

From: Gnat <[REDACTED]>
Sent: Monday, 14 June 2021 2:35 pm
To: Dominionroad.fasttrack
Subject: Comments on Dominion Road - Natalie Roux de Buisson

Categories: Copied to SharePoint

Invitation for Comment on Dominion Road Mixed-use Development

The Dominion Road Mixed-use Development is a Referred Project under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Application name	Dominion Road Mixed-use Development
EPA reference	FTC000020
Applicant	Pudong Housing Development Company Limited, Foodstuffs North Island Limited and Silk Road Management Limited
Comments due by	16 June 2021
Accessing the application	The full application and supporting documents can be viewed on the EPA website, which can be accessed here: https://www.epa.govt.nz/fast-track-consenting/referred-projects/dominion-road-mixed-use-development .

An application for resource consent has been made by Pudong Housing Development Company Limited, Foodstuffs North Island Limited and Silk Road Management Limited under the COVID-19 Recovery (Fast-track Consenting) Act 2020 for the Dominion Road Mixed-use Development project.

To comment on the Dominion Road Mixed-use Development application using the form below, please fill in the details and:

- **Email** the form to dominionroad.fasttrack@epa.govt.nz. Please mark in the subject line: “Comments on Dominion Road” (Your name/organisation) by 16 June 2021; or
- **Post** the form to Dominion Road, Environmental Protection Authority, Private Bag 63002, Waterloo Quay, Wellington 6140 in time for the form to be received by the 16 June 2021; or
- **Deliver in person** to Environmental Protection Authority, Grant Thornton House, Level 10, 215 Lambton Quay, Wellington by 16 June 2021. Please note that due to potential changes in COVID-19 Alert Levels our reception may not be open to the public. We suggest phoning ahead to check.

Comments must be received by the EPA, on behalf of the Dominion Road Expert Consenting Panel, no later than 16 June 2021.

If your comment is not received by the EPA by 16 June 2021 the Panel is not required to consider your comment (although it may decide to). Under the COVID-19 Recovery (Fast-track Consenting) Act 2020 there is no right to seek a waiver of the time limit.

If you are an iwi authority you may share the consent application with hapū whose rohe is in the project area in the application, and choose to include comments from the hapū with any comments you may wish to provide.

Important information

Your personal information will be held by the EPA and used in relation to the Dominion Road Mixed-use Development application. You have the right to access and correct personal information held by the EPA. A copy of your comments, including all personal information, will be provided to the Expert Consenting Panel and the applicant.

All comments received on the application will be available on the EPA website.

If you are a corporate entity making comments on this application, your full contact details will be publicly available. For individuals, your name will be publicly available but your contact details (phone number, address, and email) will not be publicly available.

Please do not use copyright material without the permission of the copyright holder.

All information held by the EPA is subject to the Official Information Act 1982.

More information on the fast-track consenting process can be found at <https://www.epa.govt.nz/fast-track-consenting/about/>.

Comment on the Dominion Road Mixed-use Development Application

<ul style="list-style-type: none"> Contact Details 	
Please ensure that you have authority to comment on the application on behalf of those named on this form.	
Organisation name (if relevant)	
*First name.	Natalie
*Last name	Roux de Buisson
Postal address	[REDACTED]
*Home phone / Mobile phone	[REDACTED]
*Email (a valid email address enables us to communicate efficiently with you)	[REDACTED]

All sections of this form with an asterisk (*) are mandatory.

<ul style="list-style-type: none"> *We will email you draft conditions of consent for your comment 	
* I can receive emails and my email address is correct	I cannot receive emails and my postal address is correct

<ul style="list-style-type: none"> Please provide your comments on this Application
If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages

14/06/2021
Panel of the Alternative Environmental Court
Dominion Road,
Private Bag 63002,
Waterloo Quay, Wellington 6140

Thank you for the invitation to submit comment on the proposed development on the site at 360 Dominion Road Mt Eden.

I am the daughter of, and EPOA for Rosalind Roux de Buisson - owner of [REDACTED], Mt Eden 1024

Natalie Roux de Buisson.

Firstly, I would like to state, that I am not opposed to progress, good development, or generating revenue for the area. My late Father was a well known Architect, and I have respect and appreciation for innovation and good design. He with my mother, bought and renovated this home for me to live in many years ago, and fortunately I was able to bring my mother here, when he passed in 2012. The house is divided, and she lives and sleeps in the rooms along the eastern boundary line of the applicants property, and is now fully in my care. I am familiar with 'Resource Consent,' having grown up with an honest and upright father, who did everything by the book. What I am struggling with in this Development, is the overriding legislation under Covid, that does not allow the normal protections of the RMA process. I have become more concerned, as information has come to light, about the developers strategic conversations and reports - misrepresenting facts, and I have lost confidence in their credibility.

This is what I feel should be given the utmost attention.

My concerns are as follows:

Heights

The proposed height of the Apartments/Buildings breach unitary plans by 10.5m. We had prepared for the 13m high construction described by the

developer in our meeting, but to later learn it was in fact planned for 23.5m is alarming, and stressful, and although prepared to lose some sunlight

hours and blue sky, the added height is depressing and unfair.

