

■ **Annexure 5**

Minutes for Pre-Application  
Meeting PRR00035676

Auckland Council, 6  
November 2020

## Pre-Application Consenting Memo

<b>Pre-Application No. PRR00035676</b>	
<b>Customer</b>	Body Corporate 183777 c/- Haines Planning Limited
<b>Site address</b>	31 Day Street, Auckland Central
<b>Proposal</b>	Recladding of existing apartment building with other external alterations, involving building work above the maximum height, volcanic viewshaft plane and road reserve encroachment.

*Please note that there may be hyperlinks throughout the memo which are underlined. Please click on the highlighted text for further information.*

Resource Management Documents		
<b>Auckland Unitary Plan (Operative in Part) (AUP (OP))</b>	<b>Zoning</b>	Business - City Centre Zone
	<b>Precinct</b>	City Centre Residential Precinct
	<b>Overlays</b>	Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - E16, Mount Eden, Viewshafts Historic Heritage Overlay Extent of Place [rcp/dp] - 2739, Karangahape Road Historic Heritage Area
	<b>Controls</b>	Macroinvertebrate Community Index - Urban
	<b>Designations</b>	N/A
	<b>Appeals</b>	N/A
<b>Regional Plans</b>	N/A	
<b>National Environmental Standards</b>	N/A	
<b>National Policy Statements</b>	N/A	
<b>Other Relevant Acts</b>	N/A	
<b>Statutory Acknowledgement Areas</b>	N/A	

Property Information	
<b>Legal Description</b>	AU 16 UP 183777, AU 17 UP 183777, Unit 11A UP 183777
<b>Certificate of Title</b>	This has not been viewed, so there may be easements, building line restrictions and other restrictions that need to be taken into account in preparing any development proposal. If the title is 'limited as to parcels',

	you may need to get this surveyed, particularly where some of the controls, are reliant on accuracy being insured.
<b>Relevant Consenting History (similar applications)</b>	<p><b>LUC60339260 (135 Hobson Street):</b> To undertake remediation works to an existing thirteen-storey building to resolve weather tightness issues, including the enclosure of the existing balconies through a new curtain wall system and replacement of the existing building parapet.</p> <p><b>LUC60304100 (1 Greys Avenue):</b> To reconstruct and increase the extent of the existing machine room and plant room on the roof of the Civic Administration Building, and install a new external mesh mechanical riser and windows on the south elevation of the building (Stage 1A).</p>

**Locality Plan**



Site constraints Type	Y	N	Site constraints Type	Y	N
(Potential) Contaminated Land	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Erosion	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land Instability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Coastal Storm Inundation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floodplain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Storm Inundation (plus 1m sea level rise)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Overland flow paths	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cultural Heritage Inventory	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(ephemeral/intermittent/permanent stream)					
Flood Sensitive	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Combined Network	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arterial Roads	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Building Frontage Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vehicle Access Restriction Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geology (rock breaking)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Meeting Record

Meeting Record	
<b>Date and Time</b>	22 October 2020 at 2.30pm
<b>Council Officers</b>	Karen Long (KL) – Team Leader, City Centre Team Sarah Wong (SW) – Intermediate Planner, City Centre Team Matt Riley (MR) – Consultant Urban Designer, Auckland Design Office Noel Luzzi (NL) – Built Heritage Specialist, Built Heritage Implementation Team Francis Doesburg (FD) – Development Planner, Auckland Transport Christina Hibbard (CH) – Senior Building Surveyor, Building Control
<b>Customer</b>	Cameron Browne – Planner, Haines Planning Barry Brown – Structural specialist, Fraser Thomas Ltd Leonard Low – Façade specialist, Babbage Roger Morrison – Architect, Morrison Architects Quintin Yallup – Architect, Morrison Architects Dimitar Penchev – Architect, Morrison Architects Martyn Cleary - Project Manager, Quantum Val Isted - Applicant, Body Corporate representative
<b>Additional Information provided at meeting</b>	Concept plans and elevations were circulated prior to and tabled at the meeting.

