

**Section 95A-95F of the Resource Management Act 1991
Notification Decision Report**

18 February 2025

Service Request No: 555962

File Reference: 1856105

APPLICATION DETAILS

<u>Site Address:</u>	36 Ghuznee Street, Te Aro
<u>Legal Description:</u>	Lot 2 Deposited Plan 79547
<u>Applicant:</u>	First Property Investments Limited C/- Town Planning Group (NZ) Limited
<u>Proposal:</u>	Establishment of a carparking facility
<u>Owners:</u>	Wilson Parking New Zealand Limited
<u>Service Request No:</u>	555962
<u>File Reference:</u>	1856105
<u>Operative District Plan Area:</u>	Central Area
<u>2024 District Plan Area:</u>	City Centre Zone
<u>Notations in 2000 District Plan:</u>	Heritage Areas: Cuba Street Reference #25 Specific Rules: Verandahs and display windows required Hazard Area - Ground Shaking
<u>Notations in 2024 District Plan:</u>	Height Control Area 43.8m Active Frontage Verandah Control Flood Hazard Overlay - Inundation Area Flood Hazard Overlay - Overland Flowpath. Heritage Area: DP reference 27 Moderate Noise Area WIAL1 Designation: Obstacle Limitation Surface (OLS)
<u>Activity Status:</u>	Discretionary (Unrestricted) Activity - District Plan (2000) Discretionary Activity - District Plan (2024)

SITE DESCRIPTION

The applicant's Assessment of Environmental Effects (AEE) includes a description of the site and its immediate surroundings. I consider that this description is accurate, and it should be read in conjunction with this report.

In short, the subject site involves a 1277m² allotment with street frontage along Ghuznee and Leeds Street, Te Aro. The site has been operating as a carpark since 2013 with no permanent buildings located onsite with the exception of a food truck and associated decking located on the northern end of the site.

