | |
| <p>Existing Fuel Lines and Tanks</p> <p>86. The existing fuel lines and tanks are identified on drawing 100 Rev A. However, neither the Engineering Report or the Construction Management Plan identify if the lines/ tanks are to be retained or removed, nor that they are actually are existing infrastructure on site. If retained whether the works in proximity to these lines would impact on the lines. Please update the reports to include this existing infrastructure and outline and assess the retention, relocation or removal of the lines/ tanks.</p> <p>Furthermore, if the lines are to be retained can you please overlay the fuel line on to the cut and full plans and confirm the depth of the line.</p> <p>Item 1 identifies that the line and refuelling facility are a HAIL activity. Consequently, soil disturbance in proximity to this line may trigger consent under the NES. In responding to item 1 if additional reasons for consent are needed under the NES or under the AUP please outline these and provide an additional assessment of effects.</p> <p>Note: It is noted that AT identified under item 40 above that they prefer that the tanks are removed from their land. It is not clear if there is an existing separate legal arrangement in place for this infrastructure.</p> | <p>We confirm that the fuel lines and tanks are to be retained. Airey Consultants drawings 210 & 211 have been updated to show the fuel line. The max depth of cut over the line is approx. 400mm so we consider the likelihood of damaging the line to be low, however the construction contractor will be responsible for physically proving the line and ensuring it is protected. We consider it to be unlikely that the line will need to be relocated.</p> | <p>Vaughan advised at meeting with Craig and Brady that the works within this line accepted in terms of NES and AUP.</p> | |
| <p>Earthworks Cross Sections</p> <p>87. Can you please confirm the location of the sections from Drawing 220 rev A on a site plan. It is not clear where they are located through the site plan.</p> | <p>The section locations are shown on Airey Consultants drawing sheet 200. Sheet 220 has been updated with notation to show this.</p> | <p>Resolved.</p> | |

| Subdivision | | | |
|--|--|---|--|
| <p>Draft Unit Plan (Scheme Plan)</p> <p>88. The draft unit plans are included in Attachment 10.1. Please clarify the following matters:</p> <p>(a) The Draft unit plan identifies two right of ways B and C. However, only C is shown on the sheets 1-16. It appears this a typographical error as the easement plans in attachment 10.3 include them? Please amend to correct.</p> <p>(b) The existing Certificate of Title within Attachment 10.4 and 10.5 does not have any existing easements listed as interests just the encumbrance with the crown. The new LT plan included in attachment 10.1 and the draft unit plans identify additional easements one of which is over the adjacent AT land. Please clarify why this is now included? and if AT has given approval for this easement over their land? It is understood that this is to provide access to the existing fuel tanks on their property. However, is there actually an existing legal agreement with AT regarding the fuel tanks that allows for this easement to be added? I query this given it is sought on the unit plans that you are seeking to be approved by Council and AT have identified in item 40 above that they actually prefer that the tanks are removed as part of this consent.</p> <p>(c) The easements regarding the right to convey fuel above are identified as F, G and H, however only H is included in the schedule of easements. Can you clarify why they are not all identified? it is assumed that they all relate to the fuel storage tanks and lines.</p> <p>(d) Right of Way C does not include the footpaths on Cross St, Link St or Sir Peter Blake Drive. Please clarify why public right of way excludes these areas demarcated on the other landscape concept plans as walkways? See mark up in yellow below:</p> | <p>The Draft Unit Title Plans have been re-issued and are attached as Attachment 10.1</p> <p>(a) Area B now added.</p> <p>(b) Correct we have identified on LT 549556 new easements to be create together with the Esplanade Strip. R'sOW B & C are included as easements in gross in favour of the Auckland Council to guarantee the public right of use. Now coloured yellow and blue on sheet 1 of 16. Area H is the only other area over Lot 1 DP 309604 where an easement is proposed this is an easement in gross in favour of the marina controlling authority (Bayswater Marina Holdings Ltd.) for the fuel supply to the fuelling wharf. This area is coloured pink on sheet 1 of 16.</p> <p>(c) Easements over areas F & G are outside the unit title property-they are easements in gross in favour of the Bayswater Marina Company Ltd.</p> <p>(d) In respect to public access routes the additional vehicle access is over areas of Of the Esplanade Strip and the right of access is already guaranteed. On sheet 2 of 16 we show the extent of the Esplanade Strip coloured green.</p> <p>With regard to easements on LT 549556 over Lots 1 & 2 DP 50556 these are for the storage and supply of fuel and has been agreed between the parties concerned LT 549556 will formalise these agreements.</p> <p>Footpaths within the Esplanade Strip provide for pedestrian access within the usual agreement document when the esplanade strip is created. All other pedestrian ways are within common property and the public use can be managed within the Body Corporate rules or by the overarching land covenants governing all bodies and owners within the development-this will be set up by the lawyers.</p> <p>All parking -public, marina berth holders and unit owners is, are shown as PUs so they may either be owned by unit owners, or the Marina management company who will control the use of same.</p> | <p>Will need to condition some of these matters.</p> <p>Have left outstanding given comments from AT and Parks above.</p> <p><u>Note AT comment on easement, if this plan can be updated to remove it from the AT land prior to notification.</u></p> <p><u>Note Parks comments on parking PU within esplanade strip.</u></p> | <p>Response provided 23/8 and 31/8</p> |



We prefer to show carparks as PUs, they remain ancillary to the development are easier to manage, allocate or transfer within the development.
This also gives the marina company the same control that exists on site.

All parking - public, marina berth holders and unit owners is shown as PUs so they may either be owned by unit owners, or the Marina management company who will control the use of same.
We prefer to show carparks as PUs, they remain ancillary to the development are easier to manage, allocate or transfer within the development.
This also gives the marina company the same control that presently exists on site.

