

To: Waitemata Local Board
Email: To all board members
From: George Bell, Planner
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Date: 14 June 2024

CONSULTATION WITH LOCAL BOARD PLANNING SPOKESPERSON ON A RESTRICTED-DISCRETIONARY APPLICATION FOR MODIFICATIONS TO A FOOTPATH WITHIN THE KARANGAHAPE ROAD HISTORIC HERITAGE AREA

Auckland Council has received a restricted-discretionary resource consent application for a new public amenity building (toilet block) on Mercury Lane as part of the wider street renewal works for the proposed Karangahape railway station. This new building involves the modifications of the existing footpath which is considered a 'feature' within the Karangahape Road Historic Heritage Area. Any application for modifications to a scheduled heritage building/feature trigger the need for local board input.

A copy of the application plans and Assessment of Environmental Effects (AEE) are attached. You are invited to make comments on the application in relation to the notification determination. The comments you provide are not a determination but are to be taken into account by the Council Planning Officer and the decision maker.

Date required by: Friday 21 June 2024

Please note that if comments are not received by this date it will be assumed that you do not have any comments regarding this application. Please return this page only by email. My email address is set out above for your information.

STREET ADDRESS: 238 Karangahape Road, Newton 1010

APPLICATION NUMBER: LUC60433218

Comments

The local board supports the proposal, noting that the business association has long called for a toilet in this area because the lack of one has not been optimal for local sanitation. The installation of this toilet has been well consulted upon and the proposal has been refined to take a variety of views into account, including heritage teams, local residents, and the siting seems to be in the best location that it can be. The proposal to use a robust tried and tested toilet design that cannot be locked indefinitely also seems sensible. While not accessible, the gradient of the road makes delivering accessibility highly challenging and the board notes there will be an accessible bathroom not far away.

Signature: AB
Local Board Planning Spokesperson

Date: 26 June 24

Other Local Board Members Consulted: All emailed (no response) Date: 17 June 24

Local Board Guidelines

The notification decision relates purely to adverse effects on the environment and people.

Summary of Section 95 – Notification

Please note this is not an extract from the Resource Management Act, but a guide to provide understanding and context.

- *Public notification – Anybody can make a submission on the application, with a public notice placed in the written media and local residents receiving copies of the application.*
- *Limited notification – Specific sites/persons are considered adversely affected and only these owners/occupiers can make submissions.*
- *Non-notification – No third party can make a submission on the application.*

When considering public (full) notification, only the adverse effects on the environment can be considered. Council, however;

- 1. must disregard adverse effects on persons who own or occupy the subject site or land adjacent to the subject site.*
- 1. may disregard adverse effects if a rule permits an activity with that effect.*
- 2. must disregard trade competition effects.*
- 3. must disregard any effect on a person who has provided their written approval.*

If Council does not publicly notify an application, it must decide whether there are any adversely affected persons (limited notification). Council, however;

- 1. may disregard adverse effects if a rule permits an activity with that effect.*
- 1. must disregard any effect on a person who has provided their written approval.*

Comments

Therefore, when considering the above, your comments should ideally be limited to what adverse effects you think may occur from a particular proposal and why you think these adverse effects might occur. As Local Board representatives, you often have local knowledge which can be of benefit. Some examples:

I am concerned about traffic effects as vehicles often undertake U-turns at the traffic lights outside the subject site.

Or

I think the bulk and design of the additions really complement the existing building and match the character of the surrounding town centre. Therefore, I feel there are no adverse effects.

Issues such as general community concern or interest, and the right to public participation are not valid reasons under Section 95 to notify resource consent applications.