Relevant matters	
<b>Planning</b>	<ul style="list-style-type: none"> <li>• A full building overclad is proposed as part of the building’s remediation works, with new aluminium cladding to be erected over the existing concrete panels.</li> <li>• The balconies along the north and south elevations will be enclosed, with a new curtain wall structure proposed. The existing lift motor room on the top level will also be reconstructed.</li> <li>• Confirmation on whether the proposal complies with the AUP (OP)’s glare standard under H8.6.29 should be provided.</li> </ul>

	<p><b>Gross Floor Area (GFA) and Floor Area Ratio (FAR)</b></p> <ul style="list-style-type: none"> <li>• The enclosure of the balconies will increase the overall GFA of the building, with approximately 6-10m<sup>2</sup> per unit proposed (depending on the unit’s location).</li> <li>• As a result, the building’s FAR will be increased to 4.819:1 – this exceeds the site’s Basic FAR (4:1) but is less than the Maximum Total FAR (6:1). No issues in relation to the Basic FAR exceedance were raised.</li> <li>• The application should confirm whether any bonus FAR elements will be utilised to help bridge the gap between the Basic FAR and the proposed FAR.</li> </ul> <p><b>Building height</b></p> <ul style="list-style-type: none"> <li>• The applicant notes that proposal will exceed both the site’s 35m general height limit, and the height limits set by the E16 Volcanic Viewshaft across the site.</li> <li>• <u>Post-meeting note:</u> Standard H8.6.2(2) of the AUP (OP) states that <i>“where height limits shown on Map H8.11.3 and Map H8.11.4 overlap, the lowest height limit applies as the first level of control.”</i> The volcanic viewshaft height is the lower height limit in this instance.</li> <li>• A shading analysis showing the degree of shading generated by the existing and proposed building should be provided, to demonstrate the degree of shading generated by the additional building bulk/ height. MR noted that a model showing the building and its shading effect on the face of the building on the adjacent sites would be acceptable. The shading diagrams should show the building at the same times of the year (solstice and equinoxes) and the differences in shading – these can be done on the same diagram.</li> </ul> <p><b>Volcanic viewshaft infringement</b></p> <ul style="list-style-type: none"> <li>• Having regard to <a href="#">Appendix 20</a> of the AUP (OP) (Volcanic Viewshafts and Height Sensitive Areas – Values Assessments), a landscape visual assessment and an assessment of the effects on the maunga should be provided as part of the application.</li> <li>• A consent condition requiring the provision of a surveyor’s certificate at roof framing stage should be proffered at the time of lodgement of the application. This condition has been offered and accepted by both Council and submitters in similar applications which infringed the volcanic viewshaft (refer relevant consenting history.)</li> <li>• As noted by the applicant, although some parts of the reconstructed lift room will be higher than existing, the overall area</li> </ul>
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	<p>of the proposed infringement into the volcanic viewshaft is less than the existing infringement. This reasoning for the proposed infringement should be clearly noted in the application.</p> <ul style="list-style-type: none"> <li>• Rule D14.5(1)(a) states that any resource consent applications for buildings not otherwise provided for that infringe the regionally significant volcanic viewshaft (Rule D14.4.1(A6)) must be publicly notified. Should the applicant wish to present a different argument on why the proposal does not require public notification under Rule D14.5(1)(a), the applicant is advised to present a legal opinion for council’s consideration.</li> <li>• If no submissions are received during the submissions period or the applicant/ submitters do not wish to be heard, a hearing may not be required.</li> <li>• <u>Post-meeting note:</u> The timeframes for a publicly notified application and the relevant RMA sections are as follows:</li> </ul> <table border="1" data-bbox="544 965 1287 1227"> <thead> <tr> <th>Section</th> <th>Timeframe</th> </tr> </thead> <tbody> <tr> <td>95</td> <td>20 working days to make the notification decision</td> </tr> <tr> <td>97</td> <td>20 working days for submissions</td> </tr> <tr> <td>103A</td> <td>75 working days to complete the hearing</td> </tr> <tr> <td>115</td> <td>15 working days for a decision to be issued</td> </tr> <tr> <td><b>Total</b></td> <td><b>130 working days</b></td> </tr> </tbody> </table>	Section	Timeframe	95	20 working days to make the notification decision	97	20 working days for submissions	103A	75 working days to complete the hearing	115	15 working days for a decision to be issued	<b>Total</b>	<b>130 working days</b>
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<p><b>Urban Design matters</b></p>	<ul style="list-style-type: none"> <li>• No issues were raised in relation to the proposed building cladding, design and aesthetics from an urban design perspective, given the nature of the proposal and its location on Day Street.</li> <li>• There is some loss of articulation, as seen on the building’s Day Street side, through the enclosure of the balconies. For this reason, the projection into the AT owned airspace is good, as it retains some modulation of the façade.</li> <li>• The applicant clarified that, as indicated on the draft north and south elevations, the full height windows for some enclosed balcony spaces will slide open, with a safety railing behind. From a practical point of view, the enclosure of the balconies with the retention of full height glazed opening panels for some balconies is supported, as this gives more useable space to the reasonably small existing apartments, while retaining a connection with the outside environment.</li> <li>• No issues were raised in relation to the loss of landscaping planter beds at ground level on the Day Street side. This is subject to a revised approach to the height/ design of the wall which is proposed to replace the landscaping beds. This should achieve better intervisibility with the street, e.g. through the use of more</li> </ul>												



