

Report

Assessment of Environmental Effects to Support a Notice of Requirement for Community Facilities at Oneroa, Waiheke Island

Prepared for Auckland City Council (Client)

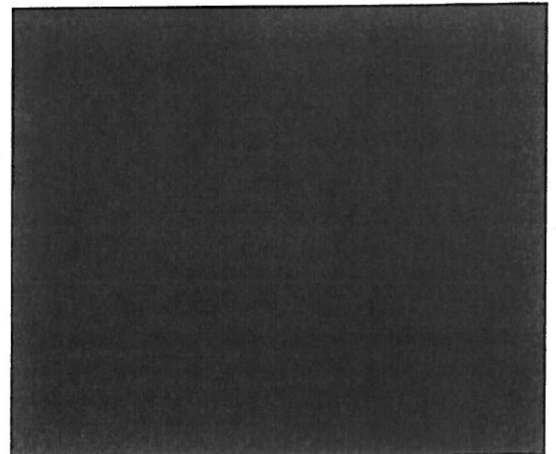
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March 2010



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Revision History

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Document Acceptance

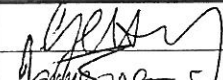

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1 Introduction

Auckland City Council has commissioned Beca Carter Hollings & Ferner (Beca) to prepare the following Assessment of Environmental Effects report in support of the Notice of Requirement (NoR) to be issued by Auckland City Council (Council). The NoR proposes to designate land for *community facilities* on the corner of Korora Road and Ocean View Road within Oneroa Township, Waiheke Island.

This report addresses the following matters:

- The necessity for the designation for achieving the objectives of the requiring authority;
- The nature of the work;
- The site to which the requirement applies;
- The nature of the proposed restrictions that would apply;
- Alternative sites and methods that have been considered;
- The effects that the project will have on the environment and the ways in which any actual or potential adverse effects will be mitigated; and
- The consultation undertaken with parties who are likely to be affected.

In addition, a statutory assessment is provided and includes consideration of:

- The Resource Management Act 1991 (RMA);
- The Auckland Regional Policy Statement (RPS); and
- The Operative Auckland City District Plan: Hauraki Gulf Islands (Operative 1996)
- The Proposed Auckland City District Plan: Hauraki Gulf Islands (Decision version 2009)

2 Overview of Designation

2.1 Requiring Authority Status

Auckland City Council is a requiring authority under section 166 of the RMA. Auckland City Council (in its regulatory capacity) has been given notice of this NoR under section 168A of the RMA.

2.2 Requirement

Auckland City Council has given notice of a requirement for a designation of land for *community facilities*.

For this designation *Community Facilities* means:

land or buildings used for community or public use, including places used for the gathering of people for recreation, worship, cultural and spiritual instruction and deliberation, public halls and libraries.

For the avoidance of doubt, buildings for public use under this designation include service centres providing Council functions, and ancillary office space. In addition, buildings used for public use

office places for administration

would include those for the core arts and cultural facilities at Artworks, as listed in the Artworks¹ Strategic Plan, specifically the:

- Waiheke Community Art Gallery
- The Artworks Community Theatre
- Waiheke Island Community Cinema
- Waiheke Musical Museum

The term Community Facilities does not include any of the following (with the exception of those activities lawfully established at the time that this NoR was served): entertainment facilities, healthcare facilities, restaurants, cafes and other eating places².

A plan showing the land affected by the designation is attached to the Notice of Requirement and in Appendix A to this report. All of this land is owned by Auckland City Council.

2.3 Project Necessity

Section 168(A)(3)(c) of the RMA specifies that one of the matters to which particular regard must be given, when considering a NoR is 'whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought'.

2.3.1 Project Objectives

The Council's project objectives are:

- 1) To provide a new co-located community library and service centre in Oneroa adjacent to Artworks (2 Korora Road) which will provide the space and facilities necessary to deliver a cost effective and high quality service for Library and Service Centre customers.*
- 2) To provide for the future development of community facilities on the wider Artworks site in an integrated manner*

2.3.2 Nature of Restrictions that will apply to the land

The land required will be used for the construction, operation and maintenance of community facilities in general accordance with this Notice of Requirement. The presence of the designation will limit activities that could hinder the construction, operation or maintenance of these community facilities.