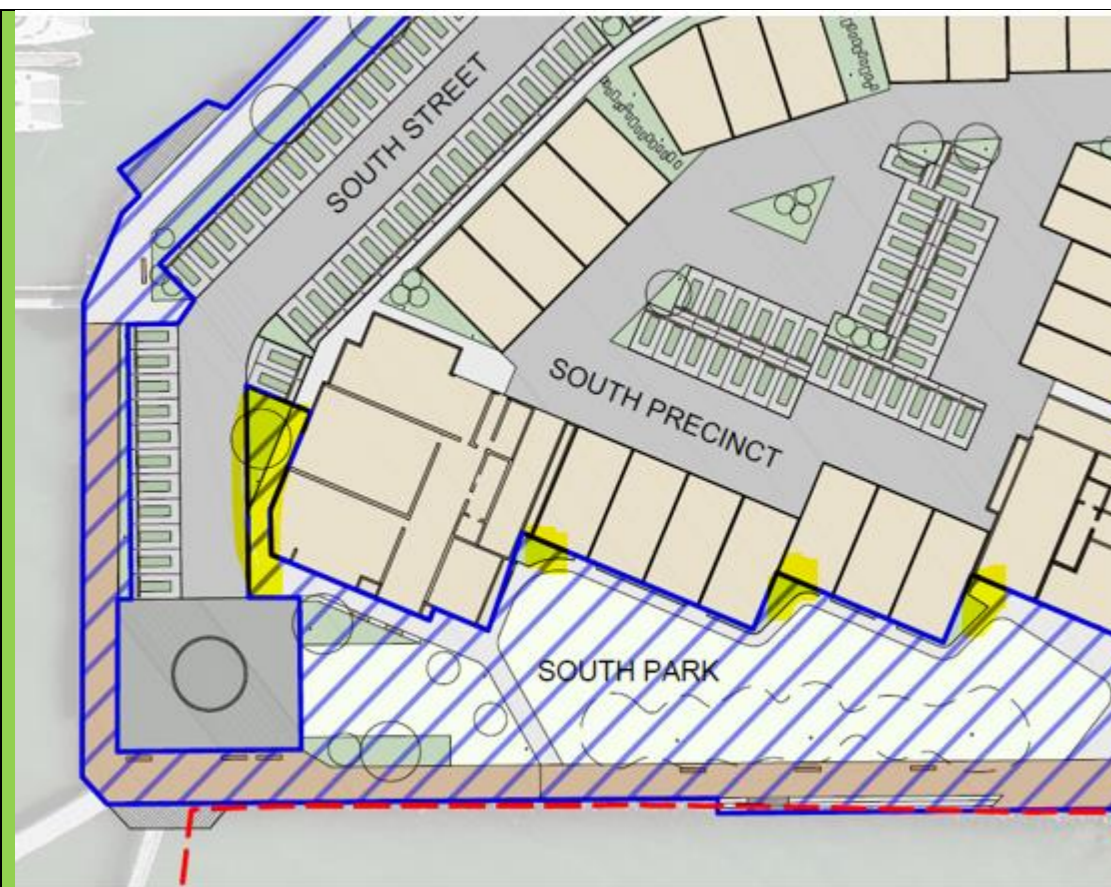
e) The Boat Trailer parking is identified as 1T to 20T principal units. Who will own these 20 principal units? It is understood these are meant to be accessible to the general public for car and trailer. Please clarify what legal mechanism will secure that access and for those spaces located on common property 2T to 9T what legal access arrangements need to be included to ensure access?

f) All berth holder, trailer parking and visitor parking are given an individual principal units. Can you confirm why this is the proposed? Given it does not occur at the moment on site. Why is this necessary to be able to lease them to the berth holders and tenants of the commercial in terms of a licence lease or licence to occupy? Do this parties need to pay an annual lease? For the trailer parking it was understood that these were to have free public access is that not the case?

It is understood from the attachment development summary that all these spaces are to be owned by Trustee Executors Limited which are appointed by BML. Is my understanding correct?

g) In item 67 above dimensions are sought alongside sufficient detail on the consented building envelope. For ease of reference this is cross referenced here as an amendment to the draft unit plan.

| | | | |
|---|---|--|--|
| <p>Esplanade Strip</p> <p>89. Please clarify what the creation of the esplanade strip under Chapter E38 is not included as a reason for consent? The activity of creating an esplanade strip is not included in the I504 activity table as a permitted activity for the precinct with the actual activity of subdivision not included in the table, meaning Chapter E38 applies for a subdivision to create a strip. Consequently, the creation of the strip will require consent under (A9) of Table E38.4.1 for a subdivision establishing an esplanade strip as a DA. The width of any strip being created would need to be the minimum 15m required by the standard under I504.6.4, however, the legal creation of it occurs under the activity within Chapter E38. Please add this as a reason for a consent and provide a relevant assessment.</p> | <p>The esplanade strip is a covenant only over part the title, as opposed to an esplanade reserve which would be vested.</p> | <p>Understand this however a subdivision creating a strip requires a consent under the subdivision Chapter please include as a reason for consent.</p> | <p>Awaiting response from David. Technical matter can be post not.</p> |
| <p>S106 Assessment</p> <p>90. The AEE does not appear to have an assessment under s106 1(A) of the RMA. Please provide this.</p> | <p>Section 9 in the AEE covers an assessment of s106 1(A) of the RMA</p> | <p>Resolved.</p> | |
| <p>Open Space and Public Facilities</p> | | | |
| <p>Open Space Area Calculation</p> <p>91. The Boffa Miskell Masterplan identifies all of this area as ‘public open space’. However, the Detail Plan 02 identifies that café tables chairs would eat into this ‘open space’ and in effect is just covering a footpath or throughfare area that is mid-block to the scheme with other similar areas not included. Furthermore, the scheme plan also does not provide public right of way to some of these areas i.e. Cross Street refer item 88 above.</p> <p>The remainder areas will read as private areas adjacent to private dwellings rather than being usable. This comment has been raised by John Stenberg elsewhere.</p> | <p>The Landscape Concept (Attachment 6.1) provides for 7,515m² of open space which is in excess of the 7,200m² requirement. The provision of outdoor dining opportunities will facilitate and is entirely compatible with public open space amenity and the way the public enjoys open space. We see no conflict with the coming and going of outdoor seating within the public open space of this area. A conflict would only arise if the area became permanently demarcated or cordoned off, which is not proposed.</p> <p>The ‘remainder areas’ will contribute overall to the open space amenity and as noted above can be deemed to fall in the excess of open space if necessary, for the technical measurement.</p> | | |



