

Decision following the hearing of a Plan Modification (PPC28 – Florence Carter Avenue, Flat Bush) to the Auckland Unitary Plan under the Resource Management Act 1991



Proposal: To rezone approximately 9.3444 hectares of Light Industry zoned land to a Business – Mixed Use zone with height variation and maximum GFA controls for retail, office and commercial services. PPC28 introduces a new Florence Carter Avenue Precinct.

Plan Modification PPC28 is APPROVED as amended by us. The reasons are set out below.

Plan modification number:	Private Plan Change 28
Site address:	1,3,5,7,10,12 Florence Carter Avenue, Flat Bush
Applicant:	James Kirkpatrick Group Limited (JKGL)
PPC Lodged:	12 November 2018
CI23 Further information:	8 February 2019
Further information:	15 March and 20 June 2019
PPC28 Accepted:	2 July 2019
PPC28 Notified:	25 July 2019
Submissions closed:	27 August 2019
Submissions summary:	12 September 2019
Further submissions:	26 September 2019
Hearing commenced:	A hearing was not required.
Decision panel:	David Hill (Chairperson) Sheena Tepania
Hearing not required decision:	25 May 2020

INTRODUCTION

1. This decision is made on behalf of the Auckland Council (“the Council”) by Independent Hearing Commissioners David Hill (Chair) and Sheena Tepania appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 (“the RMA”).
2. The Commissioners have been given delegated authority by the Council to make a decision on Private Plan Change 28 (“PPC 28”) to the Auckland Council Unitary Plan (Operative in Part) (the AUP) after considering all the submissions, the section 32 evaluation, and the s42A report prepared by the reporting officer, Mr Michael Luong.

3. PPC 28 is a private plan change by James Kirkpatrick Group Limited (JKGL) that has been prepared following the standard RMA Schedule 1 process (that is, the plan change is not the result of an alternative, 'streamlined' or 'collaborative' process as now enabled under the RMA).
4. The plan change was publicly notified on 25 July 2019 following a feedback process involving Iwi, as required by Clause 4A of Schedule 1 RMA. Notification involved a public notice as well as letters to directly affected landowners and occupiers alerting them to the plan change. The latter step was aimed at ensuring that landowners and occupiers of properties affected by potentially significant changes were made aware of the changes.
5. The submission period closed on 27 August 2019. A summary of decisions requested was notified for further submissions on 12 September 2019. A total of 4 submissions were received with no further submissions. One submission (Erica Luo) was in support, two (Auckland Transport and Takai Tamata) sought a decline, and one (Watercare) was neutral.
6. A comprehensive s42A report was prepared by Mr Michael Luong (principal planner, Auckland Council). The report was prepared with the assistance of technical reviews as follows:

Speciality Area	Reviewing Specialist
Economics	Susan Fairgray, M.E Consulting Ltd
Transport	Terry Church, Flow Transportation Specialists
Urban Design	Nick Pollard, Boffa Miskell Limited
Landscape	Tom Lines, Boffa Miskell Limited

7. In his s42A report, Mr Luong concluded that sufficient information had been provided such that PPC28 should be approved subject to agreed provisions. He recommended accordingly.

SUMMARY OF PLAN CHANGE

8. Through PPC28, JKGL proposes to rezone approximately 9.3444 hectares of Light Industry zoned (LIZ) land to a Business – Mixed Use zone (MUZ) with height variation and maximum GFA controls for retail, office and commercial services. PPC28 also introduces a new Florence Carter Avenue Precinct.
9. The proposed plan change now sought is described in the application¹ as requiring the following amendments:
 1. *Amend the zone of the subject site from Light Industry to Mixed Use; and*
 2. *Provide for a height variation control.*
 3. *Provide for a maximum total retail GFA control of 15,000m².*
 4. *Provide for a maximum total office GFA control of 15,000m².*
 5. *Provide for a maximum total commercial services control of 2,500m².*

¹ Proposed Plan Change, Mt Hobson Group, section 4.

6. *Provide for a 'Florence Carter Avenue' precinct, which will contain the additional rules proposed for the plan change area.*
10. The application² states that:
- Amending the zone will provide consistency with the zoning of surrounding land uses, will better enable the type of development that Council has signalled for this area (based on the AUP zoning pattern) and will also remove a fragmented piece of Light Industrial land that has no connection to the existing consented uses on the sites and on the other Lots created by the recent subdivision of 79 Ormiston Rd.*
11. As summarised by Mr Luong³, the proposed precinct provisions specifically aimed to:
- (a) *limit the cumulative total amount of retail, office and commercial services floorspace that can occur on the site to avoid adverse economic effects to nearby centres;*
 - (b) *provide for an additional height variation control within the precinct that will change the existing LIZ 20m height limit to between 20m and 28m;*
 - (c) *provide a restriction to manage dwellings to avoid these locating on the ground floor where they have a frontage to public roads;*
 - (d) *appropriately manage transport demands generated by the enabled activities that may be developed on the PPC28 land and to appropriately mitigate the effects of transport demands in this location.*
12. Further detailed amendments to the proposed provisions were subsequently made by agreement with the various submitters that indicated a wish to be heard and Council such that we accepted that there were no outstanding matters in dispute that required a hearing – and we formally indicated this by Minute #3 issued on 25 May 2020.
13. For the record we note that submitter Takai Tamata, tenant of 1 Tonu'u Court, Chapel Park, who sought that PPC28 be declined, indicated no wish to be heard.
14. On 12 December 2018 the Otara-Papatoetoe Local Board advised of their support for the private plan change subject to a number of considerations⁴.
15. We also note that on 8 August 2019 the Howick Local Board (which is the adjacent local board) provided advice to Council indicating that the issue of reverse sensitivity from residential activity on adjacent light industry users should be considered, but did not wish to be heard.

PRE-HEARING PROCESS

16. On 9 April 2020, and prior to any scheduled hearing due to the Covid-19 National State of Emergency, Commissioners issued Minute #1 identifying two matters on which we considered further information was required – being the wider residential implications of changing from LIZ to MUZ, and more detail about the iwi / mana whenua consultation - although noting that its ability to require that was not explicitly provided under s41 RMA. We therefore invited JKGL and Council to consider options for satisfying that requirement.

² Proposed Plan Change, Mt Hobson Group, section 4.1.

³ S42A report, para 17.

⁴ S42A Report, para 156.

17. In the event, both JKGL and Council agreed to provide the information sought by way of addenda – by Mt Hobson Group (Mr Firth) by Memorandum dated 29 April 2020 and by Mr Luong in responses dated 14 April and 11 May 2020.
18. While a hearing was then scheduled for 11 June 2020, following receipt of formal correspondence from those submitter parties that had initially indicated a wish to be heard that they no longer required a hearing, their issues having been resolved through agreed provision wording, Commissioners were satisfied that no remaining issues required a hearing (per CI 8C Schedule 1 RMA) and, as noted above, indicated such on 25 May 2020.
19. The relevant submitter correspondence is as follows:
 - (a) Watercare Services – Letter from Ilze Gotelli, Head of Major Developments, dated 27 November 2019;
 - (b) Auckland Transport – Email from Kevin Wong-Toi, dated 18 March 2020.

PROCEDURAL MATTERS

20. No other procedural matters were engaged.

RELEVANT STATUTORY PROVISIONS CONSIDERED

21. The RMA (and settled caselaw) sets out an extensive set of requirements for the formulation of plans and changes to them. These requirements are competently set out and assessed in the application documentation and its s32 assessment⁵, and more particularly in section 6 of the s42A Report. As those provisions were not in dispute, and we agree those are the relevant provisions as settled in caselaw, we see no need to repeat them again. We confirm that we have taken careful consideration of those requirements and the companion caselaw in making our determinations.
22. Clause 10 of Schedule 1 RMA requires that this decision must include the reasons for accepting or rejecting submissions. The decision must include a further evaluation of any proposed changes to the plan change arising from submissions; with that evaluation to be undertaken in accordance with section 32AA.
23. We note that Mr Luong makes no explicit reference to the s32 RMA evaluation provided by JKGL – but assume that he endorsed that as his recommendation was to approve the plan change - and no s32AA RMA further evaluation was undertaken on the recommended provision changes either by JKGL or Mr Luong. We address that below.
24. For the record we note that the provisions of PPC28 generally adopt the standard provisions of the AUP except where a modification is required to achieve the stated purpose of PPC28. That approach is consistent with the manner in which precinct provisions are generally developed under and in the AUP.

PLANNING CONTEXT HISTORY

25. JKGL notes⁶ that it holds a number of live resource consents over the subject site for non-core light industrial activities including travellers' accommodation, hotel use, and retail. Mr

⁵ Proposed Plan Change, Mt Hobson Group, section 7.

⁶ Proposed Plan Change, Mt Hobson Group, section 2.2.

Thompson⁷, in his economic analysis supporting the application, notes that those consented activities across the 9.3ha PPC28 site include some 65,000m² GFA: being 22,755m² retail and office; 7,336 m² motel; and 34,555m² hotel.

26. No detail is provided as to when those consents were granted – other than that they pre-date the AUP 2016 – but even if they are approaching their s125 RMA default 5-year lapse date, as the site is presently vacant, they nevertheless are part of the existing environment for present purposes.

PRINCIPAL ISSUES IN CONTENTION

27. As all matters are agreed between JKGL, Mr Luong, Watercare and Auckland Transport, in the interest of brevity and efficiency we see little merit in rehearsing the detail of those matters – instead we summarise them below.
28. The only potential issue in contention remaining is that with submitter Takai Tamata (who did not request a hearing and therefore we were unable to take the submission any further than on its face).
29. The s42A report summarised submitter Tamata’s opposition as follows:

Decline the plan change due to amenity reasons unless a house (not a unit) around the area can be found for the submitter.

30. That misses the essential point we think. The submitter (“a pensioner with some health problems”) lives on the opposite side of Te Irirangi Drive, a 4-lane arterial road, and expresses concern about the prospect of having to move from the area, seemingly in the belief that this is a necessary consequence of the plan change. Clearly that is not the case and either the submission has been incorrectly filed on PPC28 or is misguided.
31. In any event, this submission does not raise a relevant issue for our consideration and the recommendation to reject the submission is endorsed.
32. For completeness we record that the matters in contention at the time of submission were, as summarised in the s42A report⁸ (and with which we agree), as follows:

(a) Watercare Services:

- JKPG was asked to address the technical feasibility of the proposed water servicing arrangement to ensure that the effects on Watercare's existing and planned water network are appropriately considered and managed in accordance with the RMA.
- JKPG has noted that it is committed to fund any water and wastewater infrastructure upgrades that may be required should the worst-case scenario eventuate as the development progresses.

(b) Auckland Transport:

- Supports the mix of activities enabled and strategic location, but seeks to:

⁷ Thompson, Economic Cost-Benefit Analysis, section 3 (Application Appendix 4)

⁸ s42A Report, section 9.2.

- amend the proposed precinct provisions for transport;
 - confirm traffic generation/mode share assumptions for extent of development permitted by the revised zoning, such that transport infrastructure can be confirmed as being fit for purpose;
 - ensure sufficient land is vested to allow for the intersection upgrade proposed at the Ormiston Road / Florence Carter Avenue intersection;
 - walking movement plan;
 - require a travel plan strategy and travel demand management; and
 - parking provisions.
33. Those matters have either been resolved through the provision of further information or by proposed provision drafting – which we discuss further below. No person made a further submission on those proposed amendments.
34. In addition, we raised two matters for further response as noted above by Minute #1, as follows:
- (a) The broader spatial implications of applying the MUZ to this land in view of the fact that residential accommodation activity (dwellings, integrated residential development, supported residential care and visitor accommodation and boarding houses) is a permitted activity in the zone, the Unitary Plan provisions for such are broadly permissive, and no additional residential controls are proposed;
 - (b) Specific details of the consultation / notification undertaken with iwi/ Mana Whenua groups. There is some disparity in the identified iwi / Mana Whenua groups consulted and/or notified by the JKL and Council. It would be helpful therefore:
 - (i) To understand why those “lists” differ;
 - (ii) Who received what from whom; and
 - (iii) Copies of formal correspondence received from any of those identified iwi / Mana Whenua groups (we understand particularly from Ngāti Paoa & Ngāi Tai ki Tāmaki).
35. A subsidiary point on the first issue is that considerable attention was focused during the AUP on the provisions across the region for LIZ, being a zone generally considered undersupplied - and one of the more difficult business zones to introduce retrospectively into an urban area. The present proposal effectively removes another piece of LIZ. Furthermore, evidence given at other plan hearings of which the Commissioners are aware has suggested that the more enabling provisions for residential activities in the proposed MUZ have, apparently, seen a disproportionate uptake for residential as opposed to other business activities. Those questions therefore needed to be answered for the present proposal.
36. In his 29 April 2020 planning response, Mr Firth provided what might be termed a social impact overview as to whether the residential component of the MUZ could create issues for existing locally available services. He concluded that this would not be the case noting that the site is unlikely to be developed in one stage, taking at least 10 years to complete, such

that services had ample time to respond or develop as necessary; and that there are no other large residentially-zoned sites in the immediate locality with which it might be said to compete. As such he did not consider PPC28 either “contrary to policy” or creating any formal precedent.

