

From: [Mark Benjamin](#)
To: [Bradley Peens](#)
Cc: [Aoife Mac Sharry](#); [Tom Guernier](#)
Subject: 538 K Road - comment on PC79
Date: Tuesday, 10 September 2024 1:48:33 pm
Attachments: [image001.png](#)
Importance: High

Hi Bradley,

We have reviewed the proposal at 538 K Road against the PC79 decision and confirm that the only additional consenting matter for this application is non-compliance with the new requirement for onsite accessible parking spaces.

New standard E27.6.3.2(A) requires (in this case) that accessible parking be provided on site at a ratio determined via the formula and table in E27.6.3.2(A)(4)(i). The formula requires a calculation of the theoretical parking demand, based activity types and GFA using the Parking Demand Guidelines in Appendix 23, and then applying the higher of either this calculated number, or the physical number of parking spaces provided in the proposal, to Table 1 to confirm the number of accessible spaces required.

In this case the Appendix 23 calculations are:

Activity	Appendix 23 Ratio (GFA m ² per 1 parking space demand)	GFA Area Proposed m ²	Theoretical Parking Demand
Offices	45	8715	193.7
Retail (including F+B)	25	1705	68.2
Total			262

Applying the total of 262 (being higher than the 48 parking spaces proposed) results in a total of 7 space being required according to Table 1.

In regard to this it is noted that the City Centre has a maximum parking rate of 1 per 200m² GFA which in this case is 52 spaces. This plan limit is 20% of the theoretical demand. 20% of the 7 space requirement is 1.4 spaces so the ratio of provision is consistent (2 spaces are proposed).

However, as only two accessible spaces are provided on site this is a technical shortfall of five spaces and falls to be considered as a restricted discretionary activity under Table E27.4.1 (A1) for an activity which does not meet the parking standards.

Relevant Matters of Discretion and Assessment Criteria are set out below:

E27.8.1(5A) any activity or development that provides less than the required number of accessible parking spaces under Standard E27.6.2(a) E27.6.3.2(A):

- (a) adequacy for the site and the proposal;*
- (b) site limitations;*
- (c) effects on the transport network; and*
- (d) alternative proposals for accessible parking.*

E27.8.2

(4A) any activity or development that provides less than the required number of accessible parking spaces under Standard E27.6.3.2.(A):

- (a) the trip characteristics of the proposed activities on the site requiring accessible parking spaces;*
- (b) the extent to which it is physically practicable to provide the required accessible parking spaces on the site including in terms of the existing location of buildings, the type of the existing building(s) site dimensions, topography and the availability of access to the road;*
- (c) the availability and capacity of alternative accessible parking in the immediate vicinity, including on street and other public accessible car parking, with an accessible route to and from the building designed in accordance with New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001), to provide the additional parking sought for the proposal;*
- (d) mitigation measures to provide accessible parking which may include measures such as by entering into a shared accessible parking arrangement with another site or sites in the immediate vicinity*
- (e) the availability of alternatives to private vehicle trips in the immediate vicinity with access to public transport by an accessible route designed in accordance with New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001) and a maximum distance of 200m.*

In terms of the above assessment criteria the following is noted:

- The decision on this plan change has come at a late stage in the design of the proposal which was designed in accordance with the Building Code accessible parking requirements.
- The ability to provide additional on-site accessible parking is therefore limited.
- There is an existing on street accessible space on Karangahape Road some 50m from the site.
- The site has excellent public transport accessibility within the 200m distance noted.

- The calculation of accessible spaces required seems flawed in light of the maximum parking limits for the site / City Centre Zone.
- The appeal period for PC79 remains open and we understand that a number of appeals are likely – this limits the weight to be placed on these provisions.

On that basis the provision of accessible parking is considered to be acceptable.

Regards,
Mark Benjamin



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