Public Toilet Facilities

92. The engineering report on page 9 identifies that there are two existing toilet facilities that are accessible to the general public.

The AEE identifies on page 25 that there is one toilet accessible to the public, and on page 25 and page 88 that one public toilet will be provided though it does not state where it is located.

Principle 14 (b) – This principle identifies that toilets are ‘*potentially*’ available for public use.

Given, these contradictory statements can you please confirm the extent of public facilities actually proposed by the scheme and their location on the site masterplan and the staging for delivery in terms of the demolition of the existing facilities.

Note: *The precinct requires quality and significant open space (Policy I504.3 (1) and (3)). It is integral that public open space facilities of this size and scale need to be provided for the extent of open space required by the precinct. Without just provision then the open space is not really accessible or useable for public use for long periods of time. In particular, it is noted that the largest northern area of open space which includes play equipment by children, however there are no facilities in proximity to this playground one would need to walk some distance to reach. It is recommended that the design of this park includes the provision of a dedicated public toilet and that the marina facilities at the bottom of the*

Note, it is not intended to provide public toilets but if AT/AC wishes to do so then they can provide them. Note that provision has been made for such facilities - on the ground floor of the north apartment – see Apartment Architect (Attachment 2 submitted with the application) drawings – if the Council or AT wishes to take up some of this space.

Temporary toilets will need to be provided during the construction phase.

Regarding toilets near North Park – the applicant is happy to discuss this matter further with the Council.

Contradicts the original AEE and other documents. No further information necessary, can take a view in s42A.


| | | | |
|--|--|---|--|
| <p>apartment south include a facility that can be used by the public either using south park or waiting for the ferry.</p> | | | |
| <p>Staging and Construction</p> | | | |
| <p>Timing and Staging</p> <p>93. Please clearly outline the timeline for Phases 1-4 ground and civil works, delivery of facilities, building construction (apartments/ terraces), design process, s223, s224c across the three stages. This is required to understand the potential construction effects in terms of length of construction works and to be clear on the deliverables of the key facilities i.e., open space, trailer parking, and coastal esplanade strip walkway.</p> <p>It is noted that the Survey Report identifies that the creation of the FDU will be staged but then gives no staging on the scheme plan. Please confirm.</p> <p>The construction management plan identifies in section 3.2 that the (see below). Can you identify these areas on a plan.</p> <p><i>Final completion of the hard and soft landscaping (including pavements) near the structural works will be deferred until after the completion of the structural works. This is to avoid damage being caused to the landscaping by the construction plant for the buildings.</i></p> <p>The precinct requires a staging plan under 1604.9(1)(h) a staging plan that explains the intended staged implementation and the means of managing the vacant land during the staging process. If you can outline the proposes measures to be used to manage the effects of any vacant land during the process.</p> <p>Note: <i>The staging plan in the infrastructure has been reviewed and the construction management plan, however, it is not clear the length of time for works and the time involved with the steps above particularly in terms of delivery of the key deliverables required by the precinct under Table 1504.1.1(A1) and (A4).</i></p> | <p>“Three stages of development are expected to occur in succession:</p> <ol style="list-style-type: none"> 4. South precinct 5. Central precinct 6. North precinct <p>These stages will be constructed as part of one civil construction contract, providing for earthworks stock piling, temporary car parking and Berthholder access. While we envisage a staged approach to construction, we do not anticipate the issue of multiple 224c certificates in stages.</p> <p>Following issue of the 224c certificate, the first stage unit plan will deposit. That plan will create the stage 1 principal units and multiple future development units. Those future development units will be developed at different times depending on the readiness of each unit owner to complete the building and convert the title from an FDU title to a PU title. In that regard the completion of works and conversion of FDU titles to PU titles will be staged but it is not possible to predetermine that staging because it is affected by matters outside of the developer’s control.”</p> <p>The Landscape Concept Package (Attachment 6.1) (Boffa Miskell) sets out all the landscaping works to be undertaken, including the tree strategy and the planting strategy. Please refer to that document for details of the hard and soft landscaping.</p> | <p>Still not a clear staging plan, but I think we just condition this, as some elements may change once they have a contractor etc.</p> | |
| <p>Timing of Apartment Construction</p> <p>94. What is the timing to deliver these buildings given they provide in particular the marine retail, berth holder facilities and public toilet facilities and other commercial spaces at the ground floor. Is it intended that these are built prior to s224c for the unit titles for the FDU for the terraced dwellings? Please confirm.</p> | <p>These will be constructed as a priority and will show on the staged unit plans once constructed.</p> <p>The Hampson Survey report explained that the unit title process is such that-all buildings, structures and carpark spaces to be Units (PUs) and accessory units (AUs) will show on the Plan of Proposed Units (PUD Plan) which will be similar to the Draft Unit Plan now submitted as a scheme plan. Accompanying the PUD plan will be a First Stage Plan which will include all the PUs that</p> | | |