37. In his 11 May 2020 response Mr Luong undertook a more detailed review of the MUZ provisions and PPC28 noting, among other things, that residential activity was therein required above ground floor level in order to provide for commercial activities at street level; that mixed use activities have been consented over the sites and therefore the existing environment has changed; that any new buildings would require consent as a restricted discretionary activity so that urban design and amenity issues (at least) can be addressed; and that sufficient buffer separation is provided from the adjacent LIZ activities. He also noted that the urban design and landscape technical reviewers supported those observations, and concluded that the MUZ was now the appropriate zone and that no additional residential controls (such as spatial or capacity caps for example) were required. Mr Luong also noted that no submissions in opposition were received from potentially affected LIZ businesses.
38. While the “loss” of LIZ was not explicitly addressed we accept that the existing environment, established by the apparently live consents held is not LIZ and, again, no objections were received from adjacent LIZ businesses.
39. In view of that, we are satisfied that applying the MUZ is the most appropriate alternative business zone – albeit not all of its purpose parameters are met.
40. The second issue reflected the fact that only summary information was provided to the Commissioners. To be able to accept those summaries we needed to sight original correspondence and replies (as was also the case with Watercare Services and Auckland Transport). In his email response of 14 April 2020, Mr Luong advised that he had corrected an error in his list, deleting the incorrect reference to Ngāti Whātua o Kaipara, Ngāti Whātua Ōrākei and Te Rūnanga o Ngāti Whātua, replaced with Ngāti Whanaunga and Te Ahiwaru Waiohua - such that the two lists were now consistent - and we were provided with the relevant response correspondence.
41. We are therefore satisfied that the consultation undertaken was sufficient and as reported.

STATUTORY PROVISIONS

42. As we noted earlier in this decision, the RMA sets out a range of matters that must be addressed when considering a plan change. We confirm that we have addressed those matters.
43. We also note that section 32 clarifies that analysis of efficiency and effectiveness is to be at a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal. Having reviewed the s32 evaluation undertaken by Mr Firth we accept that as sufficient for the notified PPC28.
44. Section 32AA RMA requires the undertaking of a further evaluation on any changes proposed subsequent to the original s32 evaluation, in such detail as corresponds to the

scale and significance of those proposed changes, and sufficient to demonstrate that such has been undertaken as required. The further changes proposed are shown in Appendix 2 to this decision.

45. While the “new” amended provisions are extensive, we agree that they are within scope of the submissions made by Auckland Transport, do not pose substantively new matters; are essentially mechanical or administrative; support the purpose, objectives and policies of the MUZ and the precinct; and being acceptable to JKGL require no further evaluation.
46. As no material new and relevant higher order policy statements or standards have been issued since the AUP came into partial operation in 2016, we see no need (or benefit to be gained) to make explicit reference to Part 2 RMA. We are satisfied that PPC28, as amended by us, satisfies the sustainable management of natural and physical resources purpose and its principles.
47. Having considered the relevant background documents, we are satisfied, overall, that PPC28 has been developed in accordance with the relevant statutory and planning policy requirements, and will assist the Council in its effective administration of the AUP.

SUBMISSIONS

48. For the record we note that we have accepted the s42A report recommendations on submissions made in the s42A report – these are summarised in Appendix 4.

Appendices

49. Attached and integral to this decision are 4 Appendices as follows:
 - Appendix 1 = PPC28 Florence Carter Avenue Precinct Provisions;
 - Appendix 2 = PPC28 Florence Carter Avenue Precinct Provisions (Track changes);
 - Appendix 3 = Notified PPC28; and
 - Appendix 4 = Summary Table of Decisions on Submissions.

DECISION

50. Pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, Proposed Private Plan Change 28 to the Auckland Unitary Plan (Operative in Part) is approved, subject to the modifications as set out in this decision and the provisions attached as Appendix 1.
51. Submissions on the plan change are accepted and rejected in accordance with this decision as indicated in the Summary Table attached as Appendix 4. These decisions follow the recommendations set out in the s42A report.
52. The reasons for the decision are that Private Plan Change 28 Florence Carter Avenue Precinct:
 - a. will assist the Council in achieving the purpose of the RMA;
 - b. gives effect to the Auckland Regional Policy Statement and is consistent with the general provisions of the Auckland Unitary Plan;

- c. accords with the purpose and principles of Part 2 of the RMA;
- d. is supported by necessary evaluations in accordance with sections 32 and 32AA RMA;
and
- e. will assist Council with its effective implementation of the Auckland Unitary Plan.

A handwritten signature in black ink that reads "David Hill". The signature is written in a cursive style with a large, sweeping initial 'D'.

David Hill
Chairperson
& for Commissioner Sheena Tepania

Date: 19 June 2020

Appendix 1 – Florence Carter Avenue Precinct Provisions

I4xx. Florence Carter Avenue Precinct

I4XX.X. PRECINCT DESCRIPTION

The Florence Carter Avenue Precinct is located to the south-west of the Ormiston Road and Te Irirangi Drive intersection, within the recently created Florence Carter Avenue subdivision. The purpose of this precinct is to provide for a high-quality, high-density mixed use development.

Office, retail and commercial services are managed within this precinct to ensure that these activities do not compromise surrounding centres, particularly the Ormiston Town Centre to the east. Potential effects to the transport network are managed through required traffic assessments at specific triggers and mitigation of these effects.

The zoning of land within this precinct is Business – Mixed Use zone.

All relevant Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

I4XX.X. OBJECTIVES

- (1) The Florence Carter Avenue Precinct is developed as a high-quality, high-density mixed-use centre, with a range of supporting activities that do not detract from the function of the Ormiston town centre, and is well designed and integrated with the surrounding area.
- (2) The development of the precinct provides for a variety of residential and commercial opportunities by encouraging residential development above ground level in a way that does not constrain ground floor business and commercial opportunities.
- (3) Additional height is provided for in a way that avoids dominance and shading effects to Rongomai Reserve.

Pedestrian access and safety

- (4) A safe and convenient environment which optimises pedestrian and cycling use and provides connectivity within the precinct and to the adjacent public road network.

Transport

- (5) The safety and capacity of the transport network is maintained and, where appropriate, enhanced.
- (6) Ensure integration with transport and land use patterns along the Ormiston Road and Te Irirangi Drive corridors, particularly around access to the precinct by all modes in order to manage effects on the transport network, to achieve a sustainable, liveable community.
- (7) Ensure transport infrastructure upgrades required to mitigate transport effects (including works at the intersection of Ormiston Road and Florence Carter Avenue) are provided for.

Car Parking

- (8) Ensure that the provision of car parking within the Precinct is commensurate with the availability of passenger transport in this location, particularly once the Airport to Botany Rapid Transit route is operational.

All relevant Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

I4XX.X. POLICIES

- (1) Optimise the transport and land use opportunities provided by the site's proximity to key transport corridors through the provision of a mixture of residential and commercial opportunities and measures that support and enable transport choices including public transport, walking and cycling.
- (2) Avoid any retail, office or commercial service land use that exceeds the gross floor area limits, unless it can be demonstrated that the function, amenity and vitality of surrounding centres will not be adversely affected.
- (3) Provide for additional building height in identified locations within the precinct, while avoiding dominance and shading effects to Rongomai Reserve.
- (4) Avoid dwellings on the ground floor of public road frontages of Florence Carter Avenue, Ormiston Road and Te Irirangi Drive.

Pedestrian access and safety

- (5) Provide for pedestrian connectivity through sites and to the external transport network via the provision of footpaths and facilities consistent with a Pedestrian Movement Plan, shown in Precinct Plan 2, that:
 - (a) integrate with land use activities within the precinct and allow for safe and efficient movements within and around the precinct, and
 - (b) are designed to support and enable the maximum use and safety of transport modes other than private motor vehicles and in particular, to support direct walking connections to public transport stops / stations.

Transport

- (6) Manage private vehicle travel in and out of the Florence Carter Avenue Precinct, particularly during peak travel periods, including the application of travel demand management measures.
- (7) Manage development so that it does not adversely affect the safe and efficient operation of the transport network (for all modes) particularly at:
 - (a) Te Irirangi Drive and Ormiston Road as key arterial routes through the Flat Bush area.
 - (b) Ormiston Road and Florence Carter Avenue intersection as the primary vehicle access to the precinct.

- (c) Locations within the precinct that enable direct walking connectivity between the Precinct and the Te Irirangi Drive public transport stop / station.
- (8) Provide and co-ordinate the upgrade of transport infrastructure within the precinct so that such upgrades occur either before or concurrent with staged development of the precinct, including any required upgrades to the Ormiston Road and Florence Carter Avenue intersection.

Car Parking

- (9) Actively reduce car parking provision as measured by total car parking versus Gross Floor Area within the Precinct once the Airport to Botany Rapid Transit route is operational by allowing additional development to occur without the need to provide further car parking.

All relevant Auckland-wide and zone policies apply in this precinct in addition to those specified above.

I4XX.X. ACTIVITY TABLE

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is specifically provided for by a rule in Activity Table I450.4.1 below.

Activity Table I450.4.1 specifies the activity status of land use activities in the Florence Carter Avenue Precinct pursuant to section 9(3) of the Resource Management Act 1991.

TABLE I4XX.X.X ACTIVITY TABLE

Activity		Activity status
Commercial		
(A1)	A cumulative maximum of up to 15,000m ² within the Florence Carter Avenue precinct of any office activities in the Precinct as outlined in Precinct Plan 1	P
(A2)	A cumulative maximum of more than 15,000m ² within the Florence Carter Avenue precinct of any office activities as outlined in Precinct Plan 1	NC
(A3)	A cumulative maximum of up to 15,000m ² within the Florence Carter Avenue precinct of any retail activities in the Precinct as outlined in Precinct Plan 1	P
(A4)	A cumulative maximum of more than 15,000m ² within the Florence Carter Avenue precinct of any retail activities as outlined in Precinct Plan 1	NC
(A5)	A cumulative maximum of up to 2,500m ² within the Florence Carter Avenue Precinct of any commercial service activities in the Precinct as outlined in Precinct Plan 1	P
(A6)	A cumulative maximum of more than 2,500m ² within the Florence Carter Avenue Precinct of any commercial service activities as outlined in Precinct	NC

	Plan 1	
Development		
(A7)	Building heights that comply with building heights specified in Precinct Plan 1	P
(A8)	Building heights that do not comply with building heights specified in Precinct Plan 1	D
(A9)	Development that meets vehicle trip generation standard I4xx.x.x(1)	P
(A10)	Development that exceeds vehicle trip generation standard I4xx.x.x(2)	RD

I4xx.x. Notification

- (1) Any application for resource consent for an activity listed in Activity Table I450.4.1 above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purpose of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I4XX.X. STANDARDS

- (1) Unless specified in Standard I4xx.x(2) below, all relevant Auckland-wide and zone standards apply to all activities listed in Activity Table I4xx.x.x above.
- (2) The following standard does not apply to activities listed in Activity Table I4xx.x.x above:
 - (a) *Standard H13.6.1 Building Height.*

All permitted activities in Activity Table I4xx.x.x must comply with the following standards:

I4XX.X.X BUILDING HEIGHT

Purpose:

- Manage the effects of building height;
 - Allow reasonable sunlight and daylight access to Rongomai Park;
 - Manage visual dominance; and
 - Enable greater height near the centre of the precinct.
- (1) Buildings must not exceed the heights specified in Precinct Plan 1.

I4XX.X.X DWELLINGS ON THE GROUND FLOOR

Purpose:

- protect the ground floor of buildings within the precinct for commercial use; and
 - avoid locating activities that require privacy on the ground floor of buildings.
- (1) Dwellings must not locate on the ground floor where the dwelling has frontage to public roads.
 - (2) Development that does not comply with 14xx.x.x(1) is a discretionary activity.

I4XX.X.X PEDESTRIAN MOVEMENT PLAN

Purpose:

Provide for pedestrian safety and amenity within the Florence Carter Avenue Precinct.

- (1) All pedestrian routes through the sites must, as a minimum, be provided in a manner consistent with Precinct Plan 2.
- (2) Development that does not comply with 14xx.x.x(1) is a discretionary activity.

I4XX.X.X TRIP GENERATION

Purpose:

Require further traffic assessment and determining whether the implementation of mitigation (including the upgrade of the intersection of Ormiston Road and Florence Carter Avenue) is required in relation to development that exceeds the vehicle trip generation standard (“the permitted baseline”), set out below.

- (1) Traffic generated from any land use development located within Blocks B, C and D, as shown in Precinct Plan 3, shall be determined using the Vehicle Trip Generation Threshold provisions contained in I14xx.x(1).
- (2) Any activities within Blocks B, C and/or D in the Florence Carter Avenue Precinct that results in a cumulative weekday commuter PM Peak Hour traffic generation per block of up to 620 traffic movements per hour (Block B), 120 traffic movements per hour (Block C), 300 traffic movements per hour (Block D) are permitted.
- (3) Any activities that exceed I4xx.x.x(2) require resource consent for a restricted discretionary activity and no further development shall occur beyond the consented baseline unless a Transport Assessment has been prepared that specifically identifies whether required mitigation (including the upgrade to the Ormiston Road and Florence Carter Avenue intersection generally consistent with that set out in Precinct Plan 4) needs to be implemented to address effects on the transport network.
- (4) Development that does not comply with 14xx.x.x(1) and (3) is a discretionary activity.

