

<b>Chapter I Precincts - Central 1</b>
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## **I302. ASB Tennis Arena Precinct**

### **I302.1. Precinct description**

The ASB Tennis Arena Precinct provides for the operation, development, redevelopment and intensification of the ASB Tennis Arena.

The zoning of the land within the ASB Tennis Arena Precinct is the Special Purpose - Major Recreation Facility Zone. The overlay, Auckland-wide and zone objectives and policies apply in this precinct in addition to those listed below.

### **I302.2. Objectives**

- (1) The ASB Tennis Arena is protected as a regionally and nationally important venue for all of the following primary activities:
  - (a) organised sports and recreation;
  - (b) informal recreation;
  - (c) concerts, events and festivals;
  - (d) markets, fairs and trade fairs;
  - (e) functions, conferences, gatherings and meetings; and
  - (f) displays and exhibitions.
- (2) A range of activities compatible with, or accessory to, the primary activity are enabled.
- (3) The adverse effects of the operation of the ASB Tennis Arena are avoided, remedied or mitigated as far as is practicable recognising that the primary activities will by virtue of their nature, character, scale and intensity, generate adverse effects on surrounding land uses which are not able to be fully internalised.

### **I302.3. Policies**

- (1) Enable the safe and efficient operation of the ASB Tennis Arena for its primary activities.
- (2) Protect the primary activity of the ASB Tennis Arena from the reverse sensitivity effects of adjacent development.
- (3) Enable a range of accessory and compatible activities where they achieve all of the following:
  - (a) avoid, remedy or mitigate adverse effects; and
  - (b) are of a character and scale which will not displace the primary activities.

- (4) Manage the adverse effects of the operation of the ASB Tennis Arena, having regard to the amenity of surrounding properties.
- (5) Recognise that the ASB Tennis Arena’s primary activities may generate adverse effects that are not able to be fully internalised and may need to be further mitigated by limiting or controlling their scheduling, duration and frequency.

**I302.4. Activity table**

The provisions in any relevant overlays and Auckland-wide apply in this precinct unless otherwise specified below.

- (1) [E40 Temporary activities](#);
- (2) [E25 Noise and vibration](#) (noise provisions only);
- (3) [E24 Lighting](#);

Table I302.4.1 specifies the activity status of land use and development activities in the ASB Tennis Arena Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I302.4.1: Activity table**

	Activity	Activity status
Use		
Primary activities		
(A1)	Organised sports and recreation	P
(A2)	Informal recreation	P
(A3)	Concerts, events and festivals	P
(A4)	Displays and exhibitions	P
(A5)	Functions, gatherings, conferences and meetings	P
(A6)	Markets, fairs and trade fairs	P
(A7)	Any primary activity not meeting Standard I302.6.5 but meeting all other standards	C
Accessory activities		
(A8)	Accessory activities	P
(A9)	Any accessory activity not meeting Standard I302.6.5 but meeting all other standards	C
Compatible activities		
(A10)	Sports, recreation and community activities	P
(A11)	Professional fireworks displays meeting Standard I302.6.10	P
(A12)	Professional fireworks displays not meeting Standard I302.6.10	RD

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(A13)	Helicopter flights meeting Standard I302.6.11	P
(A14)	Helicopter flights not meeting Standard I302.6.11	RD
(A15)	Filming activities	P
(A16)	Retail limited to a gross floor area of no more than 200m <sup>2</sup> within the precinct	P
(A17)	Retail with a gross floor area greater than 200m <sup>2</sup> but no more than 400m <sup>2</sup> within the precinct	RD
(A18)	Retail greater than 400m <sup>2</sup> within the precinct	D
(A19)	Any compatible activity not meeting Standard I302.6.5 but meeting all other standards	C
Development		
(A20)	New buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity up to <del>21</del> 20m in height	P
(A21)	New buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity greater than <del>21</del> 20m in height	RD
(A22)	Light towers and associated fittings up to and greater than 20m in height	P
(A23)	New buildings, building alterations or additions to a building for a primary, compatible, or accessory activity not meeting Standard I302.6.8	RD
(A24)	Demolition of buildings	P
(A25)	Temporary buildings	P



Qualifying matter as per s770(j) of the RMA

**I302.5. Notification**

- (1) An application for resource consent for a controlled activity listed in Table I302.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table I302.4.1 Activity table and which is not listed in I302.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

**I302.6. Standards**

All permitted, controlled or restricted discretionary activities listed in Table I302.4.1 must comply with the following activity standards unless otherwise stated. The following standards do not apply:

- (1) [E27 Transport – Standard E27.6.1](#) Trip generation; and
- (2) [E27 Transport – Standard E27.6.2](#). Number of parking and loading spaces.

**I302.6.1. Noise**

- (1) The noise (rating) level from any activity as measured within the boundary of any site zoned residential, and incident on the facade of any building containing an activity sensitive to noise established as at September 30, 2013 within the Mixed Use Zone, must not exceed the noise limits in Table I302.6.1.1.

**Table I302.6.1.1: Noise standards**

Time, day, duration and frequency	Residential noise limit	Mixed Use noise limit
Up to 5 Special Noise Events between 8:00am and 10:30pm in any 12 month period	70dB $L_{Aeq(5min)}$	80dB $L_{Aeq(5min)}$
Up to 15 Special Noise Events between 8:00am and 10:30pm in any 12 month period	65dB $L_{Aeq(5min)}$	75dB $L_{Aeq(5min)}$
General noise standards for all days including Christmas Day, Good Friday & Anzac Day between: <ul style="list-style-type: none"> <li>• 7:00am and 10:00pm within any residential zone;</li> <li>• 7:00am and 11:00pm within all other zones.</li> </ul>	55dB $L_{Aeq}$	65dB $L_{Aeq}$
General noise standards at all other times	45dB $L_{Aeq}$ and 75dB $L_{Amax}$	55dB $L_{Aeq}$ and 75dB $L_{Amax}$

- (2) Noise limits must be measured in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.
- (3) For special noise events an adjustment must not be applied to amplified music or amplified voice sounds containing special audible characteristics (with respect to section 6.3 of NZS6802:2008) but other sources of sound may have an adjustment applied if necessary in accordance with the same section.

- (4) The prescribed time frames for the purpose of assessment according to NZS6802:2008 must be the timeframe for which any particular noise limit applies.
- (5) Crowd noise is to be excluded from any assessment of compliance with these limits.
- (6) Where  $L_{Aeq (5min)}$ , is specified, no 5 minute measurement sample can exceed the stated limit.
- (7) Professional fireworks displays and helicopter flights are excluded from this standard.

**I302.6.2. Lighting**

- (1) Lighting limits must be measured and assessed in accordance with Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting). In the event of any conflict between these documents and the lighting standards set out below, the below standards will prevail.
- (2) Any calculation must be based on a maintenance factor of 1.0 (i.e. no depreciation).
- (3) Where measurements of any illuminance above background levels from the use of artificial lighting cannot be made because the owner will not turn off artificial lighting, measurements may be made in areas of a similar nature that are not affected by the artificial light. The result of these measures may be used for determining the effect of the artificial light.
- (4) For the purposes of Standards I302.6.2, the curfew and pre-curfew times are as stated in Table I302.6.2.1.

**Table I302.6.2.1: Pre-curfew and curfew times**

	Times
Pre-curfew	7am – 11pm
Curfew	11pm – 7am

- (5) The added illuminance from the use of any artificial lighting on any site must not exceed either one of the following:
  - (a) The limits in Table I302.6.2.2 when measured at the boundary of any adjacent site containing a lawful dwelling established prior to 30 September 2013. The illuminance limit will apply horizontally and vertically at any point on the boundary and at any height; or

**Table I302.6.2.2: Horizontal and vertical illuminance at a boundary**

	Illuminance limit
Pre-curfew	100 lux (above the background level)
Curfew	10 lux (above the background level)

(b) The vertical illuminance limits in Table I302.6.2.3 when measured at the windows of habitable rooms of a lawfully established dwelling.

**Table I302.6.2.3: Vertical illuminance at a window**

	Vertical illuminance limit
Pre-curfew	25 lux
Curfew	4 lux

(6) Outdoor artificial lighting operating on any site between sunset and sunrise must not exceed a threshold increment limit of 15 per cent (based on an adaption luminance of 2 cd/m<sup>2</sup>) on any public road, calculated within each traffic lane in the direction of travel.

(7) Any exterior lighting must be selected, located, aimed, adjusted and/or screened to ensure that glare resulting from the lighting does not exceed the applicable limits for pre-curfew times in Table I302.6.2.4 and 1,000 cd for curfew times at the windows of habitable rooms of a lawfully established dwelling or at the boundary of any residential site where a dwelling does not yet exist.

**Table I302.6.2.4: Pre-curfew luminous intensity**

	Pre-curfew luminous intensity limit
Standard	10,000 cd
Special lighting events	25,000 cd

(8) The average surface luminance for an intentionally artificially lit building façade must not exceed the limits in Table I302.6.2.5. The values may be determined by calculation or measurement in accordance with CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3.

(9) Professional fireworks displays are excluded from this standard.

**Table I302.6.2.5: Building façade luminance**

	Luminance limit
Standard	25 cd/m <sup>2</sup>
Special lighting events	25 cd/m <sup>2</sup>

**I302.6.3. Special noise events**

- (1) The total number of special noise events in any 12 month period must not exceed 20 events.
- (2) For the purpose of this standard, a special noise event exceeds the standard noise limits but does not exceed the special noise limits listed in Table I302.6.1.1.
- (3) Special noise events may occur consecutively over a day or days, but may not exceed the total number of special noise events allowed in any 12 month period provided that:
  - (a) There must be no more than 2 special noise events on any one day.
  - (b) There must be no more than 4 special noise events within any 2 week period.
- (4) A single special noise event must be limited to a total duration of 6 hours. Any special noise event lasting longer than 6 hours must be counted as 2 special noise events. The duration of a special noise event must be determined by the cumulative length of time that the standard noise limits are exceeded.

**I302.6.4. Special lighting events**

- (1) The total number of special lighting events in any 12 month period must not exceed 25 events.
- (2) For the purpose of this standard, a special lighting event exceeds the standard lighting limits but does not exceed the special lighting limits listed in Tables I302.6.2.4 and I302.6.2.5.

**I302.6.5. Traffic management**

Activities must meet at least one of the following traffic standards:

- (1) The activity and management of associated transport and traffic effects is undertaken in accordance with a Transport and Traffic Management Plan authorised by Auckland Transport; or
- (2) The activity generates a crowd of less than 5,000 people and does not require the closure of a public road.