| | | | |
|---|---|-------------------------|--|
| | <p>have at the time been constructed. Each new structure (PU) as it is built will show on a new Staged Unit Plan-all units yet to be built will show as future development units (FDUs)-the number of staged plans at this stage is unknown but once all the units have been built the Complete Unit Plan will be prepared upon which all PUs and AUs will be recorded. The Complete Unit Plan will show all PUs and AUs in the same place as that shown on the PUD plan.</p> | | |
| <p>Lapse Date</p> <p>95. A 10-year lapse date is sought to give effect to the consent. Please provide additional assessment on why that is appropriate in terms of adverse effects? Given the following sensitives:</p> <ul style="list-style-type: none"> - The maritime location of the works and size of the viewing audience of the site; - Inconvenience to the berth holders, ramp users and other users of the recreational facilities in the precinct; and - The need to maintain access to the ferry terminal in its current location for the next ten years; and <p>It is noted that assessment criteria I504.8.2 (3)(a) which is copied in below. Identifies that the duration should be limited to the minimum period necessary for the activity. Please explain how this is achieved by a 10-year lapse date in terms of limited works to the minimum necessary.</p> <p><i>Consent duration: (a) the extent to which consent duration is limited to the minimum duration necessary for the functional or operational needs of the activity.</i></p> <p>Please give reference to the durations and timing and staging in the response to item 90 above when providing this additional assessment.</p> | <p>The extended lapse time is sought not to extend the construction time period and thus exacerbate any potential effects, but because of the market uncertainties of undertaking such a large development. Depending upon economic circumstances, (eg another GFC) developments may often take 5-10 years before they can commence. Once started however, the owner will be committed to putting all the infrastructure in place to facilitate the subsequent development.</p> <p>Consent duration is different from lapse date – the lapse date is the date on which exercise of a consent should commence.</p> | | |
| <p>Construction traffic volumes</p> <p>96. Please clarify the approximate extent of traffic volumes anticipated over the project. It may be that breaking these anticipated volumes down to the timeframes and staging across the site.</p> | <p>See Appendix 6 – Construction Traffic Estimates</p> | <p>Resolved.</p> | |
| <p>Other Matters</p> <p>Development Structure Summary (Attachment 11 in the application material)</p> | <p>Note that a slightly amended version of this document has also been attached to this s92 response (Attachment 11). The original Development Structure Summary document referred to the Design Guidelines throughout, instead of the Design Manual. To avoid any confusion the amended document (Attachment 11 to the s92 response) has been amended to the Design Manual for Terraced Housing, or shortened as the Design Manual.</p> | | |

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

| TABLE B: Non-s92 Matters | Applicant Response | | |
|--|--|---------------------------------|--|
| Landscape (Peter Kensington) | | | |
| <p>1. In my experience, reliance on the consent holder alone to enforce and monitor compliance with design review documents, such as the ‘<i>Design Manual for Terraced Housing</i>’ which has been proposed by the applicant, is problematic. I recommend that Auckland Council should have a certification role to ensure independence.</p> <p>In addition, I suggest that the design review manual / process and should be more explicit around the process required should key metrics (such as building height) not be met – i.e. would an application need to be made for variation to the underlying resource consent; or, would a new application for resource consent be required, so that the proposed infringements to AUP(OP) standards can be assessed.</p> <p>I also suggest that the design manual should more explicitly reference maximum building height.</p> <p>Please request further information from the applicant which addressed the above issues.</p> | <p>1. Should a process of Council certification be required, then the following might be added into the process: <i>Following approval and sign-off by the Design Committee, applicant submits the Design Concept Plans to Auckland Council for certification that the initial building envelope resource consent has been complied with.</i></p> <p>2. It would be possible to include text on the implications of inconsistency with the Design Manual and anticipating how a separate resource consent may be required. An earlier draft of the then ‘Guidelines’ identified the following: Approval process: departure from existing resource consent <i>Applies where the terraced housing proposal is not consistent with the Design Manual. In this case a further resource consent is required.</i></p> <p>In this case the following would replace the certification identified in 1 above: <i>Following approval and sign-off by the Design Review Panel, applicant prepares and lodges a resource consent application with Auckland Council. Auckland Council determines whether to approve resource consent.</i></p> <p>The Design Manual clearly states the precise maximum building height for each unit.</p> <p><i>See my suggestions for discussion above</i></p> | <p>See comments in Table A.</p> | |