I4XX.X.X TRAVEL DEMAND MANAGEMENT PLAN

Purpose:

To assess the travel demand of any activity requiring consent for trip generation.

- (1) A Travel Demand Management Plan, consistent with I4xx.x(2), is to be prepared for any offices, commercial services, retail, food and beverage, entertainment facilities or education facilities greater than 100m² GFA per site.
- (2) Development that does not comply with I4xx.x.x(1) is a discretionary activity.

I4XX.X.X CAR PARKING

Purpose:

To reduce car parking provision over time as a function of GFA on the basis of future improvements to passenger transport in this location

- (1) The car parking standards applicable to the Precinct shall be the Auckland-wide standards unless the Airport to Botany Rapid Transit route or services is operational or will be operational within 2 years at the time that a development application is submitted to Auckland Council for approval in which case the following parking maximums will apply:

Activity	Parking Maximum
Offices	1 per 45m ² GFA
Commercial Services	1 per 45m ² GFA
Retail	1 per 30m ² GFA
Residential - Studio and 1 bedroom - 2 bedrooms - 3 bedrooms and above	1 per dwelling 1 per dwelling 1.7 per dwelling
Entertainment facilities	0.2 per person the facility is designed to accommodate
All other activities	1 per 45m ² GFA

- (2) Development that does not comply with I4xx.x.x(1) is a discretionary activity.

I4XX.X. ASSESSMENT – CONTROLLED ACTIVITIES

There are no controlled activities in this precinct.

I4XX.X. ASSESSMENT – RESTRICTED DISCRETIONARY ACTIVITIES

I4xx.x.x Matters of Discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the Auckland-wide or zone provisions:

- (1) Any activity or activities within Blocks B, C and D in the Florence Carter Avenue Precinct that results in a cumulative weekday commuter PM Peak Hour traffic generation per block

exceeding 600 traffic movements per hour (Block B), 120 traffic movements per hour (Block C), 300 traffic movements per hour (Block D):

- (a) A transportation assessment consistent with I4xx.x(1) has been prepared;
- (b) The extent of mitigation measures required before any development occurs beyond the permitted baseline, including whether an upgrade to the intersection of Ormiston Road and Florence Carter Avenue is required;
- (c) Pedestrian safety and amenity; and
- (d) Transport network operation of the adjacent roading network, including predicted vehicle delay, degree of saturation and queuing performance.

I4xx.x.x. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) Any activity or activities within Blocks B, C and D in the Florence Carter Avenue Precinct that results in a cumulative weekday commuter PM Peak Hour traffic generation per block exceeding 760 traffic movements per hour (Block B), 130 traffic movements per hour (Block C), 300 traffic movements per hour (Block D):
 - (a) Preparation of a Transport Assessment (undertaken by a suitably qualified and experienced traffic engineer) considering the effects on the function and the safe and efficient operation of the intersection of Ormiston Road and Florence Carter Avenue during the weekday commuter PM Peak Hour.

The Transport Assessment shall take into account the cumulative traffic generation of the properties inside the Florence Carter Avenue Precinct and those outside of the Precinct that have access to Florence Carter Avenue. If the cumulative traffic generation exceeds 2,300 traffic movements per hour, the intersection of Florence Carter Avenue and Ormiston Road shall be upgraded.

The Transport Assessment shall include traffic generation for activities already operating (including traffic surveys) and predictions associated with consented (but not operational) land use activities located within the Florence Carter Avenue Precinct and other sites that have access to Florence Carter Avenue, consistent with approved resource consents for those properties.

The Transport Assessment shall specifically consider;

- I. 95th percentile queues for each movement at the intersection shall not extend beyond dedicated storage lanes or not extend to be within 10 metres of adjacent intersections;
- II. no individual traffic movement shall have a level of service (LOS) worse than LOS E, or have a degree of saturation higher than 95%;
- III. The overall intersection LOS shall be no worse than LOS D.

- (b) The implementation of mitigation measures required to address potential adverse traffic effects on the intersection of Ormiston Road and Florence Carter Avenue including the requirement for a double right turn lane on Florence Carter Avenue at its intersection with Ormiston Road (generally consistent with Precinct Plan 4) to be implemented before any development occurs beyond the cumulative 2,300 traffic movements per hour of the properties inside the Florence Carter Avenue Precinct and those outside of the Precinct that have access to Florence Carter Avenue.
- (c) The implementation of measures, such as travel planning, that reduce traffic generation demands of the proposed activity/activities.

I4XX.X. SPECIAL INFORMATION REQUIREMENTS

In addition to the general information that must be submitted with a resource consent application, applications for the activities listed below must be accompanied by the additional information specified.

(1) Vehicle Trip Generation:

- (a) The process to be followed to calculate vehicle trip generation will be:
 - (i) Calculate the vehicle trip generation figures for the proposed activity/activities within the Block using the table below or other information if the activity is not listed;
 - (ii) If the total vehicle trip generation figure is less than 600 traffic movements per hour (Block B), 120 traffic movements per hour (Block C), 300 traffic movements per hour (Block D) during the weekday PM commuter Peak Hour, then the vehicle trip generation threshold control is deemed to have been met and the activity is permitted;
 - (iii) If the total vehicle trip generation figure exceeds 600 traffic movements per hour (Block B), 120 traffic movements per hour (Block C), 300 traffic movements per hour (Block D) during the weekday PM commuter Peak Hour, the activity is a Restricted Discretionary Activity (RD) and consideration of the RD assessment criteria will be required:

Activity	Traffic Generation Factor (Vehicles per hr per unit)
Care centres or rest homes	x 0.007 m ² GFA
Commercial Services	x 0.02 m ² GFA
Community welfare facilities	x 0.01 m ² GFA
Healthcare services	x 0.04 m ² GFA
Restaurants, cafes and other eating places	x 0.05 m ² GFA
Drive-through restaurants	X 0.5 m ² GFA
Slow trade retail	x 0.015 m ² GFA
Supermarket	x 0.116 m ² GFA

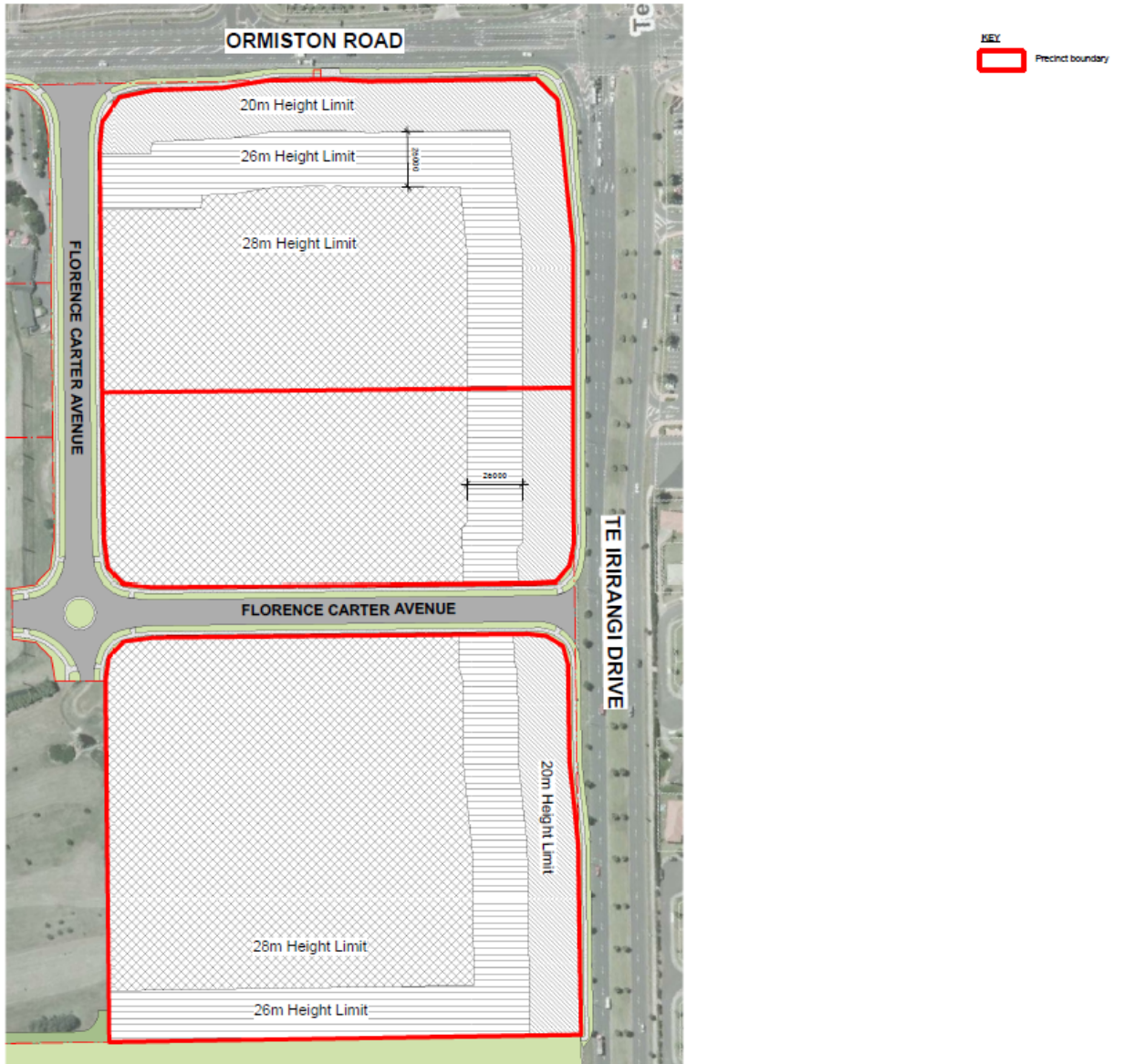
Speciality retail	x 0.034 m ² GFA
Office	x 0.02 m ² GFA
Large format hardware	x 0.048 m ² GFA
Integrated Housing Development	0.5 vehicles per unit
Visitor accommodation	0.4 vehicles per unit
Residential units	0.65 vehicles per unit
Retirement village	0.25 vehicles per unit
Travellers' accommodation	0.4 vehicles per unit
Hotel	0.6 vehicles per unit
Light manufacturing	x 0.01 m ² GFA
Warehousing	x 0.005 m ² GFA
Tertiary education facility	0.31 vehicles per Equivalent Full Time Students

- (2) Offices, retail, food and beverage, entertainment facilities, commercial services or education facilities greater than 100m² per site:
- (a) a site travel management plan must be provided corresponding to the scale and significance of the activity and containing the following information as a minimum to demonstrate how the development will achieve the objectives of the Integrated Transport Assessment prepared for the Florence Carter Avenue Precinct including:
- i. the physical infrastructure to be established or currently established onsite to support the use of alternative forms of transport, such as adequate covered facilities for cyclists, showering, locker and changing facilities; carpool parking areas, travel reduction information; internet service to enhance awareness of alternative transportation services;
 - ii. the physical linkages to be provided on the site to link with surrounding pedestrian and cycle networks and existing public transport resources – including integration with the Airport to Botany Rapid Transit route or services;
 - iii. operational measures to be established or currently implemented on- site to encourage reduced vehicle trips to Florence Carter Avenue Precinct, including car sharing schemes, public transport use incentives, flexitime, staggered working hours;
 - iv. details of the management structure within the building or site in which the activity is to be located which has overall responsibility to oversee the implementation and monitoring of travel management measures;
 - v. the methods by which the effectiveness of the proposed measures outlined in the site travel management plan can be independently

measured/monitored and reviewed, including a commitment to undertake travel surveys at the time of building occupation or as otherwise required to provide on-going information regarding travel behaviour.