2.3.3 Rationale for the Project

a. Background – Artworks site

Waiheke Artworks is located on the corner of Korora Road and Ocean View Road in Oneroa and was developed by the Waiheke community in 1991 as an arts centre for Waiheke Island. Following

¹ The use of the term 'Artworks' within this document refers both physically to the land and buildings of the Artworks site, and to the combined activities which make Artworks an arts and cultural centre. The term 'Artworks' does not refer to any particular individual tenant or activity on the site.

² The underlying zoning of the site will remain and applications for other uses (such as cafes etc) would be subject to the provisions of the District Plan and resource consents could be sought, if required.

an approach from the Waiheke Artworks Charitable Trust the Auckland City Council purchased the Artworks site and buildings in 2003 to ensure the continuance of the arts and cultural activities provided at Artworks. Additional adjacent land fronting Ocean View Road was purchased in 2007 to enable the library development option on the site.

The 'Artworks' site is occupied by arts and cultural activities (discussed further in section 4 of this report) including the present Waiheke library. The Auckland City Council service centre is currently located on Belgium Street in the suburb of Ostend.

b. Background – Need for improved facilities

A Library needs assessment carried out by Longdill and Associates in May 2003 confirmed that the existing Waiheke library facility at the above Artwork site fails to meet the needs of current library users and staff. Similarly, it was also determined in the Longdill and Associates Report that the Waiheke service centre, described above is now inadequate for the needs of Waiheke Island residents and staff.

Both the existing Artwork and Service Centre sites were also deemed to have spatial constraints, poor building conditions and inadequate accessibility. Accordingly, these sites do not currently operate in an efficient manner. The Artworks site buildings have been adapted from their previous use as a building supply business to provide for the current activities and therefore they are not entirely suitable for their current use. It is difficult to adequately provide for the current and future community needs and achieve good design outcomes for the entire Artworks site within these existing buildings.

In response to the Longdill report and existing site constraints Council proceeded to investigate site and development options for the future establishment of new library and service centre facilities on Waiheke Island. In August 2006 the Auckland City Council Community Development and Equity Committee approved investigations and consultation to identify a preferred option for redeveloping the Waiheke library and service centre. A two-staged consultation process with the community was undertaken and three development and site options were assessed. Further discussion on this consultation process is included in section 7 of this report and discussion regarding the site selection process and alternatives assessed is provided in section 5 of this report.

Two additional properties adjoining the Artworks site located at 131 and 133 Ocean View Road were purchased by Council in June 2007.

Initially in September 2007 the Council decided that the new Waiheke Library building should be located at Oneroa and a new Waiheke Service Centre located at Ostend. However, due to budget constraints which arose in late 2008 the council subsequently decided to develop the Artworks site and the adjoining properties at 131 and 133 Ocean View Road for a combined library and service centre. The primary drivers for making this decision were to have an integrated development that would act as a gateway to Oneroa whilst achieving cost efficiencies in terms of development and operation.

c. Background – Designating the site

Designation is considered to be the more appropriate tool for providing for such development for the following reasons:

- To enable Auckland City to have the flexibility to construct, operate and maintain community facilities on the site in accordance with the designation, notwithstanding anything contrary within the relevant District Plan(s), particularly given the provisions of the Operative Plan and the status of the Proposed Plan (as set out below);

- To identify in the District Plan the location and clearly intended use of land for Community Facilities;
- To enable the site to be developed over time in a comprehensive and integrated manner.

d. Auckland City District Plan: Hauraki Gulf Islands

The Auckland City District Plan: Hauraki Gulf Islands (ACDP:HGI) became operative in 1996 and a review process was undertaken that resulted in the Proposed ACDP:HGI being notified in 2006. The Decision version of the Proposed ACDP:HGI was notified in 2009 and is subject to several plan appeals.

A brief discussion regarding the underlying zoning and anticipated activities under both the Operative and decision version of the Proposed ACDP:HGI for the designation area are provided below. These are relevant to this Notice of Requirement in establishing a "baseline" for assessment of the actual and potential effects associated with designating this area. Additionally, the zoning of the sites underlying the designation has altered over the course of the plan review, and therefore change in Council intentions for the area are also reflected in the below discussion.

In summary, the underlying zoning for the designation area under the Operative ACDP:HGI varies between Commercial 1, Retailing, and Traditional Residential. The underlying zoning for the designation area is proposed to be Commercial 1 under the decision version of the Proposed ACDP:HGI. Commercial 1 zoning provides for community facilities as a permitted activity (subject to meeting the development controls). Subsequent to the notification of the decision version of the ACDP:HGI (2009) a number of appeals were lodged with Auckland City Council. None of these appeals challenge the zoning of the proposed designation area or the rezoning of the adjoining properties to the east on Ocean View Road to 'commercial 1'. However, appeals on the proposed plan in its entirety have not yet been resolved and therefore the plan is not yet operative.