### **I302.6.6. Parking**

- (1) [Deleted]

### **I302.6.7. Screening**

- (1) Any outdoor storage or rubbish collection areas that are visible from a residential zone or an open space zone must be screened from those areas.

Qualifying matter  
as per s770(j)  
of the RMA

### **I302.6.8. Interface control areas**

- (1) New buildings, external building alterations or additions to a building must be located outside the Interface Control Area (ICA) illustrated on the precinct plan. Temporary buildings are excluded from this standard.

Qualifying matter  
as per s770(j)  
of the RMA

### **I302.6.9. Height in relation to boundary**

- (1) Where the ASB Tennis Arena Precinct directly adjoins an open space zone, buildings must not project beyond a 45 degree recession plane measured from a point 8.5 metres vertically above ground level on the precinct boundary.
- (2) Temporary buildings, light towers and associated fittings are excluded from this standard.

### **I302.6.10. Professional fireworks displays**

- (1) Displays are limited to 3 in any 12 month period.
- (2) Displays must not exceed 15 minutes in duration.
- (3) Displays must be finished by 10:30pm.
- (4) Fireworks must be discharged at least 120 metres from any residential zone.
- (5) Displays must comply with 140dB  $L_{Zpeak}$  at any point in the audience area and within the boundary of any activity sensitive to noise.

### **I302.6.11. Helicopter flights**

- (1) There must be no more than 30 helicopter movements in any 12 month period and 10 on any day (where an arriving flight and a departing flight comprises two movements).

### **I302.6.12. Temporary buildings**

- (1) Temporary buildings must be erected for a continuous period of no greater than 90 days, excluding set up and dismantling time.

## **I302.7. Assessment – controlled activities**

### **I302.7.1. Matters of control**

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

- (1) The effects of the proposed activity on the safety and efficiency of the transport network.

### **I302.7.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for controlled activities, in addition to the assessment criteria specified for the relevant activities in the overlay and Auckland-wide provisions:

- (1) The effects on the safety and efficiency of the transport network:
  - (a) the extent to which there are likely to be adverse effects on the safe and efficient operation of the transport network and pedestrian movements;
  - (b) the extent to which entry and exit points to the precinct will be managed to accommodate traffic and pedestrian movements; and
  - (c) the extent to which any proposed mitigation measures will address adverse traffic and parking effects. Such measures may include travel planning, providing alternatives to private vehicle trips and the preparation and implementation of a Transport and Traffic Management Plan (prepared by a suitably qualified and experienced person).

### **I302.8. Assessment – restricted discretionary activities**

#### **I302.8.1. Matters of discretion**

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

- (1) Any activity that does not comply with noise and/or lighting standards:
  - (a) the effects of non-compliance with a noise and/or lighting standard on the amenity values of surrounding properties and safety of transport networks.
- (2) Any activity that does not comply with permitted helicopter flight standards:
  - (a) the effects of non-compliance with the permitted helicopter flight standard on the amenity of surrounding properties.
- (3) Any activity that does not comply with permitted professional fireworks display standards:
  - (a) the effects of non-compliance with the permitted fireworks display standard on the amenity of surrounding properties.
- (4) Any new buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity that greater than 20m in height and/or which does not comply with height in relation to boundary standards:
  - (a) the visual effects of the additional bulk and scale of buildings on the amenity of private properties, streets and public open spaces.
- (5) Any new buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity not meeting Standard I302.6.8:

(a) the visual effects of the building design and external appearance on the amenity of private properties, streets and public open spaces.

(6) Any activity that does not comply with the screening standards:

(a) the visual effects of rubbish and storage areas on residential and open space zoned sites.

(7) Any activity identified as a restricted discretionary activity:

In addition to the matters listed for non-compliance with any general and/or specific standard, discretion is restricted over all of the following matters:

(a) the effects of the activity on the primary activities of the site;

(b) the effects of traffic and parking on the surrounding environment; and

(c) the effects of the activity on metropolitan, town or local centres.

### **I302.8.2. 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 activities in the overlay and Auckland-wide provisions:

(1) The effects of non-compliance with a noise and/or lighting standard on the amenity values of surrounding properties and safety of transport networks:

(a) whether the effects of the activity will give rise to noise effects that are unreasonable, having regard to all of the following:

(i) the cumulative noise effects of other activities which are permitted on the site;

(ii) the cumulative effect of numerous infringements of noise standards; and

(iii) the degree of non-compliance.

(b) whether people likely to be affected by the exceedance of noise standards will be given reasonable notice of the likely effects of the infringement including start time and end time.

(c) the extent to which duration and hours of operation are managed to minimise the effects of the infringement having regard to the operational requirements and reason for the infringement.

(d) the extent to which any artificial lighting will create a traffic safety issue.

(e) whether the number, placement, design, height, colour, orientation and screening of light fittings and light support structures minimise light spill, glare, and loss of night time viewing.

- (f) the extent to which the amount of light falling into habitable rooms of during the hours of darkness is minimised to control effects on indoor amenity and sleep disturbance.
- (g) whether the artificial lighting is necessary, suitable and adequately protects the amenity of the surrounding environment.
- (h) the extent to which additional special events adversely affect the amenity of surrounding properties having regard to all of the following:
  - (i) the sensitivity of the surrounding environment; and
  - (ii) the cumulative effect of numerous infringements of special event standards;
  - (iii) the additional number of special events; and
  - (iv) whether there is an operational need for the exceedance.
- (2) The effects of non-compliance with the permitted helicopter flight and/or fireworks display standard on the amenity of surrounding properties:
  - (i) the extent to which the additional activities adversely affect the amenity of surrounding properties, having regard to all of the following:
    - (i) the sensitivity of the surrounding environment;
    - (ii) the cumulative effect of numerous infringements of this standard;
    - (iii) the additional number of activities; and
    - (iv) whether there is an operational need for the exceedance.
- (3) The visual effects of the additional bulk and scale of buildings on the amenity of private properties, streets and public open spaces.
  - (a) the extent to which the height, location and design of the building allow reasonable sunlight and daylight access to:
    - (i) streets and public open spaces; and
    - (ii) adjoining sites, particularly those in residential zones.
  - (b) the extent to which the building avoids, remedies or mitigates any potential loss of privacy for surrounding properties (particularly those in residential zones).
  - (c) whether there is an operational, technical or locational need to exceed height and/or height in relation to boundary standard/s.
  - (d) the extent to which adverse effects of the visual dominance of the building on the surrounding area (including roads) are avoided, remedied or mitigated having regard to the amenity and character of the surrounding area and the functional and operational needs of the facility.

- (4) The visual effects of the building design and external appearance on the amenity of private properties, streets and public open spaces.
  - (a) the extent to which the building design and external appearance avoids, remedies or mitigates adverse effects on the surrounding area having regard to all of the following:
    - (i) the amenity values and character of the surrounding area;
    - (ii) the functional and operational requirements of the precinct;
    - (iii) whether crime prevention through environmental design (CPTED) principles have been integrated into external building and layout design;
    - (iv) whether long unrelieved frontages and excessive bulk and scale when viewed from the public realm and residential zones have been avoided;
    - (v) whether mechanical and electrical equipment has been integrated into the building design as far as is practicable;
    - (vi) whether quality, durable, fit for purpose and easily maintained materials have been used for building design and construction; and,
    - (vii) whether landscape design is utilised to enhance the visual appearance of the development, including around parking areas and service areas.
- (5) The visual effects of rubbish and storage areas on residential and open space zoned sites:
  - (a) the extent to which screening is practicable.
  - (b) the extent to which distance and topographical matters mitigate likely adverse visual effects.
- (6) The effects of an activity on the primary activities of the site:
  - (a) whether the activity is of a character, scale and intensity to ensure that adverse effects on the operation of the primary activity, including its likely future use or intensification, are avoided, remedied or mitigated.
- (7) The effects of traffic and parking on the surrounding environment:
  - (a) whether there are likely to be adverse effects on the safe and efficient operation of the transport network and pedestrian movements.
  - (b) whether a reduction in car parking will compromise the successful implementation of a Transport and Traffic Management Plan, where relevant or required.
  - (c) whether the precinct has sufficient parking capacity to provide for the day to day needs of existing and proposed activities.

(8) The effects of the activity on metropolitan, town or local centres:

- (a) whether the proposed activity will adversely affect the function, role, or amenity of any metropolitan, town or local centre beyond those effects ordinarily associated with trade effects on trade competitors.

**I302.9. Special information requirements**

There are no special information requirements for this precinct.

**I302.10. Precinct plans**

**I302.10.1. ASB Tennis Area: Precinct plan 1**

Qualifying matter as per s770(j) of the RMA



## **I305. Avondale 1 Precinct**

### **I305.1. Precinct Description**

The Avondale 1 Precinct applies to the northern boundary edge of the Avondale Racecourse land that adjoins Ash Street, Avondale, and the north-eastern corner edge of the Avondale Racecourse land extending from Ash Street to Racecourse Parade.

The precinct is divided into Sub-precinct A and Sub-precinct B. The purpose of the precinct is to:

- enable the Avondale Jockey Club to continue to use the Avondale Racecourse for horse racing (including associated activities) and market days over the short to medium term, while enabling the staged transition to an integrated mixed use development over the medium to long term;
- provide commercial, residential and office development potential, with limited opportunity for larger retail activities and residential activities at the ground floor in Sub-precinct A; and
- provide intensive residential development potential, with limited opportunity for larger retail and commercial activities in Sub-precinct B.

Sub-precinct A provides for development that will address the Ash Street frontage and the interface with the Avondale Racecourse. The Sub-precincts will integrate and connect with each other and encourage connections to existing streets to provide access to Avondale Town Centre. The sub-precinct seeks to ensure that the prominence and visibility of the racecourse activities is not lost as a consequence of new development along part of the racecourse boundary.

The development of Sub-precinct A is likely to result in the relocation of the existing historic buildings of the Avondale Racecourse along the edge of Ash Street. Built around the turn of the century, these structures are the last remaining historic buildings on the 100-year old racing property. Although they are not scheduled, they are considered to have significance to the local area and their retention is encouraged.

The transport infrastructure for Avondale 1 Precinct should complement and support the Avondale 2 Precinct, particularly pedestrian and cycle connectivity into and through both precincts. Provision for new roads, intersections and vehicle access points should be made.

The zoning of land within this precinct is Business – Mixed Use Zone and Residential – Terrace Housing and Apartment Buildings Zone.