I4XX.XX. PRECINCT PLANS

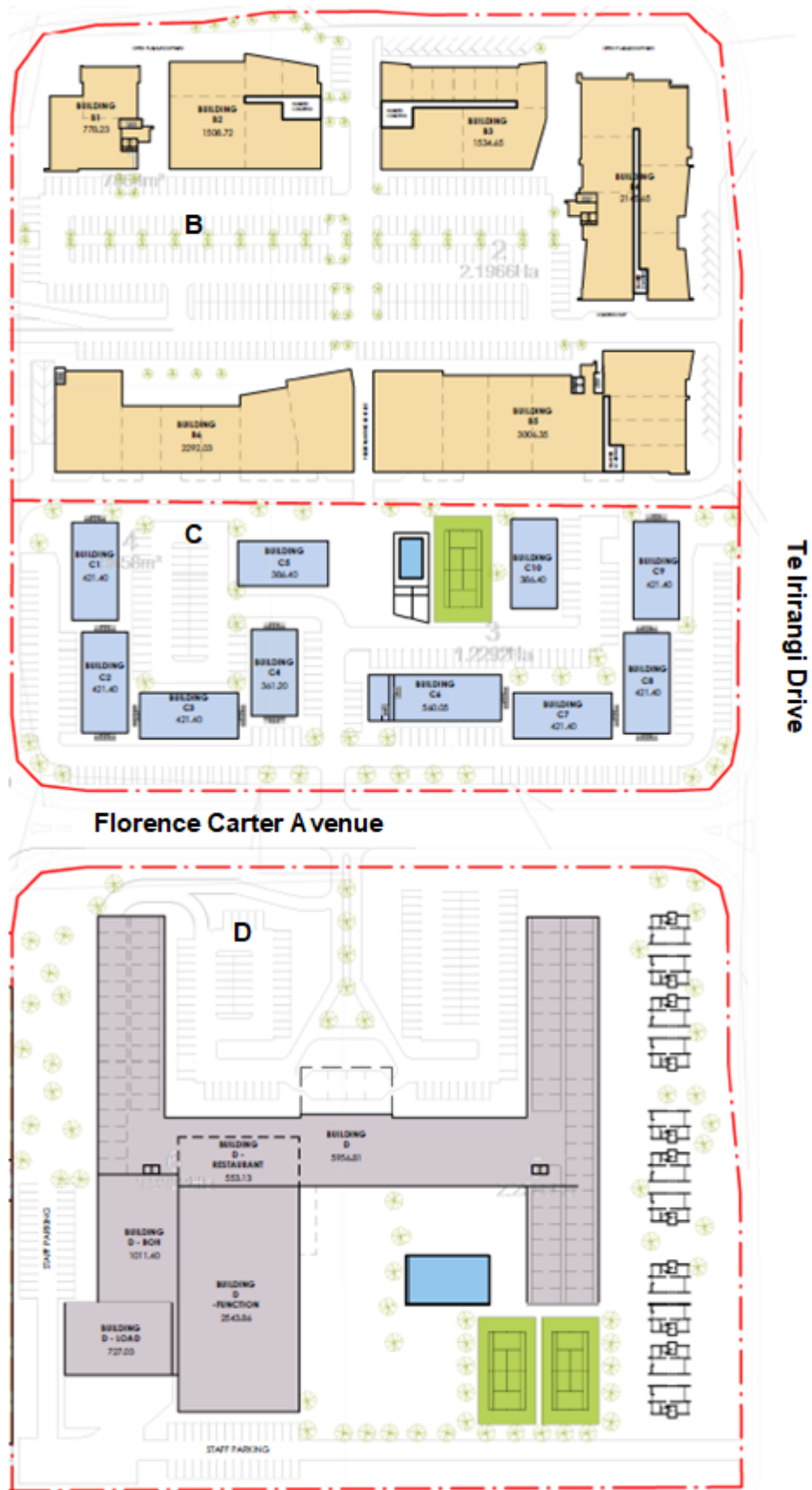
I4xx.xx.x Florence Carter Avenue: Precinct Plan 1 – Maximum Building Height



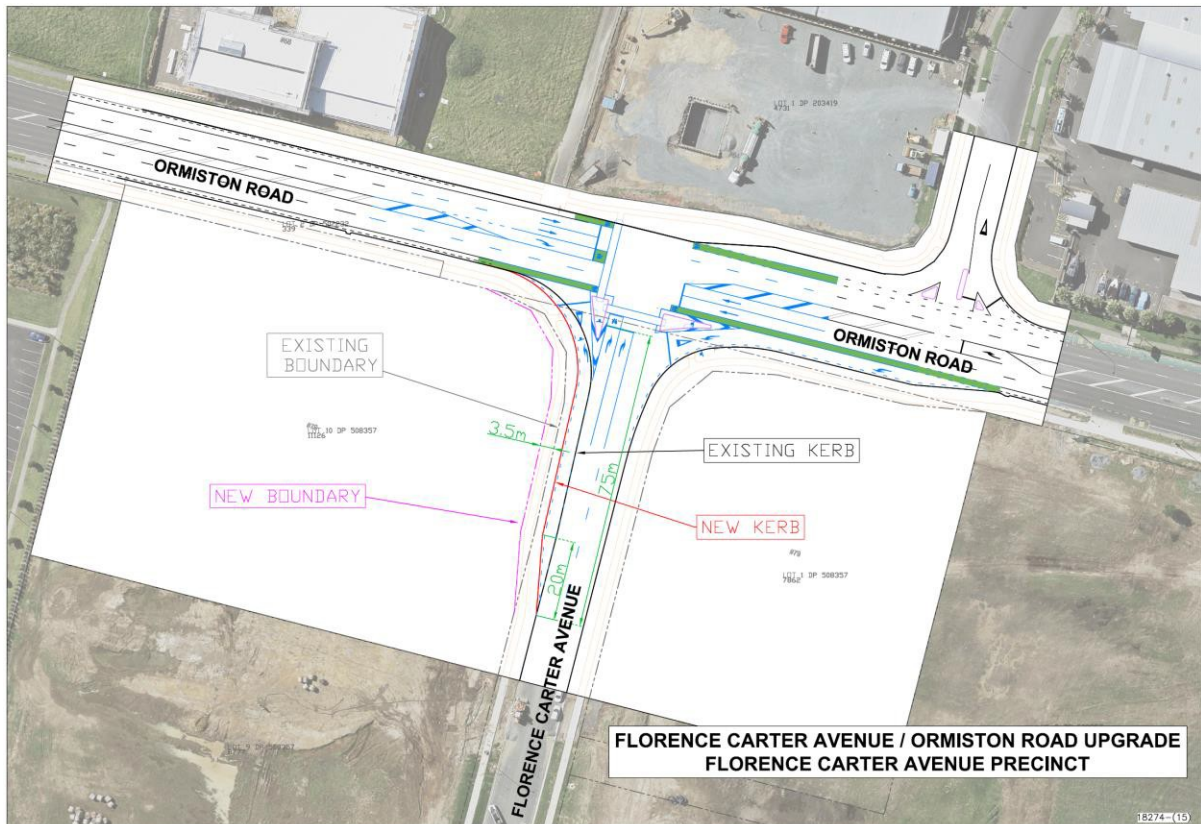
I4xx.xx.x Florence Carter Avenue: Precinct Plan 2 – Pedestrian Movement Plan



14xx.xx.x Florence Carter Avenue: Precinct Plan 3 – Underlying Consented Blocks



I4xx.xx.x Florence Carter Avenue: Precinct Plan 4 – Intersection Upgrade



Appendix 2 – Florence Carter Avenue Precinct Provisions (Track Changes)

In the following, deletions from the notified version text are shown as ~~strikethrough~~ and amendments made through this decision are shown in **bold underlined**.

I4xx. Florence Carter Avenue Precinct

I4XX.X. PRECINCT DESCRIPTION

The Florence Carter Avenue Precinct is located to the south-west of the Ormiston Road and Te Irirangi Drive intersection, within the recently created Florence Carter Avenue subdivision. The purpose of this precinct is to provide for a high-quality, high-density mixed use development.

Office, retail and commercial services are managed within this precinct to ensure that these activities do not compromise surrounding centres, particularly the Ormiston Town Centre to the east. Potential effects to the transport network are managed through required traffic assessments at specific triggers **and mitigation of these effects**.

The zoning of land within this precinct is Business – Mixed Use zone.

All relevant Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

I4XX.X. OBJECTIVES

- (1) The Florence Carter Avenue Precinct is developed as a high-quality, high-density mixed-use centre, with a range of supporting activities that do not detract from the function of the Ormiston town centre, and is well designed and integrated with the surrounding area.
- (2) The development of the precinct provides for a variety of residential and commercial opportunities by encouraging residential development above ground level in a way that does not constrain ground floor business and commercial opportunities.
- (3) Additional height is provided for in a way that avoids dominance and shading effects to Rongomai Reserve.

Pedestrian access and safety

- (4) A safe and convenient environment which optimises pedestrian and cycling use and provides connectivity within the precinct and to the adjacent public road network.

Transport

- (5) The safety and capacity of the transport network is maintained and, where appropriate, enhanced.
- (6) **Ensure integration with** ~~Transport~~ and land use patterns **along the Ormiston Road and Te Irirangi Drive corridors** ~~are integrated~~, particularly around access to the precinct by all modes **in order to manage effects on the transport network**, to achieve a sustainable, liveable community.
- (7) **Ensure transport infrastructure upgrades required to mitigate transport effects (including works at the intersection of Ormiston Road and Florence Carter Avenue) are provided for.**

Car Parking

- (8) **Ensure that the provision of car parking within the Precinct is commensurate with the availability of passenger transport in this location, particularly once the Airport to Botany Rapid Transit route is operational.**

All relevant Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

14XX.X. POLICIES

- (1) Optimise the **transport and land use** opportunities provided by the site's proximity to key transport corridors through the provision of a mixture of residential and commercial opportunities and measures that ~~promote sustainable travel behaviour~~ **support and enable transport choices including public transport, walking and cycling.**
- (2) Avoid any retail, office or commercial service land use that exceeds the gross floor area limits, unless it can be demonstrated that the function, amenity and vitality of surrounding centres will not be adversely affected.
- (3) Provide for additional building height in identified locations within the precinct, while avoiding dominance and shading effects to Rongomai Reserve.
- (4) Avoid dwellings on the ground floor of public road frontages **of Florence Carter Avenue, Ormiston Road and Te Irirangi Drive.**

Pedestrian access and safety

- (5) Provide for pedestrian connectivity through sites **and to the external transport network** via the provision of footpaths and facilities consistent with a Pedestrian Movement Plan, shown in Precinct Plan 2, that:
 - (a) integrate with land use activities within the precinct and allow for safe and efficient movements within and around the precinct, and
 - (b) are designed to ~~promote~~ **support and enable** the maximum use and safety of transport modes other than private motor vehicles **and in particular, to support direct walking connections to public transport stops / stations.**

Transport

- (6) Manage private vehicle travel in and out of the Florence Carter Avenue Precinct, particularly during peak travel periods, **including the application of travel demand management measures.**
- (7) Manage development so that it does not adversely affect the safe and efficient operation of the transport network (for all modes) particularly at:
 - (a) Te Irirangi Drive and Ormiston Road as key arterial routes through the Flat Bush area.
 - (b) Ormiston Road and Florence Carter Avenue intersection as the primary **vehicle** access to the precinct.
 - (c) **Locations within the precinct that enable direct walking connectivity between the Precinct and the Te Irirangi Drive public transport stop / station.**
- (8) **Provide and co-ordinate the upgrade of transport infrastructure within the**

precinct so that such upgrades occur either before or concurrent with staged development of the precinct, including any required upgrades to the Ormiston Road and Florence Carter Avenue intersection.

Car Parking

- (9) **Actively reduce car parking provision as measured by total car parking versus Gross Floor Area within the Precinct once the Airport to Botany Rapid Transit route is operational by allowing additional development to occur without the need to provide further car parking.**

All relevant Auckland-wide and zone policies apply in this precinct in addition to those specified above.

I4XX.X. ACTIVITY TABLE

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is specifically provided for by a rule in Activity Table I450.4.1 below.

Activity Table I450.4.1 specifies the activity status of land use activities in the Florence Carter Avenue Precinct pursuant to section 9(3) of the Resource Management Act 1991.

TABLE I4XX.X.X ACTIVITY TABLE

Activity		Activity status
Commercial		
(A1)	A cumulative maximum of up to 15,000m ² within the Florence Carter Avenue precinct of any office activities in the Precinct as outlined in Precinct Plan 1	P
(A2)	A cumulative maximum of more than 15,000m ² within the Florence Carter Avenue precinct of any office activities as outlined in Precinct Plan 1	NC
(A3)	A cumulative maximum of up to 15,000m ² within the Florence Carter Avenue precinct of any retail activities in the Precinct as outlined in Precinct Plan 1	P
(A4)	A cumulative maximum of more than 15,000m ² within the Florence Carter Avenue precinct of any retail activities as outlined in Precinct Plan 1	NC
(A5)	A cumulative maximum of up to 2,500m ² within the Florence Carter Avenue Precinct of any commercial service activities in the Precinct as outlined in Precinct Plan 1	P
(A6)	A cumulative maximum of more than 2,500m ² within the Florence Carter Avenue Precinct of any commercial service activities as outlined in Precinct Plan 1	NC
Development		
(A7)	Building heights that comply with building heights specified in Precinct Plan 1	P
(A8)	Building heights that do not comply with building heights specified in Precinct Plan 1	D
(A9)	Development that meets vehicle trip generation standard I4xx.x.x(1)	P

(A10)	Development that exceeds vehicle trip generation standard I4xx.x.x(4 2)	RD
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I4xx.x. Notification

- (1) Any application for resource consent for an activity listed in Activity Table I450.4.1 above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purpose of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I4XX.X. STANDARDS

- (1) Unless specified in Standard I4xx.x(2) below, all relevant Auckland-wide and zone standards apply to all activities listed in Activity Table I4xx.x.x above.
- (2) The following standard does not apply to activities listed in Activity Table I4xx.x.x above:
 - (a) *Standard H13.6.1 Building Height.*

All permitted activities in Activity Table I4xx.x.x must comply with the following standards:

I4XX.X.X BUILDING HEIGHT

Purpose:

- manage the effects of building height;
- allow reasonable sunlight and daylight access to rongomai park;
- manage visual dominance; and
- enable greater height near the centre of the precinct.

- (1) Buildings must not exceed the heights specified in Precinct Plan 1.