| TABLE B: Non-s92 Matters | Applicant Response | | |
|---|---|---|---|
| <p>Extent of proposed deck / path surfaces above gabion basket retaining at coastal edge</p> <p>2. In order to assist with integration of the proposed coastal edge works associated with the proposed decking and path surfaces over the proposed gabion baskets, particularly at low tide, please confirm whether the deck and/or path surfaces can be designed to protrude (or cantilever) beyond MHWS (in order to create areas of shadow beneath the structure).</p>  | <p>See Airey drawings – they will not be cantilevered over MHWS.</p> | <p>Just need to get this updated for the notification set.</p> <p><u>Comments from Peter Kensington below.</u></p> <p>There also appears to be an inconsistency between the cross-sections within the Airey drawings and the Boffa Miskell drawings when illustrating the coastal edge treatment associated with areas of boardwalk and path. The applicant’s response to this issue (Item 2 under non-s92 matters) is somewhat confusing, because the Airey drawings clearly illustrate a cantilever to decks that are to be constructed over gabion basket coastal edge treatments. Again, this is a matter of design detail that can likely be ‘ironed out’ through the ongoing application process.</p> | <p>Resolved.</p> |
| <p>Suggested edits to assessment document</p> <p>3. I note that there is some repeated text (AUP(OP) objectives / policies) on pages 28-29 of the application Attachment 6.2 ‘LVEA Assessment’ document. Given that the application is to be publicly notified, I recommend the applicant provide an edited version for that purpose.</p> | <p>We have amended the report and it is attached - see Attachment 6.3, LVEA Assessment. Note however, we have removed both sets of objectives and policies from page 28/29 as the relevant ones have already been included at page 14, section 4 (as referenced out 7.1).</p> | <p><u>Comments from Peter.</u></p> <p>Finally, please note that the Boffa Miskell ‘Landscape, Natural Character and Visual Assessment’ document provided with the s92 response (Attachment 6.3) has changed slightly from that which accompanied the original application (although the date remains the same and there is no document revision number). Importantly however, Appendix 2 (Graphic Supplement), which accompanies the assessment (in addition to Appendix 3 – Landscape Concept Package), is not included in the documents submitted with the s92 response. <u>When notifying the application, please remember to include that Appendix 2 document from the original application material alongside the updated assessment text and the updated landscape design drawings. NOTE CHECK THIS IN NOTIFICATION PACKAGE.</u></p> | |
| <p>Preliminary concerns</p> <p>4. Following my initial review of the application, it is pleasing to see that the proposed design is less intensive and does not challenge the maximum building height standard to the extent of earlier designs presented to the Auckland Urban Design Panel. Having said this, in order to respond appropriately to the relevant AUP(OP) objectives and policies, I wonder whether the application provides enough certainty of outcome in relation to the following issues:</p> <ul style="list-style-type: none"> - Providing a strong sense of place that reflects a strong maritime character; | <p>All earlier versions stayed within the 12m height standard. However, Urban Design Panels 2 and 3 actively encouraged the applicant to explore exceeding the height standard, particularly for what they termed a “beacon” building at the southern end of the site. The applicant has decided not to exceed the standard.</p> <p>Maritime character has been addressed elsewhere in the s92 response, for example in the urban design responses.</p> | <p>I’m also not entirely convinced that the applicant has fully grasped the importance of the preliminary issues that I (and John Stenberg) have previously highlighted, namely:</p> <ul style="list-style-type: none"> - providing a strong sense of place that reflects a strong maritime character; - integrating Te Aranga Design Principles, through collaborative design with mana whenua; and - providing public opportunities to access the water, particularly at the proposed north park. | <p>Post Not. Prior to memo being completed.</p> |


| TABLE B: Non-s92 Matters | Applicant Response | | |
|--|--|--|--|
| <p>- Integrating Te Aranga Design Principles, through collaborative design with mana whenua; and</p> <p>- Providing public opportunities to access the water, particularly at the proposed north park.</p> <p>I am also concerned that some of the dedicated boat trailer parking spaces (being of a 'parallel park' design) may not be entirely practical. My observation of drivers with trailers parking in such spaces, is that they are often rushed and have a tendency to drive forward into a parking space, with the potential that the adjacent footpath/kerb might be mounted and damaged over time.</p> | <p>All boat trailer parks comply with the standards required in the relevant provisions.</p> | | |
| Transport Specialist (Kate Brill) | | | |
| <p>Trailer Parking</p> <p>5. The I504 Bayswater Marina Precinct Plan in the AUPOP has a requirement for the provision of 20 car and boat trailer parking spaces. The application proposes to have the parking spaces dispersed throughout the site, in relatively ambiguous locations. The majority of the car and trailer parking requires the driver to perform a parallel park manoeuvre to access the park which can be a difficult manoeuvre for some drivers towing a trailer. The proposed location of the trailer parking spaces is not supported for the following reasons:</p> <p>a. The car and boat trailer parking should be provided in a location that is accessible and obvious to the user, preferably near the berths / boat ramp. The current arrangement will involve drivers towing a trailer circling the site trying to find a vacant parking space. This may result in an unnecessary risk to pedestrian safety.</p> <p>b. Circulating the site looking for trailer parking and negotiating parallel parking on the roadside will potentially lead to delays for other vehicles.</p> <p>c. Several of the car and trailer parking spaces are located inside the residential precincts. Wayfinding is unlikely to be obvious to members of the public to enter what will appear as private property in order to access a marina car park. Once inside the shared space environment, complicated reverse manoeuvring will be required in a space that encourages pedestrians, children playing etc.</p> <p>d. The vehicle crossings and the shared spaces inside the residential precincts are excessively wide to allow for the trailer parking inside the precincts. Both the shared space and vehicle crossings widths could potentially be narrowed down significantly to promote slower traffic speeds and a more efficient use of land.</p> <p>Please consider relocating the car and boat trailer parking to reflect the following:</p> <p>i. All car and boat trailer parking provided in one legible location for improved wayfinding and a reduced need for circulating through the site and residential precincts.</p> | <p>The proposed car and trailer parking is considered to be appropriately located by reference to the relevant Precinct provisions.</p> <p>Suitable wayfinding signage can be developed and implemented as part of the development. A condition of consent in relation to this would be supported.</p> | <p>We maintain our position that the location of the trailer parking is a poor outcome for the marina for the reasons provided originally. A search of historical aerial photography shows the boat ramp is well used and the provision for 20 car and trailer parks will be in demand (aerial imagery 2010/2011 provided in Figure 2). The draft Construction Management Plan which accompanied this application also highlights the boat ramp as popular. Wayfinding signage will go some way in assisting drivers to find the trailer parking, however this does not address the other issues presented.</p>  | <p>Transport Specialist retains non-support for the trailer parking it is recommended that this is further considered prior to completion of the specialist memo.</p> <p>We acknowledge the Applicant's legal opinion in regard to assessing the location of the trailer parking on the basis of 'convenience'. However, the lack of accessibility of the trailer parks is likely to result in a poorer outcome for pedestrians and road users in terms of delay and safety, including the following examples:</p> <p>Vehicles using Sir Peter Blake Parade (including buses, cars and cyclists) will either need to wait for the car and trailer to perform a potentially timely reverse manoeuvre into a parallel parking space; or pass the reversing vehicle by crossing onto the opposite side of the road. This may be an issue for buses and cyclists in particular.</p> <p>Parallel parking a trailer can be a difficult manoeuvre which may result in the vehicle alighting the footpath, impacting on pedestrian safety.</p> <p>Car and trailers circulating the site looking for a parking space may result in delay to other road users and impacts on pedestrian safety with higher number of (circulating) vehicles traversing the footpath to access residential precincts.</p> |