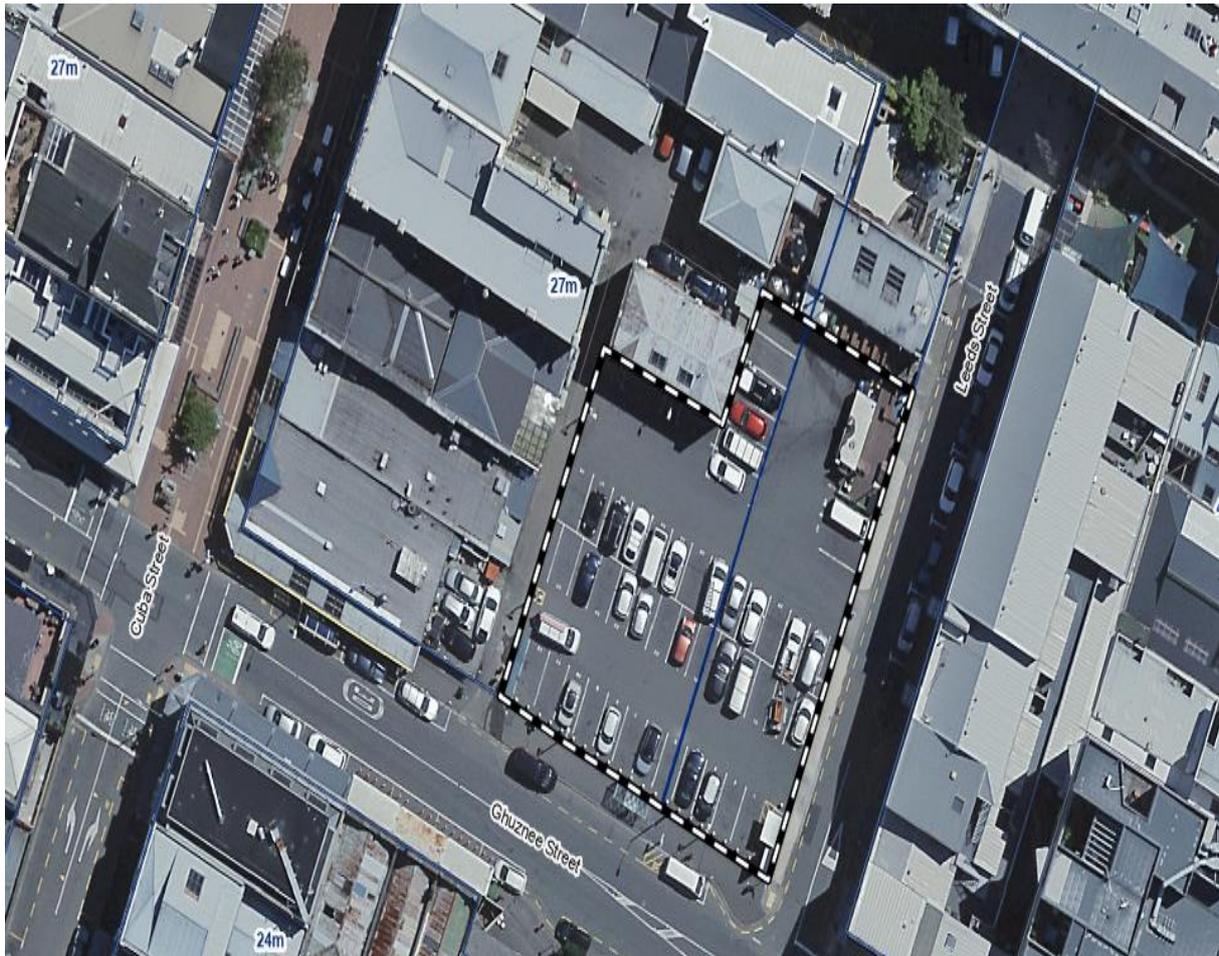


Figure 1 Aerial photo of the subject site with boundaries identified in black and white polygon. Vehicle access to the site is via Leeds Street only.

PROPOSAL

The proposal involves the establishment of a carparking facility onsite. The site has been subject to previous use as a carpark and the applicant seeks consent for the continued operation of an at-grade car parking facility. The previous consents granted use of the site as a car park on a temporary basis with consents been issued for periods of 2 -3 years. The applicant has applied for a 10-year duration the activity being permanent and not temporary.

The layout and formation of the car park and associated landscaping is depicted in Drawings 215/001 and 215/002 prepared by DCM Urban Design Limited. Further details of the proposal are provided in the AEE accompanying the application.

ACTIVITY STATUS

District Plan (2004):

Resource consent is required under the following rules:

Rule and activity status	Rule current status
Rule 13.4.2 – Parking Areas Parking areas at ground level not associated with any other activity that is visible from public spaces are a discretionary (unrestricted) activity pursuant to Rule 13.4.2. There are no relevant conditions.	Operative

The proposal is assessed as a **Discretionary (Unrestricted) Activity** under the 2000 District Plan.

Proposed District Plan (2024):

Resource consent is required under the following rule:

Rule and activity status	Rule current status
Rule CCZ-R18.2 Resource consent is required for the proposed new carparking activities onsite as the carparking involves parking at ground level and as such the permitted provision of rule CCZ-R18.1 are not met. An application for resource consent made in respect of rule CCZ-R18.2.a must be publicly notified.	Legal Effect

The proposal is assessed as a **Discretionary Activity** under the 2024 District Plan

Activity Status – Summary:

Overall, the proposal must be assessed as a discretionary activity.

WRITTEN APPROVALS

No written approvals were provided with the application.

SECTION 95 ASSESSMENT AND DECISION

Public Notification - Section 95A:

Public Notification – Rule:

The application must be publicly notified as the application includes an activity which is subject to a rule in the 2024 District Plan **CCZ-R18.2** that requires public notification [s95A(8)(a)].

NOTIFICATION DECISION

For the reasons detailed in this report the application for the establishment of a carparking facility on the site at 36 Ghuznee Street, Te Aro must be assessed on a **notified** basis.

Report prepared by Tyro Underhill



Tyro Underhill
Delegated Officer

18 February 2025



Kathryn Barnes
Delegated Officer

18 February 2025