I4XX.X.X DWELLINGS ON THE GROUND FLOOR

Purpose:

- protect the ground floor of buildings within the precinct for commercial use; and
 - avoid locating activities that require privacy on the ground floor of buildings.
- (1) Dwellings must not locate on the ground floor where the dwelling has frontage to public roads.
 - (2) Development that does not comply with 14xx.x.x(1) is a discretionary activity.

I4XX.X.X PEDESTRIAN MOVEMENT PLAN

Purpose:

rovide for pedestrian safety and amenity within the florence carter avenue precinct.

- (1) All pedestrian routes through the sites must, as a minimum, be provided in a manner consistent with Precinct Plan 2.

- (2) Development that does not comply with 14xx.x.x(1) is a discretionary activity.

I4XX.X.X TRIP GENERATION

Purpose:

Require further traffic assessment and determining whether the implementation of mitigation (including the upgrade of the intersection of Ormiston Road and Florence Carter Avenue) is required in relation to ~~for~~ development that exceeds the vehicle trip generation standard (“the permitted baseline”), set out below ~~beyond the consented baseline.~~

- (1) Traffic generated from any land use development located within Blocks B, C and D, as shown in Precinct Plan 3, shall be determined using the Vehicle Trip Generation Threshold provisions contained in I14xx.x(1).
- (2) Any activities within Blocks B, C and/or D in the Florence Carter Avenue Precinct that results in a cumulative weekday commuter PM Peak Hour traffic generation per block of up to **620** ~~760~~ traffic movements per hour (Block B), **120** ~~130~~ traffic movements per hour (Block C), **300** ~~470~~ traffic movements per hour (Block D) are permitted.
- (3) Any activities that exceed I4xx.x.x(2) require resource consent for a restricted discretionary activity and no further development shall occur beyond the consented baseline unless a Transport Assessment has been prepared that specifically identifies whether required mitigation (including the upgrade to the Ormiston Road and Florence Carter Avenue intersection generally consistent with that set out in Precinct Plan 4) needs to be implemented to address effects on the transport network.
- (4) Development that does not comply with 14xx.x.x(1) and (3) is a discretionary activity.

I4XX.X.X TRAVEL DEMAND MANAGEMENT PLAN

Purpose:

To assess the travel demand of any activity requiring consent for trip generation

- (1) A Travel Demand Management Plan, consistent with I4xx.x(2), is to be prepared for any offices, **commercial services**, retail, food and beverage, entertainment facilities or education facilities greater than 100m² GFA per site.
- (2) Development that does not comply with I4xx.x.x(1) is a discretionary activity.

I4XX.X.X CAR PARKING

Purpose:

To reduce car parking provision over time as a function of gfa on the basis of future improvements to passenger transport in this location

- (1) The car parking standards applicable to the Precinct shall be the Auckland-wide standards unless the Airport to Botany Rapid Transit route or services is operational or will be operational within 2 years at the time that a development application is submitted to Auckland Council for approval in which case the following parking maximums will apply:

Activity	Parking Maximum
Offices	1 per 45m² GFA
Commercial Services	1 per 45m² GFA
Retail	1 per 30m² GFA
Residential	
- Studio and 1 bedroom	1 per dwelling
- 2 bedrooms	1 per dwelling
- 3 bedrooms and above	1.7 per dwelling
Entertainment facilities	0.2 per person the facility is designed to accommodate
All other activities	1 per 45m² GFA

- (2) **Development that does not comply with I4xx.x.x(1) is a discretionary activity.**

I4XX.X. ASSESSMENT – CONTROLLED ACTIVITIES

There are no controlled activities in this precinct.

I4XX.X. ASSESSMENT – RESTRICTED DISCRETIONARY ACTIVITIES

I4xx.x.x Matters of Discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the Auckland-wide or zone provisions:

- (1) Any activity or activities within Blocks B, C and D in the Florence Carter Avenue Precinct that results in a cumulative weekday commuter PM Peak Hour traffic generation per block exceeding ~~600~~ 760 traffic movements per hour (Block B), ~~120~~ 130 traffic movements per hour (Block C), ~~300~~ 470 traffic movements per hour (Block D):
- ~~Whether a~~ **A** transportation assessment consistent with I4xx.x.x(1) has been prepared;
 - The extent of mitigation measures **required before any development occurs beyond the permitted baseline** ~~proposed~~, including **whether** an upgrade is ~~required~~ to the intersection of Ormiston Road and Florence Carter Avenue **is required**
 - Pedestrian safety and amenity; and
 - Transport network operation of the adjacent roading network, including predicted vehicle delay, degree of saturation and queuing performance.

I4xx.x.x. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) Any activity or activities within Blocks B, C and D in the Florence Carter Avenue Precinct that results in a cumulative weekday commuter PM Peak Hour traffic generation per block exceeding ~~760~~ 600 traffic movements per hour (Block B), ~~130~~ 120 traffic movements per hour (Block C), ~~300~~ 470 traffic movements per hour (Block D):
- Preparation of a Transport Assessment (undertaken by a suitably qualified and experienced traffic engineer) considering the effects on the function and the

safe and efficient operation of the intersection of Ormiston Road and Florence Carter Avenue during the weekday commuter PM Peak Hour.

The Transport Assessment shall take into account the cumulative traffic generation of the properties inside the Florence Carter Avenue Precinct and those outside of the Precinct that have access to Florence Carter Avenue. **If the cumulative traffic generation exceeds 2,300 traffic movements per hour, the intersection of Florence Carter Avenue and Ormiston Road shall be upgraded.**

The Transport Assessment shall include traffic generation for activities already operating (including traffic surveys) and predictions associated with consented (but not operational) land use activities located within the Florence Carter Avenue Precinct and other sites that have access to Florence Carter Avenue, consistent with approved resource consents for those properties.

The Transport Assessment shall specifically consider;

- I. 95th percentile queues for each movement at the intersection shall not extend beyond dedicated storage lanes or not extend to be within 10 metres of adjacent intersections;
 - II. no individual traffic movement shall have a level of service (LOS) worse than LOS E, or have a degree of saturation higher than 95%;
 - III. The overall intersection LOS shall be no worse than LOS D.
- (b) The implementation of mitigation measures ~~proposed~~ **required** to address potential adverse traffic effects on the intersection of Ormiston Road and Florence Carter Avenue including the ~~provision of~~ **requirement for** a double right turn lane on Florence Carter Avenue at its intersection with Ormiston Road (generally consistent with Precinct Plan 4) **to be implemented before any development occurs beyond the cumulative 2,300 traffic movements per hour of the properties inside the Florence Carter Avenue Precinct and those outside of the Precinct that have access to Florence Carter Avenue.**
- (c) The implementation of measures, such as travel planning, that reduce traffic generation demands of the proposed activity/activities.

14XX.X. SPECIAL INFORMATION REQUIREMENTS

In addition to the general information that must be submitted with a resource consent application, applications for the activities listed below must be accompanied by the additional information specified.

- (1) Vehicle Trip Generation:
- (a) The process to be followed to calculate vehicle trip generation will be:
 - (i) Calculate the vehicle trip generation figures for the proposed activity/activities within the Block using the table below or other information if the activity is not listed;
 - (ii) If the total vehicle trip generation figure is less than ~~600,760~~ traffic movements per hour (Block B), ~~120,430~~ traffic movements per hour (Block C), ~~300,470~~ traffic movements per hour (Block D) during the weekday PM commuter Peak Hour, then the vehicle trip generation threshold control is deemed to have been met and the activity is permitted;

- (iii) If the total vehicle trip generation figure exceeds ~~600 760~~ traffic movements per hour (Block B), ~~120 430~~ traffic movements per hour (Block C), ~~300 470~~ traffic movements per hour (Block D) during the weekday PM commuter Peak Hour, the activity is a Restricted Discretionary Activity (RD) and consideration of the RD assessment criteria will be required;

Activity	Size (GFA or units)	Traffic Generation Factor (Vehicles per hr per unit)	Estimated Generation
Care centres or rest homes		x 0.007 m ² GFA	=
Commercial Services		x 0.02 m² GFA	
Community welfare facilities		x 0.01 m ² GFA	=
Healthcare services		x 0.04 m ² GFA	=
Restaurants, cafes and other eating places		x 0.05 m ² GFA	=
Drive-through restaurants		X 0.5 m ² GFA	
Slow trade retail		x 0.015 m ² GFA	=
Supermarket		x 0.116 m ² GFA	=
Speciality retail		x 0.034 m ² GFA	=
Office		x 0.02 m ² GFA	=
Large format hardware		x 0.048 m ² GFA	=
Integrated Housing Development		0.5 vehicles per unit	=
Visitor accommodation		0.4 vehicles per unit	=
Residential units		0.65 vehicles per unit	=
Retirement village		0.25 vehicles per unit	=
Travellers' accommodation		0.4 vehicles per unit	=
Hotel		0.6 vehicles per unit	=
Light manufacturing		x 0.01 m ² GFA	
Warehousing		x 0.005 m ² GFA	
Tertiary education facility		0.31 vehicles per Equivalent Full Time Students	
TOTAL			

- (2) Offices, retail, food and beverage, entertainment facilities, **commercial services** or education facilities greater than 100m² per site:

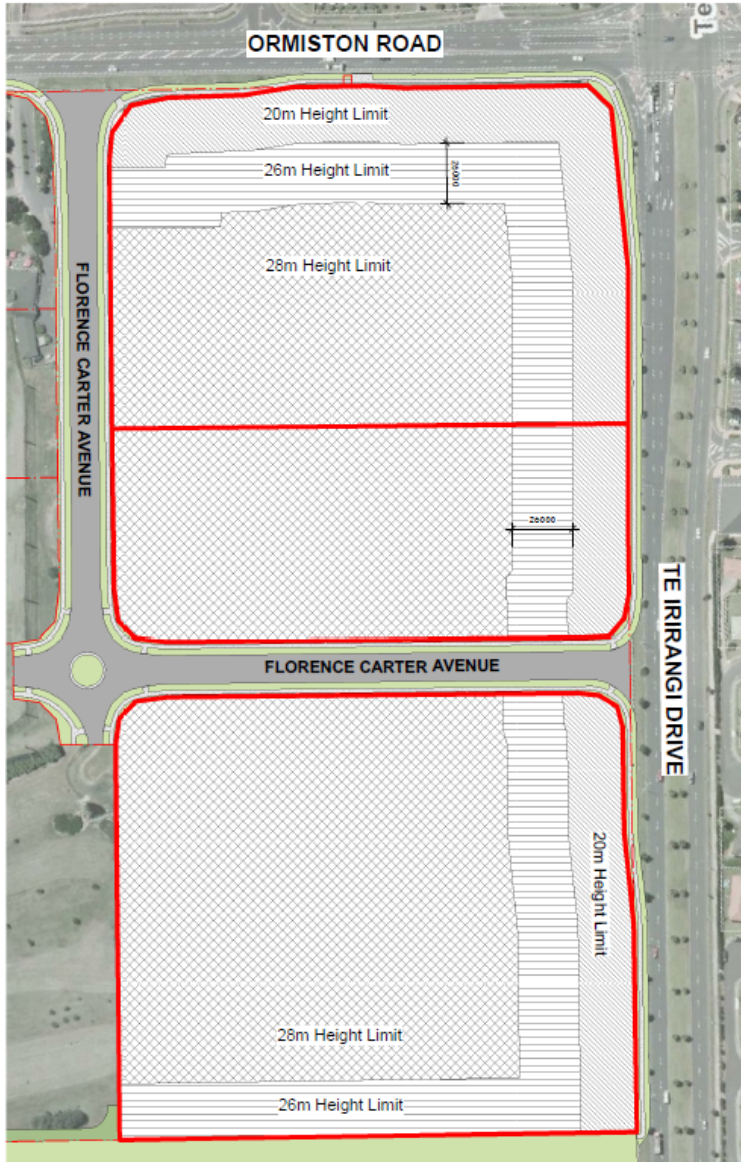
- (a) a site travel management plan must be provided corresponding to the scale and significance of the activity and containing the following

information as a minimum to demonstrate how the development will achieve the objectives of the Integrated Transport Assessment prepared for the Florence Carter Avenue Precinct including:

- i. the physical infrastructure to be established or currently established onsite to support the use of alternative forms of transport, such as adequate covered facilities for cyclists, showering, locker and changing facilities; carpool parking areas, travel reduction information; internet service to enhance awareness of alternative transportation services;
- ii. the physical linkages to be provided on the site to link with surrounding pedestrian and cycle networks and existing public transport resources – **including integration with the Airport to Botany Rapid Transit route or services;**
- iii. operational measures to be established or currently implemented on- site to encourage reduced vehicle trips to Florence Carter Avenue Precinct, including car sharing schemes, public transport use incentives, flexitime, staggered working hours;
- iv. details of the management structure within the building or site in which the activity is to be located which has overall responsibility to oversee the implementation and monitoring of travel management measures;
- v. the methods by which the effectiveness of the proposed measures outlined in the site travel management plan can be independently measured/monitored and reviewed, including a commitment to undertake travel surveys at the time of building occupation or as otherwise required to provide on-going information regarding travel behaviour.