### **I305.2. Objectives**

- (1) Subdivision and development is designed and implemented in a comprehensive, efficient and integrated way which achieves a high quality urban environment, recognises the wider landscape features of the area, and enables the ongoing use of the precinct for horse racing, market days and related activities.
- (2) Redevelopment of the precinct has regard to the former sanitary block and casualty room buildings along the Ash Street Boundary of Avondale Racecourse

and measures are taken where possible to retain and reuse them due to their local significance.

- (3) Development and/or subdivision within the precinct facilitates a transport network that:
  - (a) integrates with, and avoids, remedies or mitigates adverse effects on the safety and efficiency of the transport network in the surrounding area, including providing any upgrades to the surrounding network; and
  - (b) facilitates transport choices by providing for pedestrians, cyclists, public transport facilities, and vehicles
- (4) Commercial development supports the Avondale Town Centre, and does not detract from its vitality and viability.
- (5) Residential activities are limited in Sub-precinct A to support Sub-precinct B and maximise the business amenity of the Ash Street frontage.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

### **I305.3. Policies**

- (1) Provide for the Avondale Racecourse to continue to be used for horse racing, market days and related activities until redevelopment occurs.
- (2) Encourage development to recognise and provide for the wider landscape views and special features of the area, including the Waitakere Ranges and Avondale Racecourse infield, and the historic former sanitary block and casualty room buildings located in Sub-precinct A.
- (3) Encourage subdivision and development of vehicle, pedestrian and cycle routes, including new roads and intersections, through the precinct that provide access through to Avondale Precinct 2 to Elm Street and Racecourse Parade while ensuring adverse effects on the existing transport network are avoided, remedied or mitigated.

### **Sub-precinct A**

- (4) Provide for a range of commercial and office activities that will not diminish the role of the Avondale Town Centre and its function.
- (5) Restrict retail activities that undermine the role, function, amenity, and community social and economic wellbeing of the Avondale Town Centre environment, or which add significant traffic to Ash Street.
- (6) Limit residential activities to those that are above businesses and which mitigate the effects of Ash Street's traffic function on resident health and amenity.



**Sub-precinct B**

(7) Enable intensive residential activities within a close walk of the Avondale Town Centre and public transport, and which integrates well with the adjoining Avondale Racecourse precinct land and existing residential development immediately east of the sub-precinct.

(8) Limit office and retail activities unless they will support the Avondale Town Centre main street or activities within Sub-precinct B.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

**I305.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

The rules in Activity Table I305.4.1 in I305 Avondale 1 Precinct as they relate to the construction and use of up to 3 dwellings per site replace the rules in the underlying zones for the construction and use of up to 3 dwellings per site.

Table I305.4.1 Activity table specifies the activity status of land use, development and subdivision activities in the Avondale 1 Precinct pursuant to sections 9(3) and 11 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

A blank in Table I305.4.1 Activity table below means that the provisions of the overlays, zone or Auckland-wide apply.

**Table I305.4.1 Activity table**

Activity		Activity status	
		Sub-precinct A	Sub-precinct B
<b>Use</b>			
(A1)	Activities identified as permitted in I307 Avondale Racecourse Precinct	P	P
Residential			
(A2)	Dwellings located on the ground floor of a building	D	
(A3)	Conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses	D	
(A4)	Integrated residential developments	D	
(A5)	Supported residential care	D	
(A6)	Visitor accommodation	D	
(A7)	Boarding houses	D	

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<b>Commerce</b>			
(A8)	Commercial Services	P	D
(A9)	Dairies	P	P
(A10)	Offices	P	D
(A11)	Retail up to 450m <sup>2</sup> gross floor area per tenancy	D	D
(A12)	Retail greater than 450m <sup>2</sup> gross floor area per tenancy	NC	NC
<b>Development</b>			
(A13)	New buildings and external alterations and additions to buildings	RD	
(A14)	Total or substantial demolition (exceeding 30 per cent or more by area, of wall elevations or roof area) of the former sanitary Block or casualty room buildings identified on Avondale 1: Precinct Plan 1	RD	NA
(A15)	Relocation of the former sanitary block or casualty room buildings identified on Avondale 1: Precinct Plan 1	RD	NA
<b>Subdivision</b>			
(A16)	Subdivision		

**I305.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I305.4.1 Activity table 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 purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

**I305.6. Standards**

All activities listed as permitted or restricted discretionary in Table I305.4.1 Activity table must comply with the standards of the overlay, zone and Auckland-wide standards as relevant.

**I305.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

**I305.8. Assessment – restricted discretionary activities**

**I305.8.1. Matters of discretion**

The Council will restrict its discretion to all of 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 overlay, Auckland wide or zone provisions:

- (1) new buildings, and external alterations and additions to buildings:
  - (a) the effect on the identified buildings on the Avondale: Precinct Plan 1, if relocated; and
  - (b) the effect on views to the Waitakere Ranges and the Avondale Racecourse infield.
- (2) relocation, total or substantial demolition of the former sanitary block or casualty room-identified on Avondale 1 Precinct: Precinct plan 1:
  - (a) the effect on the character and historical significance of the buildings.

### **I305.8.2. 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) new buildings, and external alterations and additions to buildings:
  - (a) the effect on the identified buildings on the Avondale 1 Precinct: Precinct Plan 1, if these buildings have been relocated:
    - (i) the extent to which the works compliment the scale and form of the identified buildings.
  - (b) the effect on views to the Waitakere Ranges and the Avondale Racecourse infield:
    - (i) the extent to which the works are designed to, where appropriate, maintain public views to the wider landscape features including the Avondale Racecourse infield and the Waitakere Ranges.
- (2) relocation, total or substantial demolition of the former sanitary block or casualty room buildings identified on Avondale 1 Precinct: Precinct plan:
  - (a) the effect on the character and historical significance of the buildings:
    - (i) whether the proposed works will result in adverse effects (including cumulative adverse effects) on the heritage values of the buildings;
    - (ii) whether the proposed works will maintain or enhance the values of the buildings, including by:
      - avoiding or minimizing the loss of fabric that contributes to the significance of the buildings;
      - removing features that compromise the values of the place;
      - complementing the form and fabric which contributes to, or is associated with, the values of the buildings; and

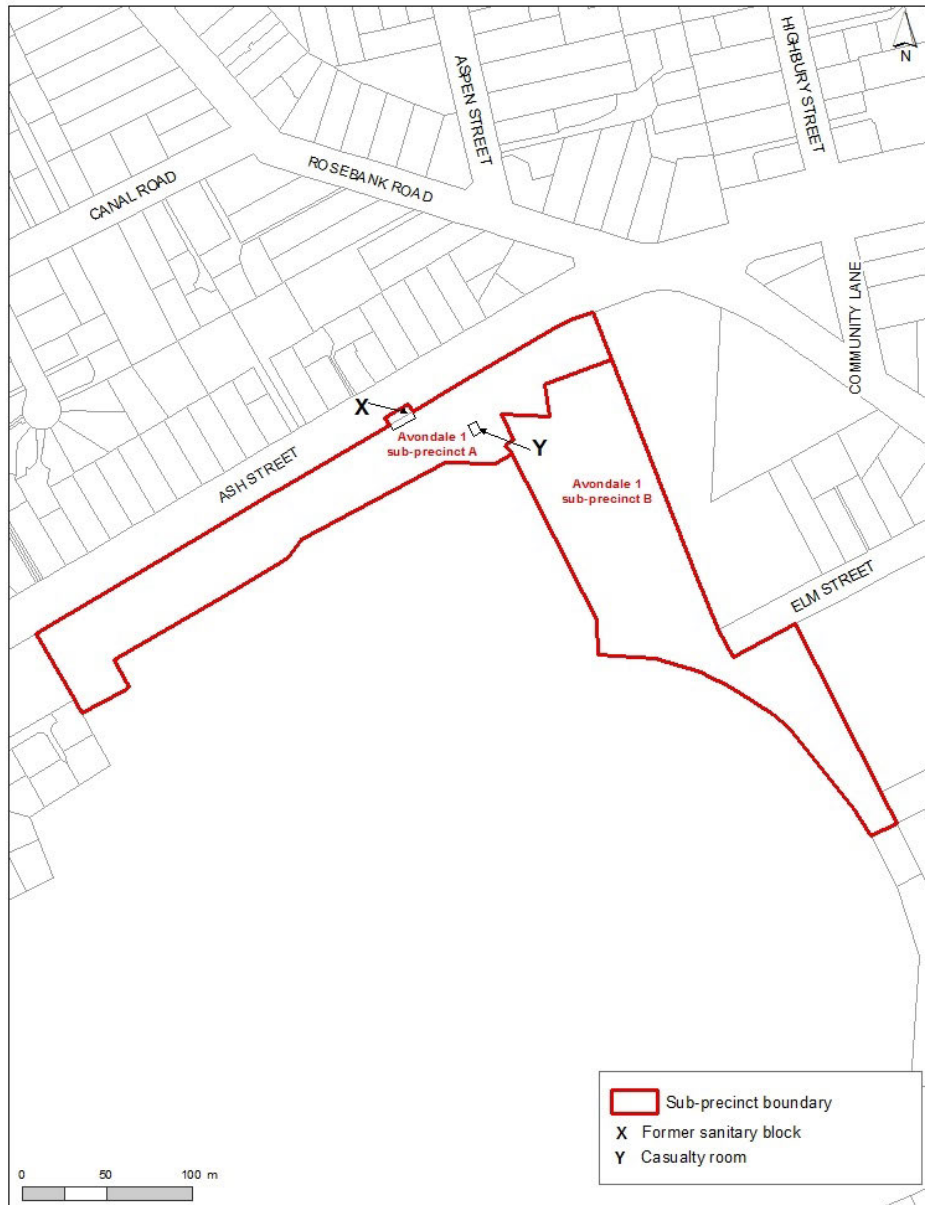
- recovering or revealing the values of the buildings;
- (iii) whether the proposed works will be undertaken in accordance with good practice conservation principles and methods;
- (iv) whether the proposed works will be undertaken in a manner that is based on a clear understanding of the values of the buildings;
- (v) whether the proposal contributes to, or encourages, the long term viability and/or ongoing functional use of the buildings; and
- (vi) refer to Policy I305.3.(2)

**I305.9. Special information requirements**

- (1) As part of the first subdivision resource consent application; or land use resource consent application for a proposal greater than 1,000m<sup>2</sup> gross floor area, the applicant must prepare an integrated transport assessment that includes both Avondale 1 Precinct and Avondale 2 Precinct.