| TABLE B: Non-s92 Matters | Applicant Response | | |
|---|---|--|--|
| <p>ii. The car and boat trailer parking spaces to be provided in a diagonal arrangement to ensure easier manoeuvring into and out of the parking space.</p> <p>iii. Preferably located close to the berths / boat ramps and outside of the residential precincts.</p> | | <p>Abley have sketched two possible locations for trailer parking and undertaken vehicle tracking for car and boat trailer, as shown in Figure 3. The suggested option in the residential precinct allows the car and trailer to enter and exit the parking space in a forward direction. The option on the western side of the marina utilises some of the proposed public space/reserve. If this is not an option, then the removal of the car parking opposite the trailer parks could be investigated.</p>  | |
| <p>Parking Provisions</p> <p>6. There appears to be an oversupply of parking spaces allocated to berth holders with a requirement of the 209 parking spaces for berth holders (0.5 parks per berth), and 285 spaces provided. Would consideration be given to allocating some of the berth parking to visitor / café / office parking.</p> | <p>See the main body of response. Bayswater Marina is committed to providing the berth holder parking spaces.</p> | | |
| <p>Access Points to Residential Precincts</p> <p>7. The vehicle access points for the residential precincts are shown as one-way accesses in the Landscaping Plans (Attachment 6.1), however the Transport Assessment (TA) assesses the width of the access points under E27 as two-way vehicle crossings which allows for a greater width. Please narrow down the vehicle crossings to cater for one-way traffic. The tracking provided does not warrant the width currently proposed. The wide aisle widths in the shared space may also benefit</p> | <p>Any such details can be discussed as we progress through the consenting process.</p> | <p>Memo identified this item was not addressed as part of the response.</p> | <p>The access points are excessively wide at 7.5m for either one-way or two-way. Please confirm if the accesses are proposed to be one-way (as per the original Landscape Plans) or two-way as queried in the original s92 RFI. The tracking of the rubbish truck does not warrant the excessive width as shown in</p> |



| TABLE B: Non-s92 Matters | Applicant Response | | |
|--|---|--|--|
| <p>from being narrowed down to ensure the large open shared space areas do not invite illegal / informal parking.</p> <p>Please redesign the residential shared spaces and vehicle crossings allowing for one-way traffic flows, assuming that vehicle tracking for boat trailer parking will not need to be accommodated within the residential precincts (See item 15 above). Please also provide detail on how the one-way systems will be designed / sign posted to ensure compliance.</p> | | | <p>Appendix B Sheet 2 of 7 of the original ITA. The rubbish truck can take up the entire width of the crossing to enter and exit. Please consider narrowing the access points down to a maximum width of 6m.</p> |
| <p><u>Give way Markings</u></p> <p>8. Please provide give way markings at the intersections on the new private road network.</p> | <p>Appropriate methods to control intersections will be given further consideration, as will any additional means to ensure traffic calming, and to protect the rights of berth holders to access their car parking areas.</p> | <p>Memo requested that please address this item.</p> | <p>To be conditioned.</p> |
| <p>Auckland Transport (Katrina Hunt)</p> | | | |
| <p>Pedestrian Footpath - Sir Peter Drive</p> <p>9. The plans (landscape and main site plans) show that there will be a pedestrian walkway along the western side of Sir Peter Blake Parade. The 'likely' pedestrian crossing point on the Cross Street is not considered to be overly clear or legible particularly due to the trees and there is likely to be limited visibility of vehicles for pedestrians (and of pedestrians from vehicles).</p> <p>Please provide plans that detail /show the pedestrian path along Sir Peter Blake Drive and with a clear, legible and direct pedestrian crossing point on Cross Street (that follows the desire line) and that has sufficient visibility.</p> | <p>See Attachment 6.1 – we consider there is adequate visibility. Such details can be reassessed at the time of development.</p> | <p>Missed by AT, follow up with Katrina.</p> | |
| <p>Pedestrian /Walking</p> <p>10. The pedestrian /walking connections within the site are not overly clear from the detail shown on the plans.</p> <p>The footpath on the west side of Cross St has an alignment with all the 90-degree corners (a more appropriate (straighter) continuous accessible path would be along Cross St).</p> <p>The Link St footpath looks to be right next to the road and right on the property line and will result in a reduced pedestrian through route at the vehicle crossing in combination with poor visibility at the vehicle crossing.</p> <p>Please provide plans showing the following:</p> <ul style="list-style-type: none"> • The pedestrian /footpaths within the site and raised pedestrian crossings and demonstrating how these provide for safe, direct and legible pedestrian access; • The revised footpath on the west side of Cross Street; and | <p>The plans are very clear, dedicated pedestrian routes are provided along all street edges and on the boardwalk to the marina edge.</p> <p>The slight deflection of the pedestrian path along Cross Street will create identity, amenity and interest and allow the introduction of well scaled trees to enhance the public realm. Pedestrians will have a very slightly deflected route which will be of interest, it's not necessary to always walk in a straight line especially next of angle parked cars. We do not intend to change the footpath on the west side of Cross Street (actually it's the south side).</p> <p>Link Street is narrow and the footpath on one side is narrow, given the options of the other footpath and the low traffic volumes this is considered a perfectly functional outcome.</p> | <p>Missed by AT, follow up with Katrina.</p> | |