It was only in June 2019 that we arranged to have all the trees removed along the rock wall to allow more sunlight through.

Although I am aware, that we do not have a right to this sunlight under the law - it is of my utmost concern that this information was not provided to me honestly.

I feel that there has been a misrepresentation of facts provided originally.

I see no need to to expand on this further, but it is prudent to mention that without clear facts, and subsequent misrepresentations, I do not know what to expect

from the development.

Health and Safety

The trees were also removed by negotiation with ASB management because they were breaking our boundary rock wall, and harboured rodents and rubbish.

Another concern is that the proposed 6m strip along the boundary wall will become a dead space, and an invitation to rough sleepers and the like.

There is already a presence of them as the property is. I understand and fully appreciate the concerns regarding homelessness, but this planned area in my opinion will be a further invitation for danger, and a constant stress.

It is very worrying that there has been no reference in any report, nor a plan for protection, or any conditions discussed around it's maintenance, security or surveillance, especially as it runs alongside sleeping areas in our house.

When raised initially, the developer said they could put a small picket fence at the end of it on Prospect Tce? That will not mitigate unwanted persons there.

It is also a ground space that would need to be kept clear and unplanted as rodents and rubbish collect in shrubs, trees, bush and high grass,

which would also further devalue the residence, and could become a legal issue.

I would much rather have this addressed now than have to face stressful legal issues in the future.

I would also like to advise, that there is no opposition to that area being re-designed as a thoroughfare as proposed by EWL Group, as long as it is safe, and designed well - ie a tall sound proof wall along the boundary for example, protecting exposure of our home.

I received an email on 10 June, from John Dalzell that stated:

"The Expert Panel have asked us to clarify and update them on any latest discussions with all neighbours on the common boundary."

and he asked if I could call or meet with with him. The reason I declined, was because I did not feel comfortable,

or confident that it was going to be adequate mitigation for my concerns about the rough sleepers and the effects of noise from the adjacent vehicle entrances.

Noise

Will we be driven out?

Right on the boundary, we have the second highest noise levels predicted. There are days/ weeks forecast for near intolerable noise/vibration during the construction.

There will be no refuge. My mother is fragile, and a peaceful environment is critical to her well being.

I understand, as this development will be approved under Covid Fast Track legislation, that I will have no claim under nuisance - but I ask you to consider my mother.

I do not directly oppose the noise, and it is necessary for the development, rather I wish for more information and plans to be put in place.

Can arrangements be made for us to relocate temporarily at the worst times If noise and vibration levels can be predicted? Some respite?

What real mitigation is available? I feel the need to mention here that a plan that could cover and protect us to allow for the development to take place is necessary - as without it my elderly mother faces major emotional and physical turmoil, as would I, as a consequence.

Damage

Again, [REDACTED], has the second highest vibration levels predicted through hydraulic earthworks, excavation rock breaking and piling as part of the construction work.

I am deeply concerned that this will damage our property. No protection measures have been put in place or discussed. If the property is damaged, how is this remedied?

I am extremely worried that this has not been considered or addressed.

Without a plan to mitigate damage, I worry that this too could become a legal and insurance issue. And more stress.

What measures will be put in place to protect the foundations of our home? Prevent the moving, cracking, splitting of ceilings and walls?

Prevent damage to our newly rebuilt rock wall and new carport?

From Developers Proposal :

"Buildings to be retained onsite, or neighbouring properties, may be at risk of accidental damage form construction activities. Such risk are typically avoided, remedied or mitigated, through construction management plans, which should include specific methods and reference for avoiding or remedying damage to drystone walls at the boundary with [REDACTED]"

Traffic Hazard

The concerned community has funded an independent traffic report after seeing that the developers traffic report prepared by TPC was full of holes and misleading.

What else has been managed in this way?

The TPC report minimises hazard, and grossly understates numbers and congestion percentages. Prospect Tce as it is, has a constant flow of traffic,

I can not understand how modifying the street to allow large trucks to turn in it multiple times a day, can even be considered a good idea.

We have just recently installed a gate across the property front, one of the reasons being to try and stop the constant pull in and outs to turn around on the street.

Prospect Tce looks set to become a death trap with 100% increase in traffic forecast with the development plans as they stand.

Amenity

The increase in Business and Residential noise, and the loss of blue sky and light is distressing.

We are now set to be right next door to trucks coming and going at all hours, day and night, and most likely to be hearing garage doors constantly opening and closing, even if the internal vehicle manoeuvring is behind closed doors. There are no conditions that protect us from this.

Process

To have these critical things overshot and rushed through under a legislation not even designed for such projects is unethical.

We are asking for the normal time/ process and protections that would have been in place without it.

The developer is likely to have had years to prepare their plans and engage specialist consultants, but neighbours have only ten working days to read, understand the application and how it affects them - and write a submission.

Given the differences between what is in the application and what I was told by the developer, there is already evidence that compliance checks, and ongoing protection are necessary.