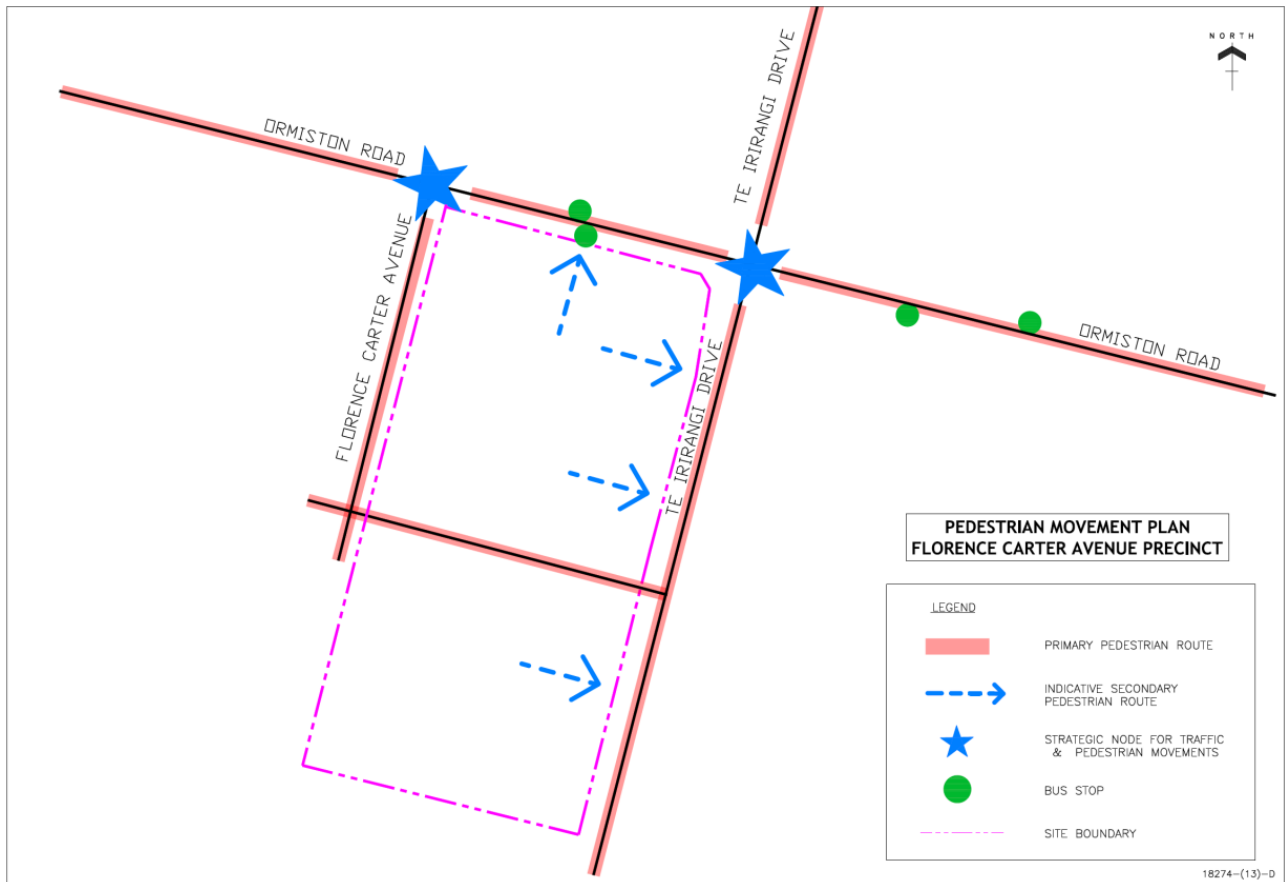
I4XX.XX. PRECINCT PLANS

I4xx.xx.x Florence Carter Avenue: Precinct Plan 1 – Maximum Building Height

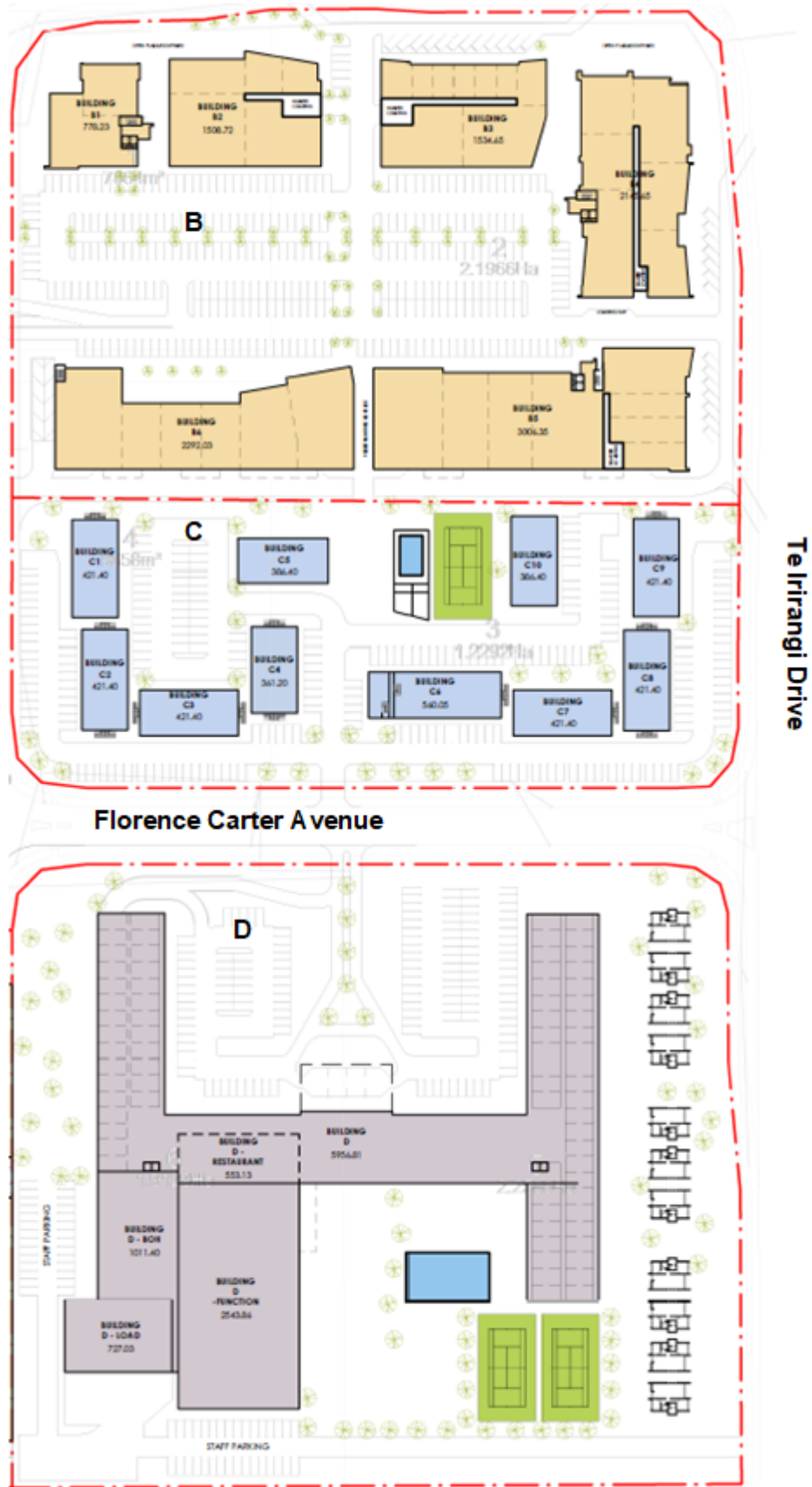


KEY
Precinct boundary

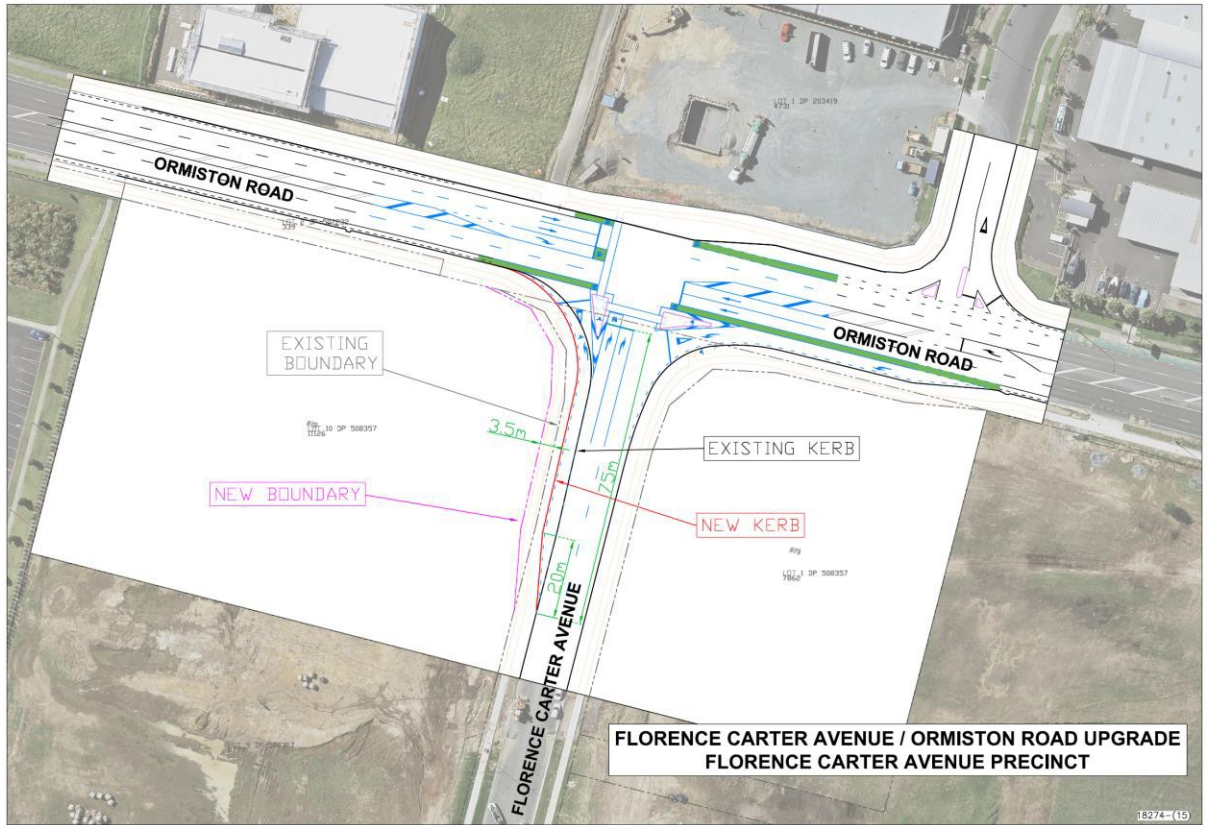
I4xx.xx.x Florence Carter Avenue: Precinct Plan 2 – Pedestrian Movement Plan



I4xx.xx.x Florence Carter Avenue: Precinct Plan 3 – Underlying Consented Blocks



I4xx.xx.x Florence Carter Avenue: Precinct Plan 4 – Intersection Upgrade



Appendix 3 – Notified Private Plan Change 28

I4xx. Florence Carter Avenue Precinct

I4XX.X. PRECINCT DESCRIPTION

The Florence Carter Avenue Precinct is located to the south-west of the Ormiston Road and Te Irirangi Drive intersection, within the recently created Florence Carter Avenue subdivision. The purpose of this precinct is to provide for a high-quality, high-density mixed use development.

Office, retail and commercial services are managed within this precinct to ensure that these activities do not compromise surrounding centres, particularly the Ormiston Town Centre to the east. Potential effects to the transport network are managed through required traffic assessments at specific triggers.

The zoning of land within this precinct is Business – Mixed Use zone.

All relevant Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

I4XX.X. OBJECTIVES

- (1) The Florence Carter Avenue Precinct is developed as a high-quality, high-density mixed-use centre, with a range of supporting activities that do not detract from the function of the Ormiston town centre, and is well designed and integrated with the surrounding area.
- (2) The development of the precinct provides for a variety of residential and commercial opportunities by encouraging residential development above ground level in a way that does not constrain ground floor business and commercial opportunities.
- (3) Additional height is provided for in a way that avoids dominance and shading effects to Rongomai Reserve.

Pedestrian access and safety

- (4) A safe and convenient environment which optimises pedestrian and cycling use and provides connectivity within the precinct and to the adjacent public road network.

Transport

- (5) The safety and capacity of the transport network is maintained and, where appropriate, enhanced.
- (6) Transport and land use patterns are integrated, particularly around access to the precinct by all modes, to achieve a sustainable, liveable community.

All relevant Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

I4XX.X. POLICIES

- (1) Optimise the opportunities provided by the site's proximity to key transport corridors through the provision of a mixture of residential and commercial opportunities and measures that promote sustainable travel behaviour.
- (2) Avoid any retail, office or commercial service land use that exceeds the gross floor

area limits, unless it can be demonstrated that the function, amenity and vitality of surrounding centres will not be adversely affected.

- (3) Provide for additional building height in identified locations within the precinct, while avoiding dominance and shading effects to Rongomai Reserve.
- (4) Avoid dwellings on the ground floor of public road frontages.