	<p>visually permeable materials – particularly at the upper part of the wall – in order to avoid a ‘walled off’ effect and contribute to an attractive street environment. It was acknowledged that the design approach to this will need to balance privacy for these ground floor units with passive surveillance over the street.</p> <ul style="list-style-type: none"> <li>• The ground floor units have two entries - direct access to the street via stairs and from inside the foyer. Consideration might be given to removing the external stairs/ entry for each ground floor unit and replacing them with extended balconies instead, with the foyer access maintained. MR considers that while direct access to ground floor apartments is often desirable, within the short street frontage of this site, they are not an imperative. The space they take up might be better utilised for the private outdoor space of the adjoining units. Taking up this opportunity would be subject to an appropriate design response that, as per the previous bullet point, balances/achieves passive surveillance, privacy, and attractive street environment outcomes.</li> <li>• The changes to the roof massing in terms of its projection through the max height / volcanic viewshaft do not raise any urban design issues.</li> <li>• In terms of the southern elevation – no issues were raised in relation to this from an urban design perspective, given the building’s limited views from Karangahape Road.</li> </ul>
<p><b>Heritage</b></p>	<ul style="list-style-type: none"> <li>• The existing building has been identified in the AUP (OP)’s Historic Heritage Schedule as a non-contributing site within the Karangahape Road Historic Heritage Area (HHA) (ID 02739).</li> <li>• The traditional architectural pattern of the Karangahape Road HHA shows horizontal (and vertical) partitions, moulding (pilasters, cornices, facings) and a bright colour panel, which the existing building is generally consistent with.</li> <li>• The proposed cladding will be more vertically arranged, and will flatten the existing building (this currently has external balconies and bands). A dark colour also appears to be proposed.</li> <li>• NL noted that based on the plans provided and at this stage, it is understood that the proposed new cladding will generally not erode the overall significance of the HHA. However, an assessment of the effect of the proposed new cladding on the Karangahape Road HHA context, and its interaction with the surrounding buildings should be provided as part of the application.</li> </ul>