**I305.10. Precinct plans**

**I305.10.1 Avondale 1 Precinct: Precinct plan 1**



## **I308. Central Park Precinct**

### **I308.1. Precinct description**

The Central Park Precinct is located at 666 Great South Road, Ellerslie. The purpose of the Central Park Precinct is to provide for employment and office activities within an office park environment. A broader range of activities as identified in the underlying Business – Mixed Use Zone are enabled within sub-precinct B, taking advantage of the proximity of the site to a high capacity, high frequency public transport corridor.

Constraints on the amount and location of parking contribute to the pedestrian amenity of the precinct. The amount of supporting services and minor convenience/service retail that can be established in the site is capped so that the Central Park precinct and Ellerslie town centre complement, and do not compete with each other.

The precinct is separated into five development areas. The five areas have different building heights, reflecting the existing built environment, the nature of the site, its location near Ellerslie town centre and surrounding protected views.

The zoning of the land within the Central Park Precinct is the Business – Business Park Zone and Business Mixed Use Zone.

### **I308.2. Objective**

- (1) The Central Park Precinct is developed as a business park with a range of supporting activities that are complementary to the Ellerslie town centre, and is well designed and integrated with the surrounding area and infrastructure.
- (2) A broader range of activities as identified in the underlying Business - Mixed Use Zone are enabled in sub-precinct B taking advantage of the proximity of the site to the frequent and reliable transport network.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

### **I308.3. Policies**

- (1) Within sub-precinct A, limit land use activities such as retail, food and beverage and recreation facilities, to those that serve the needs of office workers within the precinct.
  - (1)(a) Within sub-precinct B, land use activities are limited to those identified within the Business - Mixed Use Zone.
- (2) Require buildings to align with and activate private streets within the site.
- (3) Require development to avoid, remedy and mitigate any adverse traffic effect on the Ellerslie Panmure Highway interchange.
- (4) Require development within the precinct to apply the following principles:
  - (a) high quality pedestrian links through the site;
  - (b) landscape amenity space;

- (c) gateway and landmark features;
  - (d) safe vehicle movements within and to and from the site;
  - (e) massing and building height; and
  - (f) landscaped areas and pedestrian plazas that enhance the amenity of the site and provide a focal point of the development.
- (5) Promote the use of public transport and pedestrian orientated activity by limiting the amount of parking provided within sub-precinct A once Central Park is fully developed.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

**I308.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I308.4.1 Activity table specifies the activity status of land use and development activities in the Central Park Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I308.4.1 Activity table**

**Sub-precinct A**

Activity		Activity status
<b>Use</b>		
<b>Commerce</b>		
(A1)	Food and beverage not exceeding 250m <sup>2</sup> of gross floor area per building	P
(A2)	Food and beverage exceeding 250m <sup>2</sup> of gross floor area per building	D
(A3)	Retail not exceeding 250m <sup>2</sup> gross floor area per building, provided any single tenancy does not exceed 150m <sup>2</sup> of gross floor area	P
(A4)	Retail exceeding 250m <sup>2</sup> gross floor area per building, provided any single tenancy does not exceed 150m <sup>2</sup> of gross floor area	D
(A5)	Retail where any single tenancy exceeds 150m <sup>2</sup> of gross floor area	NC
(A6)	Entertainment facilities	D
<b>Community</b>		
(A7)	Recreation facilities not exceeding 250m <sup>2</sup> of gross floor area per building	P

I308 Central Park Precinct

(A8)	Recreation facilities exceeding 250m <sup>2</sup> of gross floor area per building	D
<b>Development</b>		
(A9)	New buildings	C
(A10)	External additions and alterations to buildings that: (a) are not structural; (b) increase the building development area by less than 25%; and (c) do not increase the height of the building.	P
(A11)	External additions and alterations to buildings not provided for as permitted	C

**Sub-precinct B**

<b>Activity</b>		<b>Activity status</b>
<b>Development</b>		
(A12)	New buildings	RD
(A13)	External additions and alterations to buildings that: (a) are not structural; (b) increase the building development area by less than 25%; and (c) do not increase the height of the building.	P
(A14)	External additions and alterations to buildings not provided for as permitted	RD

**I308.5. Notification**

- (1) An application for resource consent for a controlled activity listed in Table I308.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table I308.4.1 Activity table and which is not listed in I308.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).



**I308.6. Standards**

The overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below. For clarity, Standard E27.6.1 (Trip generation) applies within sub-precinct B.

All activities listed as permitted, controlled and restricted discretionary in Table I308.4.1 Activity table must comply with the following permitted activity standards.

**I308.6.1. Building height**

(1) Buildings must not exceed the heights specified in the table below:

**Table I308.6.2.1 Building height**

Qualifying matter as per s770(j) of the RMA

Building development areas	New Zealand Vertical Datum 2016	Height above ground level (average)
<b>Sub-precinct A</b>		
A	43.9m	19.8m
B	53.0m	30.4m
C	72.7m	48.0m
D	89.7m	67.9m
<b>Sub-precinct B</b>		
E	66.2m	44.0m

- (2) The location of the building development areas within the precinct are shown on Precinct plan 1 - Central Park Building heights.
- (3) Building height coordinates are shown on Precinct plan 3 - Central Park building height coordinates.
- (4) The height above mean sea level method is the prevailing maximum height measure.

**I308.6.2. Roof tops**

- (1) In development areas A, B and C:
  - (a) rooftop projections must not exceed the maximum building height by more than 10 per cent; and
  - (b) the total area of rooftop projections must not exceed 10 per cent of the total roof area.

**I308.6.3. Site intensity**

In sub-precinct A:

- (1) *[deleted]*
- (2) The gross floor area of the following activities must not exceed 3,500m<sup>2</sup> for:
  - (a) recreation facilities;

(b) food and beverage; and

(c) retail provided that the total gross floor area for retail must not exceed 2000m<sup>2</sup>

#### **I308.6.4. Upper and lower storey setbacks**

In sub-precinct A:

- (1) A minimum distance between buildings must be provided as follows:
  - (a) for the portion of the building façade located between ground level and 13m above ground level: 18m; and
  - (b) for the portion of the building façade located more than 13m above ground level: 24m.
- (2) An existing or consented building will set the building line on one side of the street, and any future building setback must comply with I308.6.4(1) above.
- (3) Parking structures (except the parking structure along the eastern frontage of building development area A) will not set the first building line.

#### **I308.6.5. Pedestrian plaza and landscaped amenity spaces**

In sub-precinct A:

- (1) The indicative pedestrian plaza and indicative landscaped amenity spaces must be provided in the general locations shown on Precinct plan 2: Central Park urban design framework.
- (2) The pedestrian plaza must have a minimum area of 600m<sup>2</sup> (excluding footpaths on road frontages) and must be provided concurrently at the time the next building in the precinct is constructed after the date the Unitary Plan becomes operative.
- (3) A minimum of 10 per cent of the total developable area of the precinct (excluding internal road corridors) must be provided as landscaped amenity spaces. The landscaped amenity spaces may comprise:
  - (a) pedestrian plaza areas;
  - (b) pocket parks i.e. small parks and breakout areas; or
  - (c) stormwater retention ponds where they are designed for dual purpose as amenity features.

#### **I308.6.6. Footpaths in the pedestrian oriented area**

- (1) Footpaths within the pedestrian oriented area must be a minimum of 1.8m wide on both sides of the street.
- (2) This standard does not apply to existing or consented footpaths as at June 2010 that do not comply with this standard.

### **I308.6.7. Pedestrian connections**

- (1) Pedestrian connections must be provided and maintained throughout the site, generally in the locations shown on Precinct plan 2: Central Park urban design framework. The following pedestrian connections must be provided:
  - (a) an at grade pedestrian link as shown on Precinct plan 2: Central Park urban design framework;
  - (b) internal pedestrian links as shown on Precinct plan 2: Central Park urban design framework; and
  - (c) signage at the Great South Road and Sultan Road entrances to the pedestrian connection advising the public of the availability of the link, subject at all times to any temporary restrictions that may reasonably be required to be imposed for security purposes.
- (2) *[deleted]*
- (3) Pedestrian connections must be provided as part of the development or redevelopment of the building development areas.

### **I308.6.8. Car parking**

- (1) Car parking in sub-precinct A must comply with the following controls:
  - (a) *[deleted]*
    - (i) *[deleted]*
    - (ii) *[deleted]*
  - (b) maximum car parking requirements:
    - (i) for any development that results in a total gross floor area of between 32,887m<sup>2</sup> and 72,600m<sup>2</sup>, the maximum number of car parks that may be provided is 1,613 car parks, plus one car park per 40m<sup>2</sup> of gross floor area above 32,887m<sup>2</sup>; and
    - (ii) For any development that results in a total gross floor area of more than 72,600m<sup>2</sup>, the maximum number of car parks within the precinct must not exceed 2,475.
- (2) For the purpose of calculating gross floor area to determine the quantity of required car parking within sub-precinct A, above ground car parking (including manoeuvring areas) located within buildings shall be excluded.
- (3) Within sub-precinct B, the Auckland-wide parking provisions apply.

#### **Figure I308.6.8.1 Car parking ratios**

*[deleted]*

## **I308.7. Assessment - controlled activities**

### **I308.7.1. Matters of control**

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

- (1) new buildings and external additions and alterations that are not provided for as a permitted activity:
  - (a) building design and external appearance;
  - (b) pedestrian connections and vehicle access;
  - (c) pedestrian amenity; and
  - (d) traffic impacts.

### **I308.7.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for controlled activities:

- (1) new buildings and external additions and alterations that are not provided for as a permitted activity:
  - (a) building design and external appearance:

*building form:*

    - (i) the extent to which the exterior design and appearance of the building contributes to the avoidance of adverse building bulk and dominance effects;
    - (ii) the extent to which the building creates a human scale environment at street level;
    - (iii) whether rooftop projections including towers, turrets, chimneys, lift towers, machinery rooms which exceed the parapet or roof height are compatible with the overall architectural form and detailing of the building;
    - (iv) extent to which there is similarity in facade design and materials and continuity in form and appearance of canopies with the facades of other buildings;
    - (v) whether signage on the building has been incorporated as part of the building design;
    - (vi) whether there is landscaping of pedestrian connections throughout the precinct; and

*gateway and landmark features:*

- (vii) the extent to which buildings on highly visible locations are designed to feature architectural accents such as special architectural features, articulation, extra glazing or lighting;

*sustainability:*

- (viii) the extent to which the proposal addresses the following principles:

- buildings are designed to be sustainable through the use of durable low maintenance materials, maximising solar access and natural ventilation and the incorporation of mechanical and electrical systems that optimise energy efficiency;
- on-site landscaping consists of indigenous vegetation where appropriate;
- on-site stormwater conservation measures are incorporated where appropriate including rainwater harvesting devices, green roofs, site landscaping, rain gardens and wetland treatment systems and stormwater planter boxes (subject to soil contamination considerations);
- adequate storage space and containers are provided for rubbish and recyclable materials in a location which is clearly visible on the site and easily accessible for occupants and collection vehicles;
- building and demolition is undertaken in a way that maximises the use of waste materials for reuse and recycling; and

*crime prevention*

- (ix) the extent to which the proposal addresses crime prevention through environmental design principles.