Pedestrian access and safety

- (5) Provide for pedestrian connectivity through sites via the provision of footpaths and facilities consistent with a Pedestrian Movement Plan, shown in Precinct Plan 2, that:
 - (a) integrate with land use activities within the precinct and allow for safe and efficient movements within and around the precinct, and
 - (b) are designed to promote the maximum use and safety of transport modes other than private motor vehicles

Transport

- (6) Manage private vehicle travel in and out of the Florence Carter Avenue Precinct, particularly during peak travel periods.
- (7) Manage development so that it does not adversely affect the safe and efficient operation of the transport network (for all modes) particularly at:
 - (a) Te Irirangi Drive and Ormiston Road as key arterial routes through the Flat Bush area.
 - (b) Ormiston Road and Florence Carter Avenue intersection as the primary access to the precinct.

All relevant Auckland-wide and zone policies apply in this precinct in addition to those specified above.

I4XX.X. ACTIVITY TABLE

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is specifically provided for by a rule in Activity Table I4xx.x.x below.

Activity Table I4xx.x.x specifies the activity status of land use activities in the Florence Carter Avenue Precinct pursuant to section 9(3) of the Resource Management Act 1991.

TABLE I4XX.X.X ACTIVITY TABLE

Activity		Activity status
Commercial		
(A1)	A cumulative maximum of up to 15,000m ² within the Florence Carter Avenue precinct of any office activities in the Precinct as outlined in Precinct Plan 1	P
(A2)	A cumulative maximum of more than 15,000m ² within the Florence Carter Avenue precinct of any office activities as outlined in Precinct Plan 1	NC

(A3)	A cumulative maximum of up to 15,000m ² within the Florence Carter Avenue precinct of any retail activities in the Precinct as outlined in Precinct Plan 1	P
(A4)	A cumulative maximum of more than 15,000m ² within the Florence Carter Avenue precinct of any retail activities as outlined in Precinct Plan 1	NC
(A5)	A cumulative maximum of up to 2,500m ² within the Florence Carter Avenue Precinct of any commercial service activities in the Precinct as outlined in Precinct Plan 1	P
(A6)	A cumulative maximum of more than 2,500m ² within the Florence Carter Avenue Precinct of any commercial service activities as outlined in Precinct Plan 1	NC
Development		
(A7)	Building heights that comply with building heights specified in Precinct Plan 1	P
(A8)	Building heights that do not comply with building heights specified in Precinct Plan 1	D
(A9)	Development that meets vehicle trip generation standard I4xx.x.x(2)	P
(A10)	Development that exceeds vehicle trip generation standard I4xx.x.x(2)	RD

I4xx.x. Notification

- (1) Any application for resource consent for an activity listed in Activity Table I4xx.x.x above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991. When deciding who is an affected person in relation to any activity for the purpose of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I4XX.X. STANDARDS

- (1) Unless specified in Standard I4xx.x(x) below, all relevant Auckland-wide and zone standards apply to all activities listed in Activity Table I4xx.x.x above.
- (2) The following standard does not apply to activities listed in Activity Table I4xx.x.x above:
- (a) *Standard H13.6.1 Building Height.*

All permitted activities in Activity Table I4xx.x.x must comply with the following standards:

I4XX.X.X BUILDING HEIGHT

Purpose:

- Manage the effects of building height;
- Allow reasonable sunlight and daylight access to Rongomai Park;
- Manage visual dominance; and
- Enable greater height near the centre of the precinct.

(1) Buildings must not exceed the heights specified in Precinct Plan 1.

I4XX.X.X DWELLINGS ON THE GROUND FLOOR

Purpose:

- protect the ground floor of buildings within the precinct for commercial use; and
- avoid locating activities that require privacy on the ground floor of buildings.

(1) Dwellings must not locate on the ground floor where the dwelling has frontage to public roads.

(2) Development that does not comply with I4xx.x.x(x) is a discretionary activity.

I4XX.X.X PEDESTRIAN MOVEMENT PLAN

Purpose:

Provide for pedestrian safety and amenity within the Florence Carter Avenue Precinct.

(1) All pedestrian routes through the sites must, as a minimum, be provided in a manner consistent with Precinct Plan 2.

(2) Development that does not comply with 14xx.x.x(x) is a discretionary activity.

I4XX.X.X TRIP GENERATION

Purpose:

Require further traffic assessment for development beyond the consented baseline.

Traffic generated from any land use development located within Blocks B, C and D, as shown in Precinct Plan 3, shall be determined using the Vehicle Trip Generation Threshold provisions contained in I14xx.x(x).

(1) Any activities within Blocks B, C and/or D in the Florence Carter Avenue Precinct that results in a cumulative weekday commuter PM Peak Hour traffic generation per block of up to 760 traffic movements per hour (Block B), 130 traffic movements per hour (Block C), 170 traffic movements per hour (Block D) are permitted.

(2) Any activities that exceed I4xx.x.x(2) require resource consent for a restricted discretionary activity.

(3) Development that does not comply with 14xx.x.x(1) is a discretionary activity.

I4XX.X.X TRAVEL DEMAND MANAGEMENT PLAN

Purpose:

To assess the travel demand of any activity requiring consent for trip generation

- (1) A Travel Demand Management Plan, consistent with I4xx.x(x), is to be prepared for any offices, retail, food and beverage, entertainment facilities or education facilities greater than 100m² GFA per site.
- (2) Development that does not comply with I4xx.x.x(x) is a discretionary activity.

I4XX.X. ASSESSMENT – CONTROLLED ACTIVITIES

There are no controlled activities in this precinct.

I4XX.X. ASSESSMENT – RESTRICTED DISCRETIONARY ACTIVITIES

I14xx.x.x Matters of Discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the Auckland-wide or zone provisions:

- (1) Any activity or activities within Blocks B, C and D in the Florence Carter Avenue Precinct that results in a cumulative weekday commuter PM Peak Hour traffic generation per block exceeding 760 traffic movements per hour (Block B), 130 traffic movements per hour (Block C), 170 traffic movements per hour (Block D):
 - (a) Whether a transportation assessment consistent with I4xx.x(1) has been prepared;
 - (b) The extent of mitigation measures proposed, including whether an upgrade is required to the intersection of Ormiston Road and Florence Carter Avenue;
 - (c) Pedestrian safety and amenity; and
 - (d) Transport network operation of the adjacent roading network, including predicted vehicle delay, degree of saturation and queuing performance.

I4xx.x.x. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) Any activity or activities within Blocks B, C and D in the Florence Carter Avenue Precinct that results in a cumulative weekday commuter PM Peak Hour traffic generation per block exceeding 760 traffic movements per hour (Block B), 130 traffic movements per hour (Block C), 170 traffic movements per hour (Block D):
 - (a) Preparation of a Transport Assessment (undertaken by a suitably qualified and experienced traffic engineer) considering the effects on the function and the safe and efficient operation of the intersection of Ormiston Road and Florence Carter Avenue during the weekday commuter PM Peak Hour.

The Transport Assessment shall take into account the cumulative traffic generation of the properties inside the Florence Carter Avenue Precinct and those outside of the Precinct that have access to Florence Carter Avenue.

The Transport Assessment shall include traffic generation for activities already operating (including traffic surveys) and predictions associated with consented

(but not operational) land use activities located within the Florence Carter Avenue Precinct and other sites that have access to Florence Carter Avenue, consistent with approved resource consents for those properties.

The Transport Assessment shall specifically consider;

- I. 95th percentile queues for each movement at the intersection shall not extend beyond dedicated storage lanes or not extend to be within 10 metres of adjacent intersections;
 - II. no individual traffic movement shall have a level of service (LOS) worse than LOS E, or have a degree of saturation higher than 95%;
 - III. The overall intersection LOS shall be no worse than LOS D.
- (b) the implementation of mitigation measures proposed to address potential adverse traffic effects on the intersection of Ormiston Road and Florence Carter Avenue including the provision of a double right turn lane on Florence Carter Avenue at its intersection with Ormiston Road (generally consistent with Precinct Plan 4)
- (c) The implementation of measures, such as travel planning, that reduce traffic generation demands of the proposed activity/activities.

Activity	Size (GFA or units)	Traffic Generation Factor (Vehicles per hr per unit)	Estimated Generation
Care centres or rest homes		x 0.007 m ² GFA	=
Community welfare facilities		x 0.01 m ² GFA	=
Healthcare services		x 0.04 m ² GFA	=
Restaurants, cafes and other eating places		x 0.05 m ² GFA	=
Drive-through restaurants		X 0.5 m ² GFA	
Slow trade retail		x 0.015 m ² GFA	=
Supermarket		x 0.116 m ² GFA	=
Speciality retail		x 0.034 m ² GFA	=
Office		x 0.02 m ² GFA	=
Large format hardware		x 0.048 m ² GFA	=
Integrated Housing Development		0.5 vehicles per unit	=
Visitor accommodation		0.4 vehicles per unit	=
Residential units		0.65 vehicles per unit	=
Retirement village		0.25 vehicles per unit	=
Travellers' accommodation		0.4 vehicles per unit	=

Hotel		0.6 vehicles per unit	=
Light manufacturing		x 0.01 m ² GFA	
Warehousing		x 0.005 m ² GFA	
Tertiary education facility		0.31 vehicles per EFTS	
TOTAL			

I4XX.X. SPECIAL INFORMATION REQUIREMENTS

In addition to the general information that must be submitted with a resource consent application, applications for the activities listed below must be accompanied by the additional information specified.

(1) Vehicle Trip Generation:

(a) The process to be followed to calculate vehicle trip generation will be:

- (i) Calculate the vehicle trip generation figures for the proposed activity/activities within the Block using the table below or other information if the activity is not listed;
- (ii) If the total vehicle trip generation figure is less than 760 traffic movements per hour (Block B), 130 traffic movements per hour (Block C), 170 traffic movements per hour (Block D) during the weekday PM commuter Peak Hour, then the vehicle trip generation threshold control is deemed to have been met and the activity is permitted;
- (iii) If the total vehicle trip generation figure exceeds 760 traffic movements per hour (Block B), 130 traffic movements per hour (Block C), 170 traffic movements per hour (Block D) during the weekday PM commuter Peak Hour, the activity is a Restricted Discretionary Activity and consideration of the assessment criteria will be required;

(2) Offices, retail, food and beverage, entertainment facilities or education facilities greater than 100m² per site:

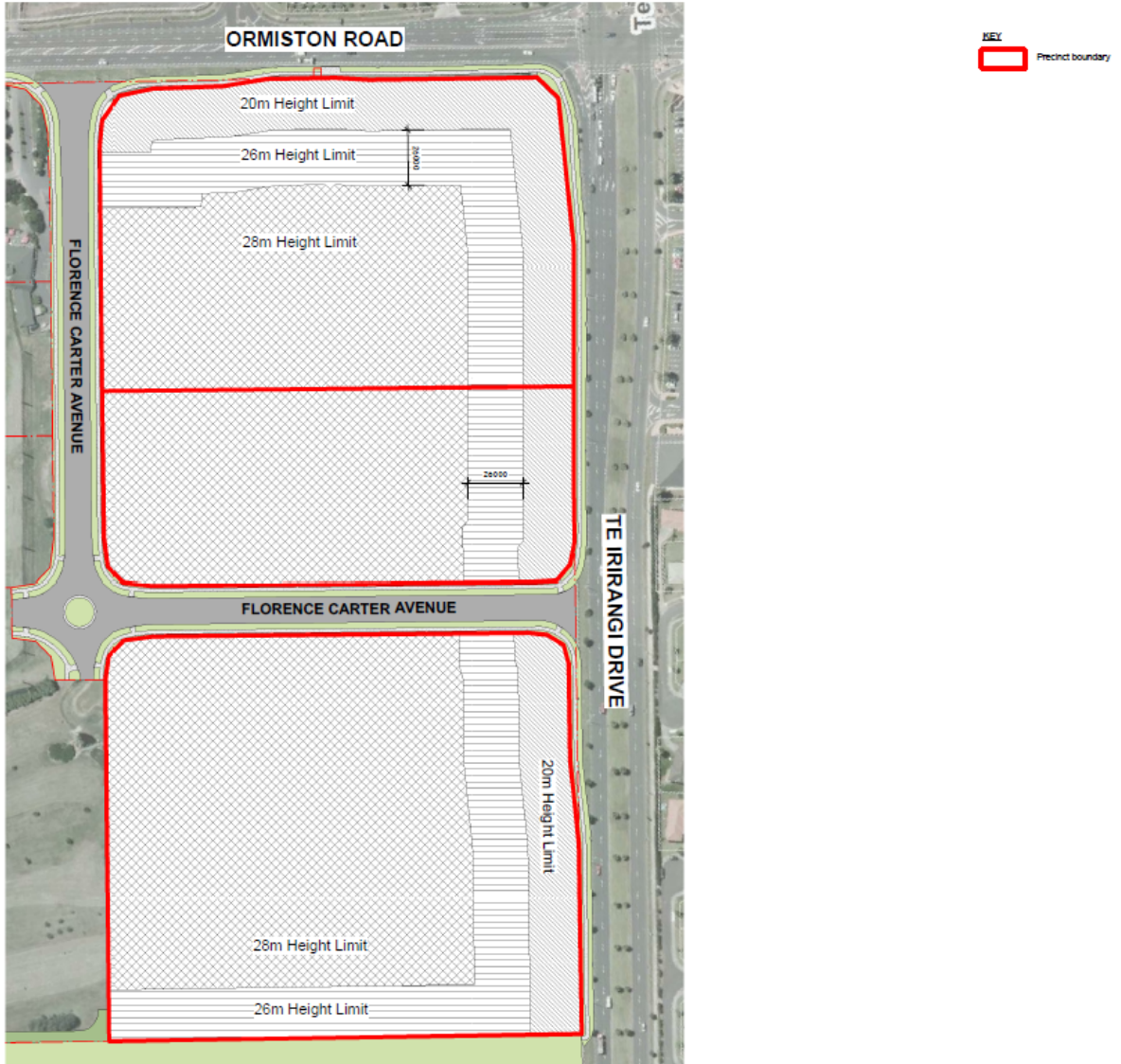
- (a) a site travel management plan must be provided corresponding to the scale and significance of the activity and containing the following information as a minimum to demonstrate how the development will achieve the objectives of the Integrated Transport Assessment prepared for the Florence Carter Avenue Precinct including:
 - i. the physical infrastructure to be established or currently established onsite to support the use of alternative forms of transport, such as adequate covered facilities for cyclists, showering, locker and changing facilities; carpool parking areas, travel reduction information; internet service to enhance awareness of alternative transportation services;
 - ii. the physical linkages to be provided on the site to link with surrounding pedestrian and cycle networks and existing public transport resources;
 - iii. operational measures to be established or currently implemented on- site to encourage reduced vehicle trips to Florence Carter