This designation is being sought in order to enable Auckland City Council's aspirations for Community Facilities within this area to be realised prior to (and outside of) any certainty provided through the zoning changes when the Proposed ACDP:HGI becomes operative. It is noted that in becoming operative further changes to the decision version as a result of resolving appeals may be made and therefore the current provision to provide for Community Facilities in this area is not guaranteed. The designation will provide this guarantee regardless. A designation is also considered the most appropriate mechanism to provide for new multi purpose community facilities for the reasons outlined in paragraph 5.2 below.

e. ACDP:HGI Operative Plan (1996)

The Auckland City District Plan: Hauraki Gulf Islands (ACDP:HGI) became operative in July 1996. Under this Plan the proposed site has differing zonings. The corner 'Artworks' site which includes 127 and 129 Ocean View Road is zoned Retailing. Community facilities and Visitor facilities are both classified as Discretionary Activities in the Retailing zone. The remaining sites subject to this NoR are zoned Traditional Residential. Community facilities and Visitor facilities are also both classified as Discretionary Activities in the Traditional Residential zone.

f. ACDP:HGI Proposed Plan (Notified Version 2006)

In September 2006 Auckland City Council notified a new District Plan for the Hauraki Gulf Islands. Under the ACDP:HGI (notified 2006 version) the existing Artworks site, located at 2 Korora Road 127, 129 Ocean View Road and the adjoining site to the east at 131 and 133 Ocean View Road are zoned Commercial 1 (Oneroa Village). However, the adjoining site to the north located at 4 Korora Road is zoned Island Residential 1 (Traditional Residential). Under this version of the proposed

plan community facilities, art galleries and museums are permitted activities within the Commercial zone.

g. ACDP:HGI Proposed Plan (Decision Version 2009)

During the submissions period for the Proposed ACDP:HGI (2006), three submissions were received which supported the rezoning of 4 Korora Road from Island Residential 1 to Commercial 1 (Oneroa Village). As presented in the report *'Report and recommendations on submissions to the Auckland City District Plan: Hauraki Gulf Islands Section – Proposed 2006, 27 March 2009'* the Hearing Panel subsequently decided that the above request be confirmed and reflected within the planning maps (specifically map no. 1, sheet 2). Accordingly, the entire subject site is now shown within the Proposed ACDP:HGI (2009) with Commercial 1 (Oneroa Village) zoning.

As noted above there are two whole of plan appeals outstanding on the ACDP: HGI Proposed Plan.

h. Designation Provisions

As discussed above, under the Proposed ACDP:HGI (decision version 2009), the Commercial 1 zone is to underlie the designation area. Analysis (including section 32 analysis) undertaken as part of the District Plan review process, and the decision to rezone some of the underlying sites and other sites along Ocean View Road as commercial, has determined that this rezoning is appropriate at these locations. This analysis has addressed the anticipated effects as a result of the change in land use from Traditional Residential to Commercial 1, and the actual and potential impacts on the local environment. Furthermore, this analysis has determined that providing community facilities as a permitted activity (in accordance with the development controls) within the Commercial 1 zone will generate effects that will be acceptable in this environment.

The designation provides for future development of the site for Community Facilities. Details of what development may occur is not confirmed at this stage (and does not need to be for the NoR process). However, in order to ensure that the actual and potential effects of any future development undertaken in accordance with this designation is within an acceptable limit, it is proposed that this designation adopt the majority of the development controls from the Commercial 1 zone (as provided in the decision version of the Proposed ACDP:HGI). As discussed above, this zoning and its development controls have been analysed as appropriate and acceptable in this environment as part of the District Plan review process. Given this, appropriate conditions are proposed for this designation (see section 9 of this report).

2.3.4 Lapse Period

Pursuant to section 184(A)(2) of the RMA, a designation lapses on the expiry of 5 years after the date on which it is included in the district plan unless the designation specified a different period when incorporated in the Plan.

Auckland City Council proposes an extended lapse period of 10 years for the implementation of this designation. The timeframe for lapsing of the designation is sought because this period provides for sufficient time for Auckland City Council to give effect to the works including detailed design and construction of the community facilities (particularly the library and service centre which are likely to be established in the near future). Additionally it allows for an appropriate margin to address consenting, tendering, funding and construction process issues.