- (b) pedestrian connections and vehicle access:

- (i) The extent to which the proposal addresses the following principles:

- pedestrian links through buildings should be provided where these will provide short and convenient pedestrian routes;
- pedestrian links through the ground floor of buildings should:
  - be overlooked by adjacent uses;
  - be lined by internal walls which contribute to visual interest and pedestrian safety;
  - include a variety of architectural detail and maximise building entrances and glazing;
  - minimise blank walls;
  - adopt CPTED principles (i.e. avoid potential entrapment areas and deep recesses);

- avoid chicanes which limit natural surveillance; and
- provide adequate internal lighting.

(c) pedestrian amenity:

(i) the extent to which the proposal addresses the following principles:

- the pedestrian plaza and landscaped amenity spaces should:
  - be visible from the pedestrian routes on the site and overlooked by buildings to maximise personal safety;
  - be lined with active edges on the ground floor in the case of the pedestrian plaza;
  - be landscaped with soft and hard landscape elements;
  - include adequate seating, lighting, signage and street furniture; and
  - feature high quality materials and robust detailing.
- in addition, street trees and other landscape elements should also be provided to achieve the following:
  - visual enhancement of internal private roads and pedestrian routes; and
  - screening of parking areas where these are visible from the pedestrian routes; and
- outdoor storage and refuse disposal areas should be avoided in the pedestrian oriented area.

(d) traffic impacts:

(i) unless it can be proven they are not required, whether the measures listed below are implemented to manage the traffic effects generated by the redevelopment of the site:

- a second signalised right turn into the site from Great South Road;
- queue detection and/or electronic signage to manage right turn queues into the site from Great South Road;
- at the existing signalised site access (north) – a double right turn into and out of the site;
- internal road upgrades required to meet internal traffic flow demands, including (but not limited to):
  - two lanes being provided in both directions between the Great South Road northern site access to the onsite roundabout;

- installation of a solid median extending from the signals at the northern site access to beyond the first park entrance, approximately 90m (with a gap to allow access to the site north of the Central Park Precinct); or
- speed tables on approaches

conditions of consent requiring any of the traffic management measures in above may be imposed when individual applications for resource consent for individual buildings (or groups of buildings) are granted. Traffic monitoring may also be required as a condition of consent.

### **I308.8. Assessment - restricted discretionary activities**

#### **I308.8.1 Matters of discretion**

The Council will restrict its discretion to all of 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 zone, Auckland wide or overlay provisions:

- (1) New buildings and external additions and alterations to buildings within sub-precinct B that are not otherwise provided for where associated Precinct development standards and/or Precinct Plan notations apply:
  - (a) building design and external appearance;
  - (b) pedestrian connections and vehicle access;
  - (c) pedestrian amenity; and
  - (d) traffic impacts.
- (2) Within sub-precinct B, any reference to streets, public streets and public space in the matters of discretion under H13.8.1(3) of the Business - Mixed Use Zone shall be deemed a reference to any private roads that are subject to the 'pedestrian-oriented area' notation in Precinct Plan 2.

#### **I308.8.2 Assessment Criteria**

The Council will consider the relevant policies and/or criteria identified below for restricted discretionary activities, in addition to the assessment criteria or policies specified for assessment of the relevant restricted discretionary activities in the Business - Mixed Use Zone, Auckland wide or overlay provisions:

- (1) New buildings and external additions and alterations to buildings within sub-precinct B not otherwise provided for where associated Precinct development standards and/or Precinct Plan notations apply:
  - (a) For Matter I308.8.1(a) refer to I308.7.2(1)(a) and policies I308.3(2) and I308.3(4).

(b) For Matter I308.8.1(b) refer to I308.7.2(1)(b) and policy I308.3(4).

(c) For Matter I308.8.1(c) refer to I308.7.2(1)(c) and policy I308.3(4).

(d) For Matter I308.8.1(d) refer to I308.7.2(1)(d) and policies I308.3(3), I308.3 (4) and I308.3 (5).

(2) Within sub-precinct B, any reference to streets, public streets and public space in the assessment criteria under H13.8.2(3) of the Business - Mixed Use Zone shall be deemed a reference to any private roads that are subject to the 'pedestrian-oriented area' notation in Precinct Plan 2.

### **I308.9. Special information requirements**

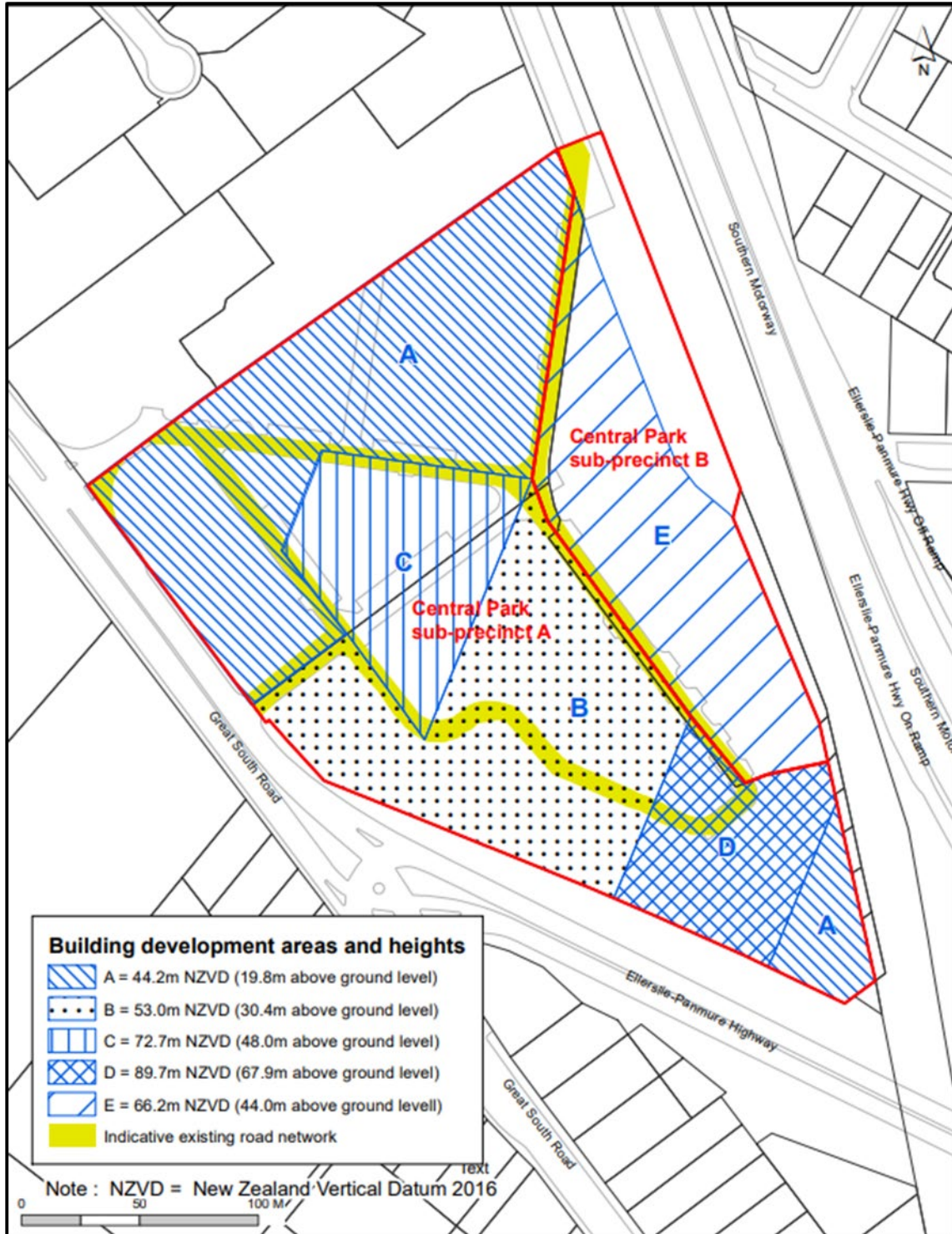
There are no special information requirements in this precinct.



