

To: Amanda Hopkins
Franklin Local Board Resource Consent Lead /PA Liaison

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From: Bryce Powell
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Date: 27 May 2025

**CONSULTATION WITH LOCAL BOARD RESOURCE CONSENT LEAD ON AN
APPLICATION FOR RESOURCE CONSENT TO ESTABLISH A CAR DISMANTLING
ACTIVITY**

Auckland Council has received a resource consent application for the site below. A copy of the application plans and Assessment of Environmental Effects (AEE) are attached. You are invited to make comments on the application as the Local Board Resource Consent Lead 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: 5pm, 30 May 2025

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 with copy to your PA Liaison. My email address is set out above for your information. Thank you.

STREET ADDRESS: 395 Fitzgerald Road, Drury, Auckland

APPLICATION NUMBER: BUN60449555 and VCN70025543

OVERALL CONSENT STATUS: Discretionary
Comments

The Board would like this application publicly notified for the following reasons:

- 1 The site is in close proximity to residential houses to the north, the Kiwi Property retail development and planned residential developments.
- 2 The site is near waterways in close proximity to the Manukau Harbour.
- 3 Car dismantling and storage is an industrial activity that could cause significant damage to the environment if a contamination event occurs – fire or spillage, especially when dealing with metal, lithium batteries, tyres etc.

In more detail:

- The proximity of the waterway and the fact that the short distance to the Manukau Harbour makes it difficult to manage any unplanned contamination before it enters the harbour
- The waterway is part of a planned open space network in the Kiwi Property retail development and as such will allow direct access for the community, having industrial businesses with this amount of risk is inconsistent with the environmental outcomes being pursued in this part of Drury
- With the demonstrated fire risk and difficulty to contain for FENZ due to fuel types, there is significant risk to planned residential developments within close proximity to the north of the property. Thought must be given to the fact that within this area the prevailing wind is from the south west meaning any fire would create huge risk to that residential area and conversely with proximity to SH1 to the south west, if there was a fire with a northerly wind (the other main wind direction) there would be significant impacts on the highway which is the primary road in and out of Auckland.

Initial here:

Amanda Hopkins

Local Board Resource Consent Lead

Date: 30 May 2025

Note – Other Local Board Members Consulted: Wairoa subdivision members Angela Fulljames and Malcolm Bell

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.*
- 2. may disregard adverse effects if a rule permits an activity with that effect.*
- 3. must disregard trade competition effects.*

4. *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.*
2. *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.

Note: A separate “comments form” is available for comments on notified applications.