Avenue Precinct, including car sharing schemes, public transport use incentives, flexitime, staggered working hours;

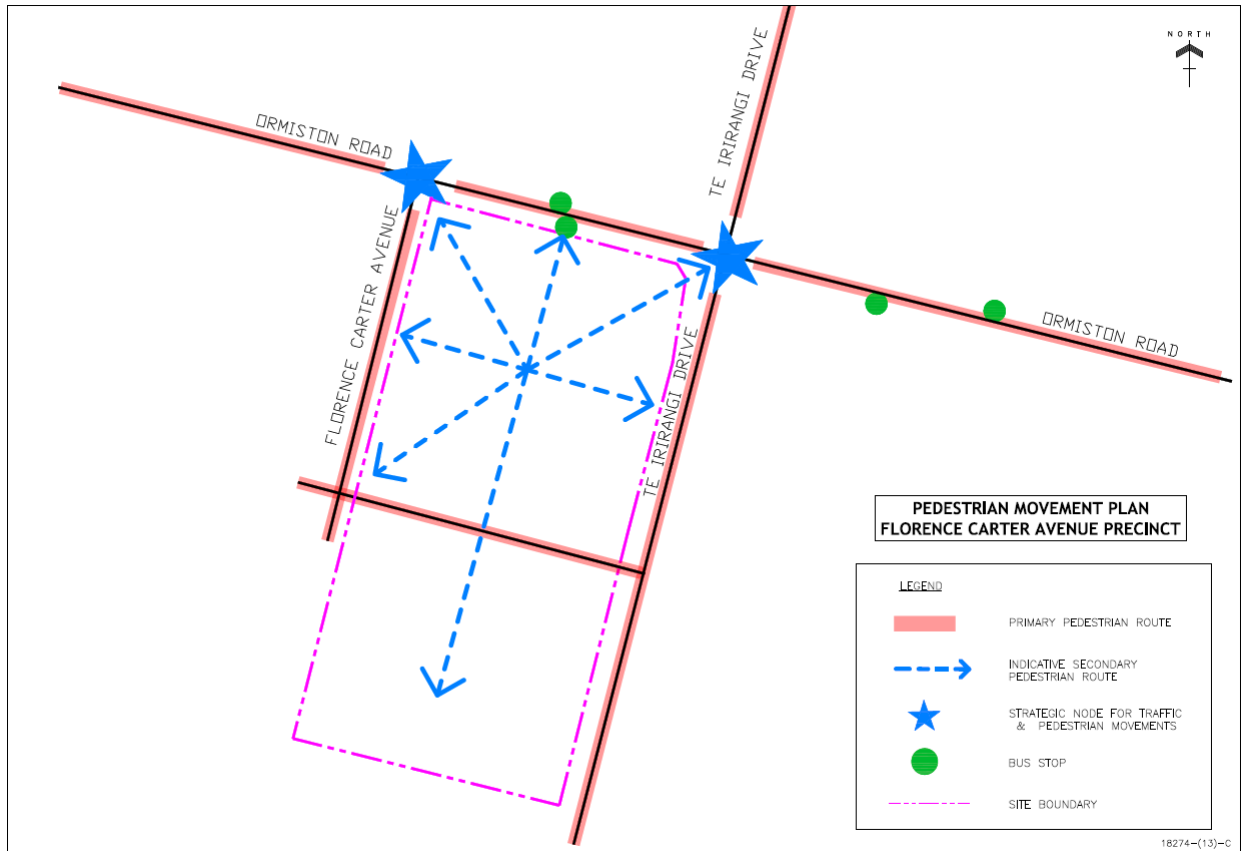
- iv. details of the management structure within the building or site in which the activity is to be located which has overall responsibility to oversee the implementation and monitoring of travel management measures;
- v. the methods by which the effectiveness of the proposed measures outlined in the site travel management plan can be independently measured/monitored and reviewed, including a commitment to undertake travel surveys at the time of building occupation or as otherwise required to provide on-going information regarding travel behaviour.

I4XX.XX. PRECINCT PLANS

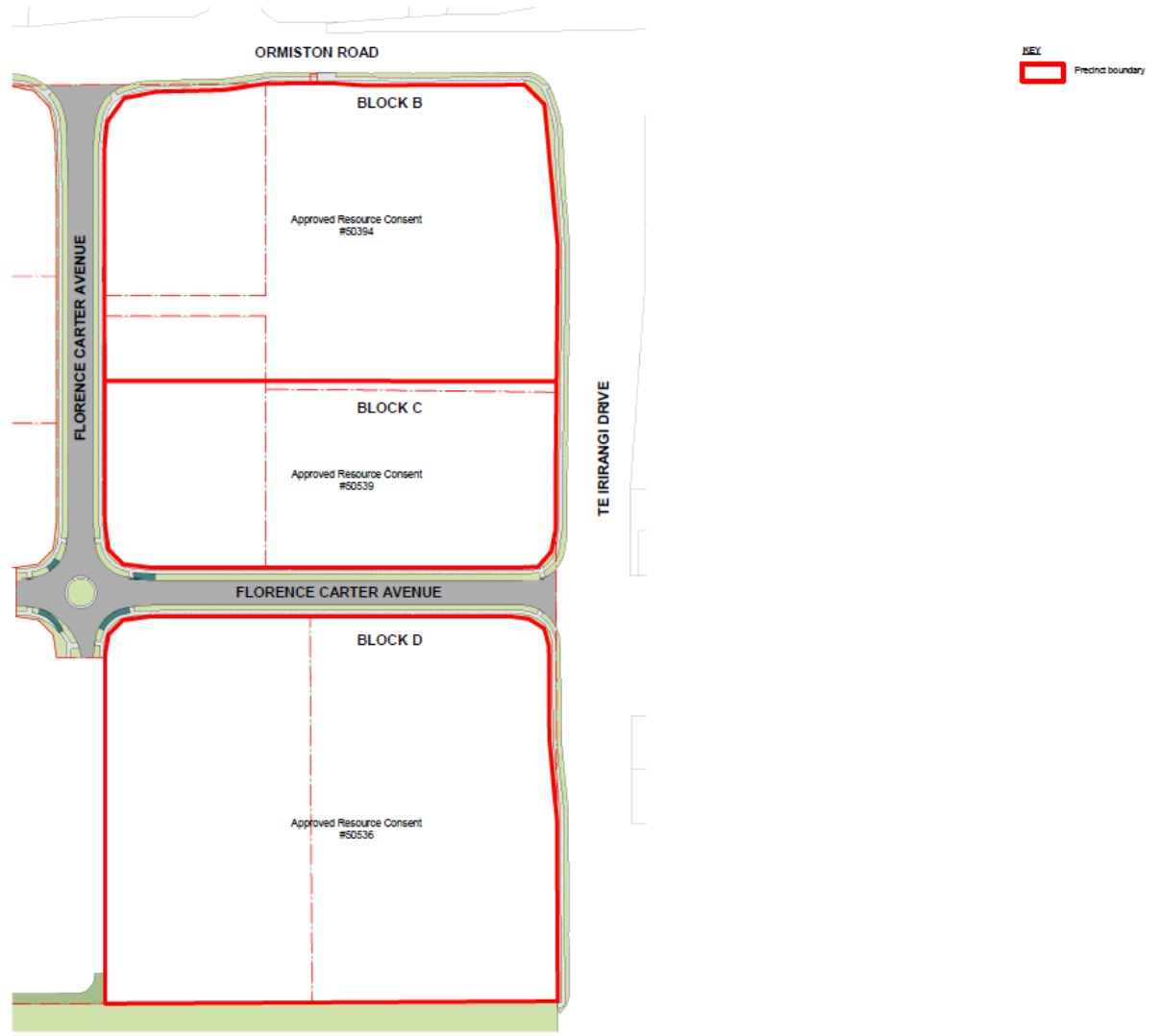
I4xx.xx.x Florence Carter Avenue: Precinct Plan 1 – Maximum Building Height



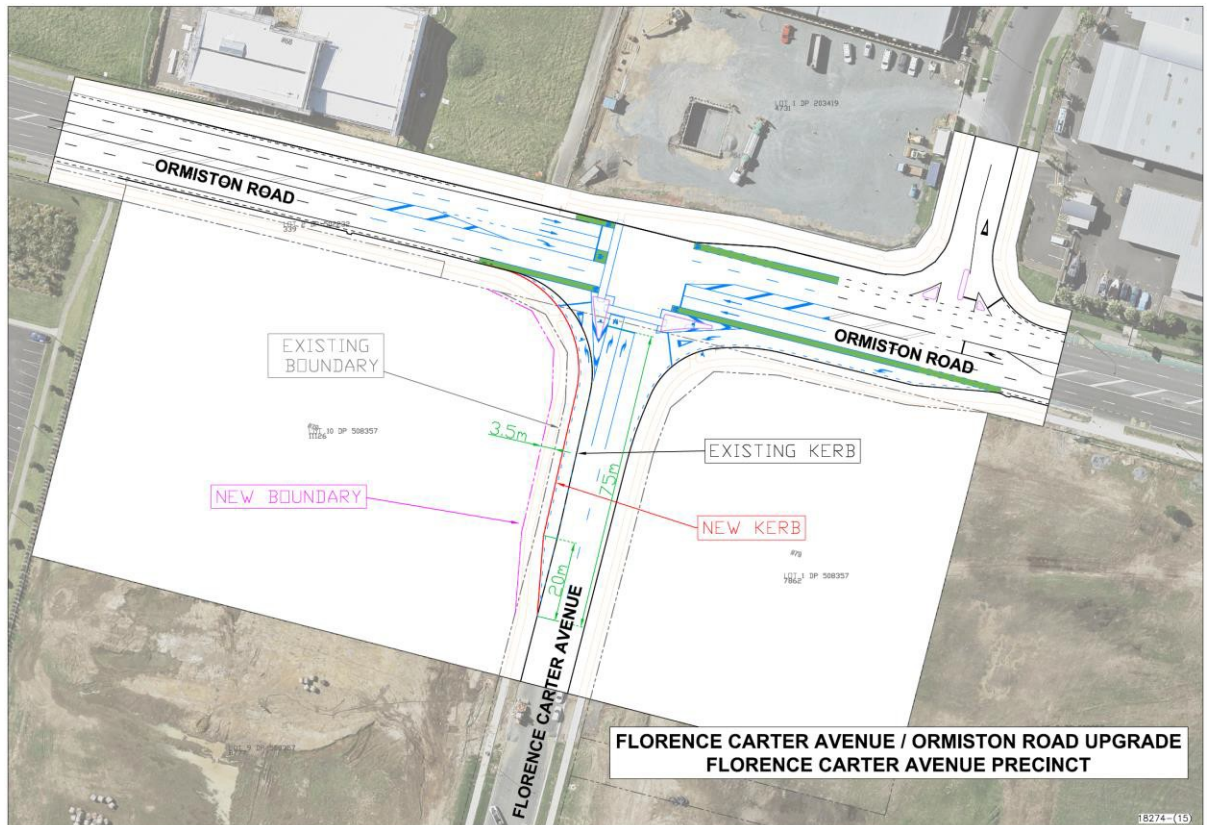
I4xx.xx.x Florence Carter Avenue: Precinct Plan 2 – Pedestrian Movement Plan



I4xx.xx.x Florence Carter Avenue: Precinct Plan 3 – Underlying Consented Blocks



I4xx.xx.x Florence Carter Avenue: Precinct Plan 4 – Intersection Upgrade



Appendix 4 – Summary of Decisions on Submission Points

Sub No.	Submitter	Accept or Reject
1	Erica Luo (Natural Line International Ltd)	Accept
2	Auckland Transport	Accept
3	Watercare Services	Accept
4	Takai Tamata	Reject