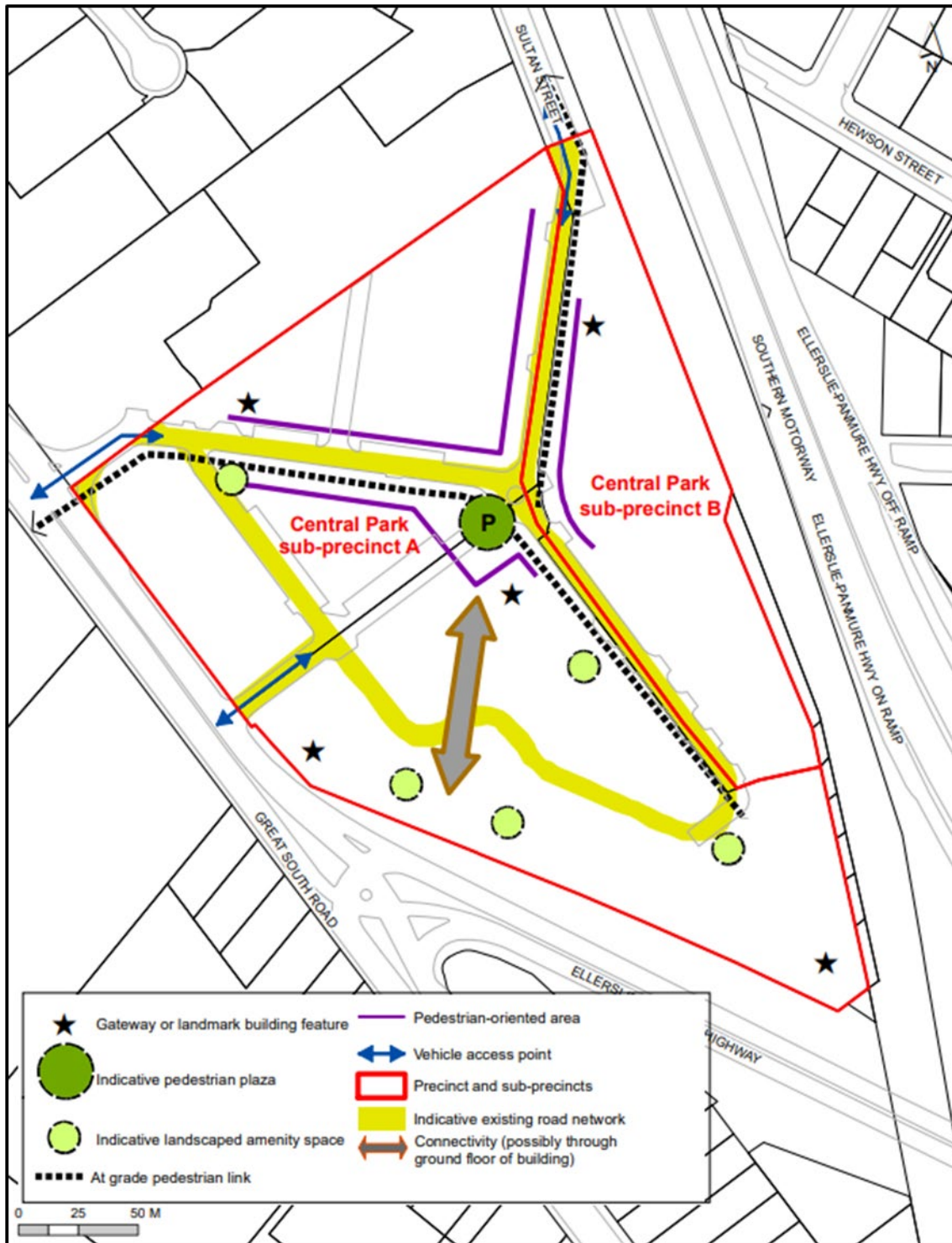
I308.10. Precinct plans

I308.10.1 Central Park: Precinct plan 1 - Central Park building heights

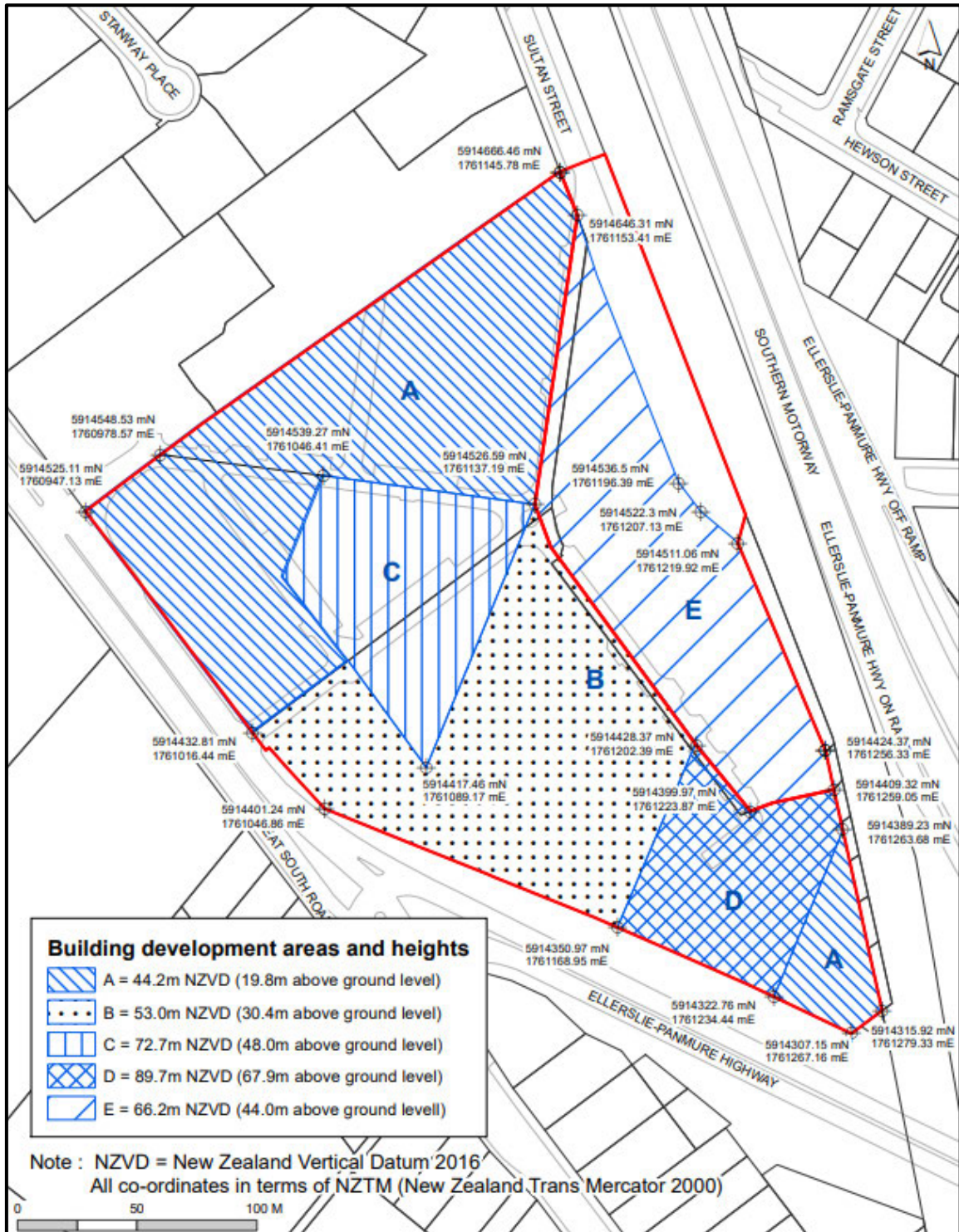
Qualifying matter as per s770(j) of the RMA



I308.10.2 Central Park: Precinct plan 2 - Central Park urban design framework



I308.10.3 Central Park: Precinct plan 3 - Central Park building height coordinates



## I311. Ellerslie 1 Precinct

### I311.1. Precinct Description

The Ellerslie 1 precinct applies to 6.0974 ha of land within the Auckland Racing Club's Ellerslie Racecourse. The land, most of which is not used for racing purposes, is south of the race track and fronts onto Morrin Street.

The purpose of the precinct is to allow urban residential living that is comprehensively planned, capitalises on the park-like setting of Ellerslie Racecourse, and is complementary to the surrounding residential environment. The area is suited to residential intensification due to the high visual and recreational amenity offered by the Racecourse and the proximity of the land to Ellerslie town centre and Greenlane and Ellerslie train stations. The precinct also provides for intermittent activities associated with the Ellerslie Racecourse, and enables a limited range of commercial and community activities.

The land comprises five sub-precincts. The sub-precincts are in an east-west spread. The controls on height and use are progressively more restrictive the further east the sub-precinct is to achieve a transition from the racecourse grandstand through to the adjacent established residential area.

Sub-precinct A is closest to the racecourse grandstand and allows a greater height and range of activities than sub-precincts B and C. Included in sub-precinct B is a triangular area of land adjoining Mitchelson Street, the majority of which is to vest in Council as a road on implementation of the precinct. Sub-precinct D is a 23m wide strip of land which has special yard requirements and indicative building platforms. Sub-precinct E is zoned Residential - Mixed Housing ~~Suburban~~ Urban Zone and is included in the precinct as access to the land is by the private roads within the precinct.

There are also particular attributes of the Ellerslie 1 Precinct, which contribute to the amenity of the precinct and the surrounding area and are to be retained and enhanced through the development of the precinct. These include:

- Open space with densely planted trees located in southern part of the site and adjoining Morrin Street;
- Linkages and routes into and through the precinct to the Ellerslie Racecourse; and
- Sightlines from the public grandstand and visual connections into the Ellerslie Racecourse from the local road network.

The location of the sub-precincts, the indicative private road layout and specific development controls of the land is set out in the I311.10.1 Ellerslie 1 Precinct Plan 1 – Special Yards. This shows existing trees and stone walls to be retained, the indicative location of private roads and land to be vested in Council as road, required building frontages, visual connection from Morrin Street and pedestrian links.

The underlying zoning for sub-precincts A, B, C and E is Residential – Terrace Housing and Apartment Buildings Zone. The underlying zoning for sub-precincts ~~D and E~~ is Residential - Mixed Housing ~~Suburban~~ Urban Zone.

## **I311.2. Objectives**

### ***Sub-precincts A, B and C***

- (1) Residential development of moderate high intensity engages with the Ellerslie Racecourse, positively responds to the park-like setting of the site, its context and complements the surrounding residential character in buildings of between four to eight storeys in an east to west spread.
- (2) Non-residential activities that do not diminish the function and role of the Ellerslie town centre and are compatible with residential activities.
- (3) Trees identified in the precinct plan add to the area's amenity and sense of place are retained.
- (4) The surrounding road network is not compromised by the adverse effects of traffic from development and through traffic.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above - with the exception of Objective [H6.2\(2\)](#) of [the H6 Residential - Terrace Housing and Apartment Buildings Zone](#) which is replaced by I311.2(1) Objective.

### ***Sub-precinct D and E***

- (5) In sub-precinct D, an outlook to the racecourse from existing residential properties to the south-east of this sub-precinct is maintained.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

## **I311.3. Policies**

### ***Sub-precincts A, B and C***

- (1) Require development to be undertaken in a comprehensive and integrated manner that:
  - (a) opens up views into the racecourse, through the use of height restrictions, a visual connection from Morrin Street, the road layout and pedestrian connections;
  - (b) retains open space and identified significant trees that are part of the park-like setting of the precinct;
  - (c) addresses and fronts onto the racecourse;
  - (d) provides passive surveillance onto private roads and the racecourse;
  - (e) integrates with and respects the surrounding residential and racecourse built and natural environment; and
  - (f) provides pedestrian links through the precinct to facilitate access to Ellerslie town centre, Ellerslie train station and Greenlane train station designed and

constructed in accordance with any relevant codes of practice or engineering standards.

(2) Require commercial activities to be of a scale and character that avoids significant adverse effects on residents within the precinct and surrounding area.

(3) Provide for community activities in identified areas in a manner that:

(a) avoids significant adverse effects on residents within the precinct and surrounding area; or

(b) is limited to intermittent temporary carparking and horse racing activities associated with the Ellerslie Racecourse.