| TABLE B: Non-s92 Matters | Applicant Response | | |
|--|--|---|--|
| <ul style="list-style-type: none"> The Link Street footpath being re-positioned away from the road. <p>The second and third bullet points are suggested changes. The Precinct Plan requires that there are safe facilities for people using the area and pedestrian facilities to provide easy access throughout the site. It is considered that the pedestrian routes and linkages are not that clear and legible and have the potential for pedestrian /vehicle conflicts.</p> | | | |
| <p>Increase in Ferry Service</p> <p>11. The AEE notes on page 18 that there will be a likely increase in the ferry usage and number of services and this is highly likely to arise from the proposed development and section 6.1 of the traffic assessment notes that a large number of peak hour trips are expected to be undertaken by public transport.</p> <p>As the development will directly increase the ferry usage, could it please be clarified how these additional trips will be funded?</p> | <p>It is not the responsibility of the land owner and developer to fund additional ferry trips/services, but the presence of the development will likely increase the usage of the ferry, which rarely runs at capacity.</p> | <p>Missed by AT, follow up with Katrina.</p> | |
| <p>Car and Boat Trailer Parking</p> <p>12. We have reviewed the comments from Kate Brill of Abley dated 24 March 2021 and agree with points raised about carparking under points 5 above and support the request to consider re-locating the car and trailer boat parking.</p> <p>AT would be unlikely to support the current position of the car and boat trailer parking as it likely to obstruct / restrict bus access along Sir Peter Blake Drive and within the site.</p> | <p>The location and accessibility of the car and boat trailer parking spaces is discussed in the Stantec Transportation Assessment included in the AEE (Section 5.3.1).</p> <p>The proposed car and trailer parking spaces, including their location, are considered to be appropriate based on the provisions of the Precinct plan.</p> | <p>Missed by AT, follow up with Katrina.</p> | |
| <p>Visitor Parking</p> <p>13. The number of visitor car parking spaces on site for the café/office/visitors is quite limited and while compliant with the AUP the parking demand is likely to be higher than the 26 spaces provided, and AT agree with point 6 above and would support allocation of some of the parking spaces for the berth holders being to the commercial uses.</p> <p>Please clarify how / where any additional visitors to the development will park if there is not sufficient space on site and detail the impact that this may have on street parking.</p> | <p>The proposal complies with the AUP parking requirements.</p> | <p>Missed by AT, follow up with Katrina.</p> | |
| <p>Urban Design – John Steinberg</p> | | | |
| <p>14. Policy I504.3 (2) requires new buildings to be located and designed to that they (a) visually appropriate for a maritime environment and are designed to reflect the maritime location.</p> <p>This seeks the design of buildings to have an apparent visual response to their external design and appearance that is appropriate for a maritime environment and that reflects the maritime location. That location includes inferences to maritime activities of the sea or related to the sea and commonly would be interpreted to</p> | <p>As response to identical statement in Table A.</p> | <p>Repeated from Table A above.</p> <p>‘Maritime Environment’</p> <p>Explanation has been provided, there remain concerns which are not easily resolved. However, I am relatively supportive of the approach taken and believe (and it’s only a belief) that the community would warm to the finer grain expression and the individual qualities of the</p> | |

| TABLE B: Non-s92 Matters | Applicant Response | | |
|---|--|---|--|
| <p>include built forms, design elements and materials located historically in maritime locations, this location and extend to Maori references to their maritime activities.</p> <p>Such a response is sought to retain some of the character of the activities and uses associated with the site, but also help to mitigate the effects of a strong residential character dominating the precinct.</p> <p>This is a significant issue as the long-standing community interest in the site as a place of recreation and open space enjoyment and involvement in maritime activities, relating overtime with a range of buildings has to be considered in communicating a maritime architectural approach which speaks to the community, rather than an elite design profession.</p> <p>“Maritime” relates to the sea, of the sea and is used most frequently to describe navigation, activities associated with commerce of the sea, its supporting maritime activities, shipping, boating, seafaring, and supporting land-based infrastructure enabling access and trade.</p> <p><u>Terrace Architecture</u></p> <p>The urban design report suggests a narrowing down of the response as the marina has few contextual references (2.2-2.4) other than weathering and timber clad buildings in the vicinity, and states there are few relevant cues for contextual relationship beyond the variation between individual houses. In effect constructing an approach to ‘slip the moorings’ and have no fundamental approach to maritime design.</p> <p>The approach to design provided by the guidelines (G3.2) do not deal with the maritime character but reference is made to ‘intended coastal urban character’ delivered by a variety of means, covered in guidance provisions (a) to (e). These appear generic at best and part of any design brief for ‘anywhere’ development. G4.1 defines some anticipated materials as a response, but I could copy a single terrace from 6 different developments in Hobsonville to satisfy these requirements which reinforces the lack of clarity around design outcomes for this site. Interestingly neither container, nor long-iron roofing is considered appropriate.</p> <p><u>Apartment Building Architecture</u></p> <p>These buildings have not been through any formal design review process (design committee), and design guidelines do not cover these building. However, these buildings also provide a significant visual contribution to the most public of open spaces in the development and should be exemplars of an understandable maritime architectural response.</p> | <p>See response to the same text made in Table A above.</p> <p>See response to the same text made in Table A above.</p> <p>See response to the same text made in Table A above.</p> <p>Disagree. Sections 2.2-2.4 identifies the characteristics of the contexts of existing marina buildings, Bayswater residential, and Northshore waterfront, with the implication that none of these contexts offer strong contextual cues for new terraced housing at Bayswater Marina.</p> <p>Meetings being held with Council officers and UDC to discuss urban design.</p> | <p>units, and such an approach would reduce the implicit ownership and dominance of the site and public realm by the development, which by contrast could be exacerbated by a large comprehensively designed apartment complex.</p> <p>The explanation provided is rather self-serving, with modest claims to a maritime building response and cliched use of architectural and design jargon. Perhaps more robust consideration of the public views of maritime design could have been canvassed when a Local Board & Bayswater Community Committee initiative to get feedback from the public to explore the future use of the marina land was commissioned in 2018, a missed opportunity. There remain consenting hurdles.</p> <ul style="list-style-type: none"> - Maritime activities are not the subject of policy I504.3 it is only the buildings - Objective I504.2 seeks an outcome of a comprehensively and integrated development, and as stated in the S92 response town houses are individually designed in contrast! page 20, 5 dash 4. <p>I will have to present these aspects in my report.</p> | |