	<ul style="list-style-type: none"> <li>• It is recommended the applicant provide a comprehensive colour scheme (addressing the Karangahape Road HHA context) with the application.</li> <li>• The applicant should also provide a realistic view from Karangahape Road showing the proposed building amendments within its surrounding context.</li> <li>• NL noted that a HIA may not be required, if the building and its surrounding context are adequately assessed in the AEE.</li> </ul>
<p><b>Auckland Transport</b></p>	<ul style="list-style-type: none"> <li>• Airspace encroachments for building facades require an encroachment licence. Apply here: <a href="https://at.govt.nz/about-us/working-on-the-road/road-processes-for-property-owners/road-encroachment-licences-or-leases/">https://at.govt.nz/about-us/working-on-the-road/road-processes-for-property-owners/road-encroachment-licences-or-leases/</a></li> <li>• It was noted that AT would accept an application prior to issuing of resource consent and that on reviewing the proposal no initial concerns were identified.</li> <li>• Some standards that AT would need to see met:             <ul style="list-style-type: none"> <li>○ Minimum clearance of encroaching structure above road surface / footpath: 3m</li> <li>○ Minimum clearance of openable portions of windows above road surface / footpath: 2.5m</li> <li>○ Minimum footpath width as specified by AT: 1.8m</li> </ul> </li> <li>• Any ornamental façade features attract ongoing licence rental and engineering inspections. See section 5 of the following guidance document or make further inquiries on this matter during the application process: <a href="https://at.govt.nz/media/imported/4552/Road%20Surface-Airspace-and-Subsoil-Encroachment-Policy-180113.pdf">https://at.govt.nz/media/imported/4552/Road%20Surface-Airspace-and-Subsoil-Encroachment-Policy-180113.pdf</a></li> </ul>
<p><b>Building control matters</b></p>	<ul style="list-style-type: none"> <li>• A separate pre-application meeting between the applicant and Council’s Building Control team was held in February 2020. CH noted that the overcladding and painting have since been amended, with the proposal now introducing enclosed balconies.</li> <li>• No issues were raised in relation to the applicant’s PS1 and PS2 approaches; with the applicant noting that further assessments on the building’s membrane will be provided by their specialists as part of the building consent documents.</li> <li>• The applicant noted that their structural specialist will have a technical discussion with Justin de Silva, Council’s structural engineer, in relation to specific structural matters.</li> </ul>



	<ul style="list-style-type: none"> <li>• A separate pre-application between Building Control and the applicant should be held in relation to the producers statement approach changes.</li> </ul>
<b>General Noise matters</b>	<ul style="list-style-type: none"> <li>• A noise report will be required as part of the application, as the enclosure of the balconies will create new noise sensitive spaces within the building.</li> <li>• The application should confirm whether the proposed development will be able to comply with the relevant noise standards, or whether consent is required.</li> <li>• The building’s existing noise situation would be taken into account when considering any noise infringements – Council noted that previous reclad applications have had infringements to the AUP (OP)’s internal noise standards due to their existing building construction.</li> </ul>

**Important Information**

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

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

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

To the extent permissible by law, the council expressly disclaims any liability to the applicant (under the theory of law including negligence) in relation to the pre-application process. The council acknowledges that the confidential nature of pre-application meetings is important to encourage future applicants to engage with the council and attend pre-application meetings. By attending a pre-application meeting, both parties expect that the meetings are held in confidence and the intention is that the associated information that is provided to the council at these meetings, and the meeting minutes, will remain confidential. However, under the Local Government Official Information and Meetings Act 1987 any person may request any information that is held by the council. There is a presumption that information is made available unless there is good reason for withholding it, which is not outweighed by the public interest in making the information available. This is assessed on a case by case basis.

All consent applications become public information once lodged with council. Please note that council compiles, on a weekly basis, summaries of lodged resource consent applications and distributes

these summaries to all local boards and all mana whenua groups in the Auckland region. Local boards and mana whenua groups then have an opportunity to seek further details of applications and provide comment for council to take into account.

**Prepared by:**

Name: Sarah Wong  
Title: Intermediate Planner, Resource Consents  
Signed:



Date: 5/11/2020

**Reviewed by:**

Name: Karen Long  
Title: Team Leader, Resource Consents  
Signed:



Date: 6/11/2020