(4) Manage vehicle and pedestrian traffic so that it does not compromise the functioning of the surrounding road network by:

(a) providing private roads through the precinct designed and constructed in accordance with any relevant codes of practice or engineering standards; and

(b) requiring land identified on I311.10.2 Ellerslie 1 Precinct Plan 2 to vest as road in the council.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above

#### ***Sub-precinct D and E***

(1) In sub-precinct D, require special yards between buildings to retain an outlook to the racecourse from existing residential properties to the south-east of the precinct. Refer to I311.10.1 Ellerslie 1 Precinct Plan 1 – Special Yards.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above

#### **I311.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

The rules in Activity Table I311.4.1 in I311 Ellerslie 1 Precinct as they relate to the construction and use of up to 3 dwellings per site replace the rules in the underlying zones for the construction and use of up to 3 dwellings per site.

Table I311.4.1 Activity table specifies the activity status of land use, development and subdivision activities in the Ellerslie 1 Precinct pursuant to section 9(3) and 11 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

A blank in Table I311.4.1 Activity table below means that the provisions of the overlays, zone or Auckland-wide apply. ~~The provisions of Sub-precincts D and E rely on the Residential – Mixed Housing Suburban Zone activity table, Table [H4.4.1](#) Activity table.~~

Table I311.4.1 Activity table

Activity		Activity status				
Use		Sub-precinct				
		A	B	C	D	E
Residential						
(A1)	Activities not provided for	NC	NC	NC	NC	NC
(A2)	25 or more dwellings	RD	RD	RD		
(A3)	Fewer than 25 dwellings	NC	NC	NC		
(A4)	Retirement villages	RD	RD	RD		
(A5)	Supported residential care	D	D	D		
(A6)	Visitor accommodation	D	D	D		
Commerce						
(A7)	Conference facilities	D	NC	NC		
(A8)	Entertainment facilities	D	NC	NC		
(A9)	Organised sport and recreation	D	NC	NC		
(A10)	Car parking (non-accessory)	D	NC	NC		
(A11)	Restaurants and cafes greater than 100m <sup>2</sup> within the sub-precinct	D	NC	NC		
(A12)	Restaurants and cafes up to 100m <sup>2</sup> GFA within the sub-precinct	RD	RD	NC		
Community						
(A13)	Care centres	D	D	D		
(A14)	Healthcare facilities	D	D	D		
(A15)	Horse racing activities, including accessory television towers within the area identified for this purpose on I311.10.2 Ellerslie 1 Precinct Plan 2 in sub-precinct B	NC	P	NC		
(A16)	Horse racing activities, including accessory television towers within the area identified for this purpose on I311.10.2 Ellerslie 1 Precinct Plan 2		RD			
(A17)	Overflow car parking associated with events on	P	P	P		

Qualifying matter as per s771(j) of the RMA

I311 Ellerslie 1 Precinct

	the Ellerslie Racecourse land					
(A18)	Community facilities	D	D	D		
(A19)	Temporary activities associated with horse racing activities	P	P	P		
<b>Development</b>						
(A20)	Tree alteration or tree removal of trees listed in Schedule I311.6.16 Identified trees and shown on the I311.10.2 Ellerslie 1 Precinct Plan 2		RD			
(A21)	Tree trimming of trees listed in Schedule I311.6.16 and shown on the I311.10.2 Ellerslie 1 Precinct Plan 2		P			
(A22)	Modifications to the existing stone walls on the Morrin Street and Mitchelson Street frontages to the extent identified on the I311.10.2 Ellerslie 1 Precinct Plan 2		C			
<b>Subdivision</b>						
(A23)	Subdivision of land	D	D	D		

Qualifying matter as per s771(j) of the RMA

### I311.5. Notification

(1) Any application for resource consent for an activity listed in Table I311.4.1 Activity table 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 purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

### I311.6. Standards

The overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below.

The standards in I311.6 in I311 Ellerslie 1 Precinct as they relate to the construction and use of up to 3 dwellings per site replace the corresponding standards in the underlying Residential - Mixed Housing Urban Zone and Residential - Terrace Housing and Apartment Buildings Zone for the construction and use of up to 3 dwellings per site.



All activities listed in Table I311.4.1 Activity table must comply with the following standards.

Qualifying matter  
as per s771(j) of  
the RMA

#### **I311.6.1. Maximum density in sub-precincts A, B and C**

- (1) The number of dwellings on a site must not exceed the limits specified below:
  - (a) Sub-precincts A, B and C one dwelling per 110m<sup>2</sup> of net site area, excluding land required for the private roads within the precinct.
- (2) Net site area is the area of the site excluding the area of an adjoining private road. For the avoidance of doubt, the net site area in sub-precincts A, B and C are those areas marked A, B and C on I311.10.2 Ellerslie 1 Precinct Plan 2
- (3) Development for dwellings that does not comply with I311.6.1(1) and (2) above is a discretionary activity.

#### **I311.6.2. Development area staging in sub-precincts A, B and C**

- (1) Resource consent applications for 25 or more dwellings must comprise either:
  - (a) the whole of sub-precinct A or C; or
  - (b) cover an area (including access roads) of at least 1ha within or comprising the residue area of sub-precinct B.
- (2) A resource consent application that does not comply with I311.6.2(1) above is a non-complying activity.

#### **I311.6.3. Temporary activities associated with horse racing in sub-precincts A, B and C**

- (1) Temporary activities associated with horse racing including accompanying buildings and structures, such as marquees and toilets, must be located within 30 metres of the adjoining Special Purpose – Major Recreation Facility Zone boundary.

#### **I311.6.4. Noise and vibration in sub-precincts A, B, C, D and E**

- (1) The Auckland-wide noise and vibration rules in [E25 Noise and vibration](#) apply, except where specified below.
- (2) The noise (rating) level from horse racing activities within this precinct where undertaken in conjunction with horse activities on the Ellerslie Racecourse Precinct must not exceed:
  - (a) The I313 Ellerslie Racecourse Precinct Standards I313.6.1 Noise, I313.6.3 Special noise events and I313.6.4 Special lighting events, measured within the boundary of any site containing an activity sensitive to noise both within precinct and outside the precinct.

#### **I311.6.5. Building height**

- (1) Buildings must not exceed the maximum heights excluding basement parking as set out in Table I311.6.5.1 Maximum height below:

**Table I311.6.5.1 Maximum height**

Sub-precinct	Maximum height
A	26m and eight storeys
B	20m and six storey
C	14m and four storey

- (2) For the purpose of calculating compliance with the maximum building height control, account shall be taken of parapets but not of radio and television aerials, chimneys, lift towers, machinery rooms, water towers or finials where:
- the maximum heights prescribed for areas A, B and C above are not exceeded by more than 3m, and
  - the cumulative area of such projections does not exceed 10% of the area of the roof to the storey immediately below such structures.
- (3) Buildings must be constructed to achieve the minimum heights excluding basement parking as set out in Table I311.6.5.2 Minimum height below:

**Table I311.6.5.2 Minimum height**

Sub-precinct	Minimum height
A	14m and four storeys
B	14m and four storey
C	12m and three storey

**I311.6.6. Yards [Delete]**

- ~~(1) Buildings must be set back a minimum depth of 1.5m from the front boundary.~~
- ~~(2) Where sites adjoin the Residential – Mixed Housing Suburban Zone, buildings must be set back at least 3m from side and rear boundaries for storeys one and two and 5m for storeys three and four.~~
- ~~(3) Where development is separated from land zoned Special Purpose – Major Recreation Facility Zone by a private road or private way, or immediately adjoins land zoned Special Purpose – Major Recreation Facility Zone, Standard I311.6.6(2) Yards above does not apply.~~

**I311.6.7. Height in relation boundary**

- (1) Where separated from residential zoned land outside sub-precincts A, B and C by a public or private road:
- The maximum allowable building height shall not extend through a recession plane of 6m plus 45 degrees measured from the nearest public or private road boundary which provides frontage or access to residential zoned land outside sub precincts A, B and C on its opposite side,

provided that the measuring point at the eastern end of sub-precinct B shall be the private road boundary or the building line shown on the I311.10.2 Ellerslie 1 Precinct Plan 2, whichever is the more restrictive.

(2) Where abutting land within sub-precinct A, B and C is not part of same development area staging:

Qualifying matter as per s771(j) of the RMA

(a) A building setback of 7.5m shall be required from the boundary of the development area.

(3) Where separated from land zoned Special Purpose – Major Recreation Facility Zone by a private road or private way, or immediately adjoins land zoned Special Purpose – Major Recreation Facility Zone:

(a) No recession plane is required.

**I311.6.8. Maximum impervious area, building coverage and landscaping**

(1) Sites must be developed to comply with the standards in Table I311.6.8.1 Impervious area, building coverage and minimum landscaped area.

**Table I311.6.8.1 Impervious area, building coverage and minimum landscaped area**

Qualifying matter as per s771(j) of the RMA

Sub-precinct	Maximum impervious area ( of net site area)	Maximum building coverage (of net site area)	Minimum landscaped area (of net site area)
A	60%	55%	40%
B	60%	35%	40%
C	60%	55%	40%

**I311.6.9. Fences on required building frontage**

(1) Any fence, wall or other structure erected within the required frontage areas as shown in the I311.10.2 Ellerslie 1 Precinct Plan 2 must be no higher than 1.2m.

Qualifying matter as per s771(j) of the RMA

**I311.6.10. Sightline from the existing grandstand to 2400m start-line**

(1) No part of any building can extend north-east of the sightline (from the public grandstand to the 2400m line) as shown in I311.10.2 Ellerslie 1 Precinct Plan 2.

**I311.6.11. Building line**

(1) Buildings must not be constructed south-west of the building line which runs near parallel with Morrin Street.

(2) Buildings must not constructed in the triangular area east of the building line which runs in a northerly direction towards the 2400m start chute.

Qualifying matter as per s771(j) of the RMA

**I311.6.12. Required building frontage**

- (1) In those areas identified as the required building frontage in the precinct plan, the adjoining building facades must be set back:
  - (a) no less than 3m and no more than 5m from the nearest private road boundary.
  - (b) no less than 3m and no more than 5m from the sight line located close to the 2400m race start chute.

**I311.6.13. Maximum building length and minimum building separation**

- (1) Within Sub-precinct B, buildings that adjoin a required building frontage must:
  - (a) not exceed 70m in length; and
  - (b) have a minimum separation distance between buildings of 15m.

**I311.6.14. Distance to existing buildings within the adjoining the Special Purpose – Major Recreation Facility Zone**

- (1) A minimum separation of 15m is required between any new buildings within sub-precinct A and any existing buildings within the adjoining Special Purpose – Major Recreation Facility Zone.