| TABLE B: Non-s92 Matters | Applicant Response | | |
|--|---|--|--|
| <p>The proposed elevations and designs represent an efficient orthogonal layout with rendered concrete panel finishes as the elevations show below.</p>  <p>Fig 3: Apartment Elevations RC450, 460 & 472</p> <p>There appear no references to the maritime location, the eroded stone exposed on the cliffs represent terrestrial processes of sedimentation and geological compression, and their exposure as often a result of slip planes, a major problem with cliff structures on the North Shore. In the end it was the colour which was chosen (4.5 urban design report) not the material. Other references are made to the white cliff top mansions, although not given any significant weight in sections 2.2-2.4 in the urban design report, and it is difficult to see how the warn ‘seaside’ architecture of boards, timber linings and concrete manifests itself to provide a reasonable reference to this maritime setting.</p> <p>The architecture and building design will need to communicate a maritime architectural response sufficiently understood by the public as the current designs may appear to the public akin to the emperor’s new clothes. The somewhat imperceivable architectural response is referenced as a ‘sophisticated response’, subtle may be, but sophisticated seems more about stamping an elite professional view that designers can understand it, and that design is a matter that they alone will appreciate.</p> <p>At a personal level a development reflecting Italian village or a new urbanist approach such as Seaside have equal validity, however the requirement remains to provide designs that the public can distinguish as having reference to the maritime location. Getting this right is hard, and time constraints may have resulted in a pragmatic approach relying on previous work, however this aspect needs to be reworked in a convincing manner.</p> | <p>See response to the same text made in Table A above.</p> <p>See response to the same text made in Table A above.</p> | | |
| <p>15. Guidelines</p> <p>The guidelines should in essence create a design brief for the terrace unit developments, however it is interesting that G3.2 Architectural Character focuses on an intended “coastal urban character”, then explains what that may mean by references to the generosity of windows, variation needs, projections, human scale, materials and colour. While style (whatever that means) should not overtly reference other places.</p> | <p>See response to the same text made in Table A above.</p> | | |

| TABLE B: Non-s92 Matters | Applicant Response | | |
|---|---|---|---|
| <p>The guidelines on reference to ‘maritime’ as an aspect of design relates to “colours and materials...that assist in achieving and maintaining a maritime village character”. This whole issue should be explored more fully with the AUDP.</p> <p>Planner Note: I have queried the above with John and he has confirmed that the ADO has determined that the proposed DM and masterplan should go back to the ADRP either the quick panel or the full panel. If you want to discuss this further then please contact John direct.</p> | | | |
| <p>16. Alternative Typologies</p> <p>There seems to be an overabundance of terrace housing, and consideration should be given to introducing walk-up apartment typology to offer a wider tenure and social mix. Possible locations could be sites that front Cross Street and the southern park.</p>  <p>Fig 6: Possible location of walk-up typologies</p> | <p>This has been discussed with Council’s urban designer at a recent meeting and his advice noted. We will give further consideration to this advice as we move through the consenting process.</p> | | |
| <p>17. Southern Park</p> <p>The design of the southern park strongly pushes public to the boardwalk edge, and the path and lack of public facility acts to capture the open space in favour of the residents. Such a design would tend to support the rise of tensions between public use and residents. These considerations need to be resolved for this public space.</p> | <p>From an urban design perspective: The spatial subdivision here arises from the Unitary Plan imperative to retain existing trees. These define an open water edge, and a sheltered and more enclosed inner green open space. While that create a spatial division it also maintains some of the existing character of the place and the sense of establishment arising from mature trees here.</p> <p>There are also two public routes here. The desire line to and from the ferry terminal will be along the water edge. This is</p> | <p>I appreciate the changes made with the introduction of seating in the sheltered setbacks along the eastern frontage. However, this space is sized to meet the open space needs of the whole site, and support a range of activities that would be associated with lookouts in coastal locations. I consider seating and the odd table be intercluded to allow the less ambulant (49% of new Zealanders over 60 have mobility problems) to be able to sit and eat their lunch or morning tea in this park environment. Such facilities could also assist food and beverage tenancies as over spill options for customers and places for those employed on site to eat and relax away. It is suggested that the following locations could be useful, however the landscape architect should develop their own rational for their location.</p> | <p>Final design can be conditioned, or applicant could choose to amend post notification. Position to be confirmed prior to specialist memo post notification/ submissions.</p> |

| TABLE B: Non-s92 Matters | Applicant Response | | |
|--|---|---|--|
|  <p>Fig 7: Illustrates how the public is pushed to the edge and large parts of the public space are disproportional captured by residents for their amenity.</p> | <p>complemented by what is overtly a public footpath along the edge of the buildings which also provides access to the front doors here.</p> <p>That public footpath access to the front door is also desirable for edge activation. It will result in connection between the public and private realms, which is desirable, rather than 'capture' which is not.</p> <p>Note: see the modified Landscape Package revision (Attachment 6.1) which also has a modified footpath leading towards the ferry terminal across South Park, as shown on all relevant plans.</p> |  | |