**I311.6.15. Internal private roads and private ways**

- (1) Internal private roads must be constructed to provide access within the precinct and must be laid out in general accordance as shown in the precinct plan.
- (2) The private road must be designed and constructed in accordance with the any relevant code of practice or engineering standards.
- (3) Where private ways other than those shown in the precinct plan are proposed these must also be designed and constructed in accordance with the any relevant code of practice or engineering standards.
- (4) The private roads shown in the precinct plan must be treated in the same way as public roads when applying the development controls of the zone and the precinct, and the Auckland-wide subdivision controls.

**I311.6.16. Identified trees**

- (1) Trees listed in Schedule I311.6.16.1 Identified trees and identified on I311.10.2 Ellerslie 1 Precinct Plan 2, must not have any activity on or within the protected root zone or be removed.

**Schedule I311.6.16.1 Identified trees**

Tree number on I311.10.2 Ellerslie 1 Precinct Plan 2,	Botanical name	Common name	Location of tree	Legal description

Qualifying matter as per s771(j) of the RMA

Qualifying matter as per s771(j) of the RMA

1	Quercus robur	English Oak	100A Ascot Avenue	Lot 1 DP 466956
2	English Oak palustris	Pin Oak	100A Ascot Avenue	Lot 1 DP 466956
3	Plantanus x acerifolia	London Plane	100A Ascot Avenue	Lot 1 DP 466956
4	Quercus palustris	Pin Oak	100A Ascot Avenue	Lot 1 DP 466956
5	Ulmus sp.	Elm	100A Ascot Avenue	Lot 1 DP 466956
6	Ulmus sp.	Elm	100A Ascot Avenue	Lot 1 DP 466956
7	Removed			
8	Platanus x acerifolia (x 11)	London Plane	100A Ascot Avenue	Lot 1 DP 466956
9	Ulmus sp.	Elm	100A Ascot Avenue	Lot 1 DP 466956
10	Corynaocarpus laevigatus (x 5)	Karaka	100A Ascot Avenue	Lot 1 DP 466956
11	Ulmus sp. (x7)	Elm	100A Ascot Avenue	Lot 1 DP 466956
12	Plantanus x acerifolia	London Plane	100A Ascot Avenue	Lot 1 DP 466956
13	Quercus robur	English Oak	100A Ascot Avenue	Lot 1 DP 466956
14	Corynaocarpus laevigatus (x 5)	Karaka	100A Ascot Avenue	Lot 1 DP 466956
15	Plantanus x acerifolia (x2)	London Plane	100A Ascot Avenue	Lot 1 DP 466956
16	Corynaocarpus laevigatus	Karaka	100A Ascot Avenue	Lot 1 DP 466956
17	Populus yunnanesis	Yunnan Poplar	100A Ascot Avenue	Lot 1 DP 466956
18	Corynaocarpus laevigatus	Karaka	100A Ascot Avenue	Lot 1 DP 466956

(2) The following are exceptions to tree trimming of any protected tree identified in Schedule I311.6.16.1 Identified trees above and shown on the precinct plan:

- (a) the maximum branch diameter must not exceed 50mm
- (b) no more than 20 per cent of live growth of the tree is removed in any one calendar year
- (c) must meet accepted modern arboricultural practice

#### **I311.6.17. Sub-precinct D yards**

- (1) Special yards must be provided within sub-precinct D, in accordance with I311.10.1 Ellerslie 1 Precinct Plan 1 – Special Yards and subject to the yards listed in Table I311.6.17.1 Sub-precinct D – yards following:

**Table I311.6.17.1 Sub-precinct D - yards**

Yard	Minimum depth
Front	2.5m to Morrin Street and the private road
Side	5m between indicative building platforms
Rear	8m to the adjoining Mixed Housing suburban zone

- (a) Except on sites other than rear sites not less than 60 per cent of that part of the site between the road boundary and a parallel line 6m there from must comprise landscaped permeable surface.
- (b) The landscaping requirement applies on each frontage of a corner site.
- (2) Buildings maybe erected within the 5m side yard as shown in the precinct plan, provided that such buildings do not exceed a height of 3m.
- (3) Buildings maybe erected in the 8m rear yard as shown in the precinct plan, provided that such buildings do not exceed a height of 3m and a building coverage of 10 per cent of the rear yard.

#### **I311.6.18. Subdivision controls**

- (1) Any application for subdivision of land within the precinct must be lodged no later than the application for building consent on the subject land.
- (2) There are no minimum frontage and site width requirements for the subdivision of sites within this precinct.

#### **I311.7. Assessment – controlled activities**

##### **I311.7.1. Matters of control**

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

- (1) The length of stone wall to be removed; and
- (2) The extent and manner in which the removed stone is proposed to be reused.

##### **I311.7.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for controlled activities:

- (1) The extent to which the length of stone wall to be removed is in accordance with the I311.10.2 Ellerslie 1 Precinct Plan 2, or otherwise appropriate to achieve the purpose for which it is being demolished;
- (2) Whether any removed stones are to be reused to form wall returns or gateways in the vicinity of where the stone originated;

- (3) Whether the style of any proposed new stone walls are the same or similar to the existing stone walls; or
- (4) Whether for walls removed from the vicinity of the Mitchelson and Morrin Streets intersection, the residual stone walls provide adequate sightlines for traffic based on the new road alignment.

### **I311.8. Assessment – restricted discretionary activities**

#### **I311.8.1. Matters of discretion**

The Council will restrict its discretion to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions except for:

- (1) all development that is a restricted discretionary activity in sub-precincts A, B, and C in the Ellerslie 1 precinct, the council will restrict its discretion to the following matters, in addition to the matters specified for the relevant restricted discretionary activities in the Residential - Terrace and Apartments Buildings Zone, [H6.8.1](#) Matters of discretion,
  - (a) design and layout;
  - (b) design of carparking, access and servicing;
  - (c) traffic and roading;
  - (d) tree trimming not otherwise a permitted activity, removal and alteration; and
  - (e) lava cavities

#### **I311.8.2. 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:

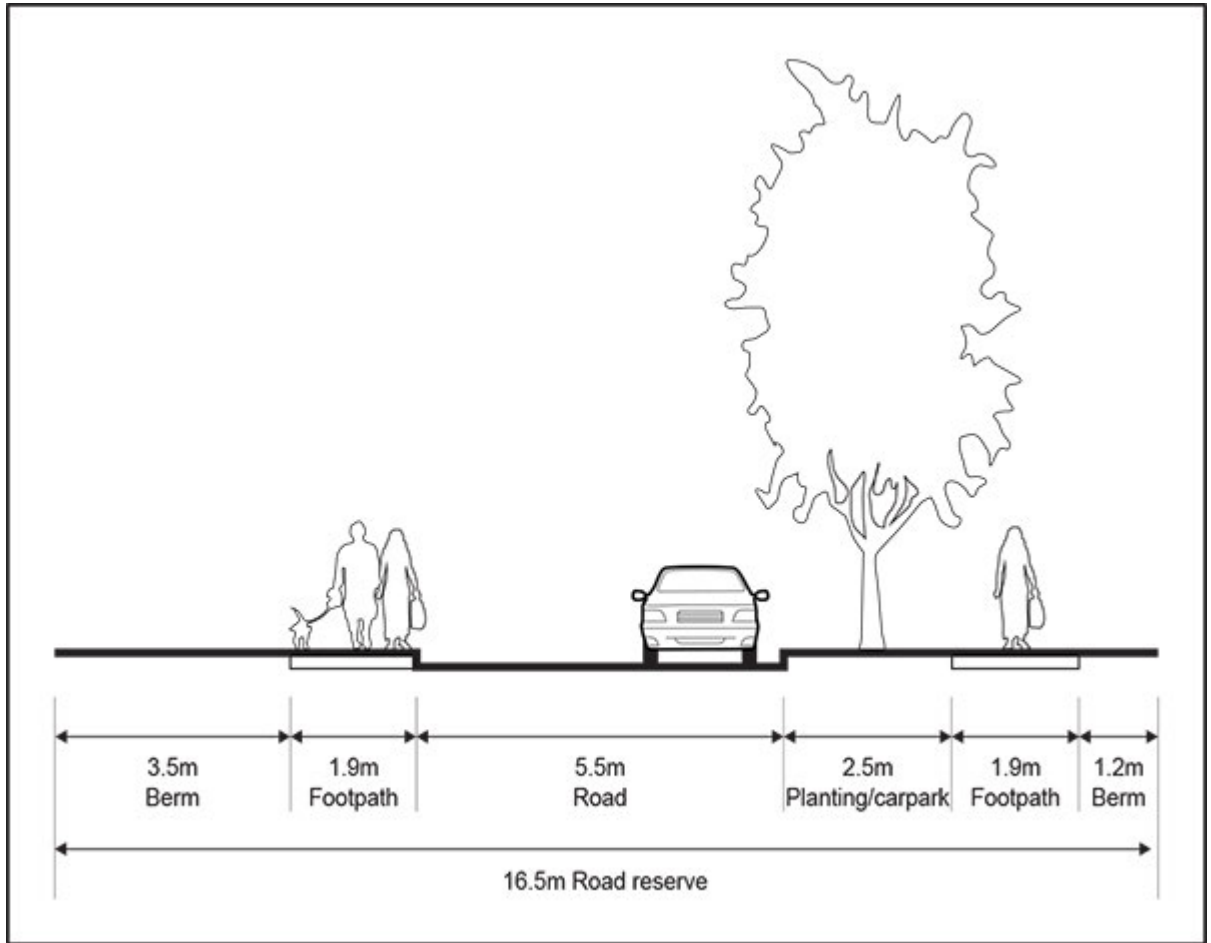
##### **I311.8.2.1. Design and layout**

- (1) the extent to which the development is in general accordance with the I311.10.2 Ellerslie 1 Precinct Plan 2. Variation to the road layout maybe acceptable as part of a comprehensive masterplan that demonstrates positive urban design outcomes.
- (2) the extent to which the development provides views between buildings into the racecourse from both the surrounding and internal roads.
- (3) the extent to which the proposed development reinforces the curved geometry of the racetrack, including development in a semi-continuous series of medium-rise facade buildings which address the racetrack and align with the internal private road which runs generally parallel to the racetrack's outer rail as shown on I311.10.2 Ellerslie 1 Precinct Plan 2.
- (4) whether minor variance in the required building frontages is acceptable to avoid architectural monotony.
- (5) whether building heights are varied within and between sub-precincts with gaps between lengths of longer building facades.

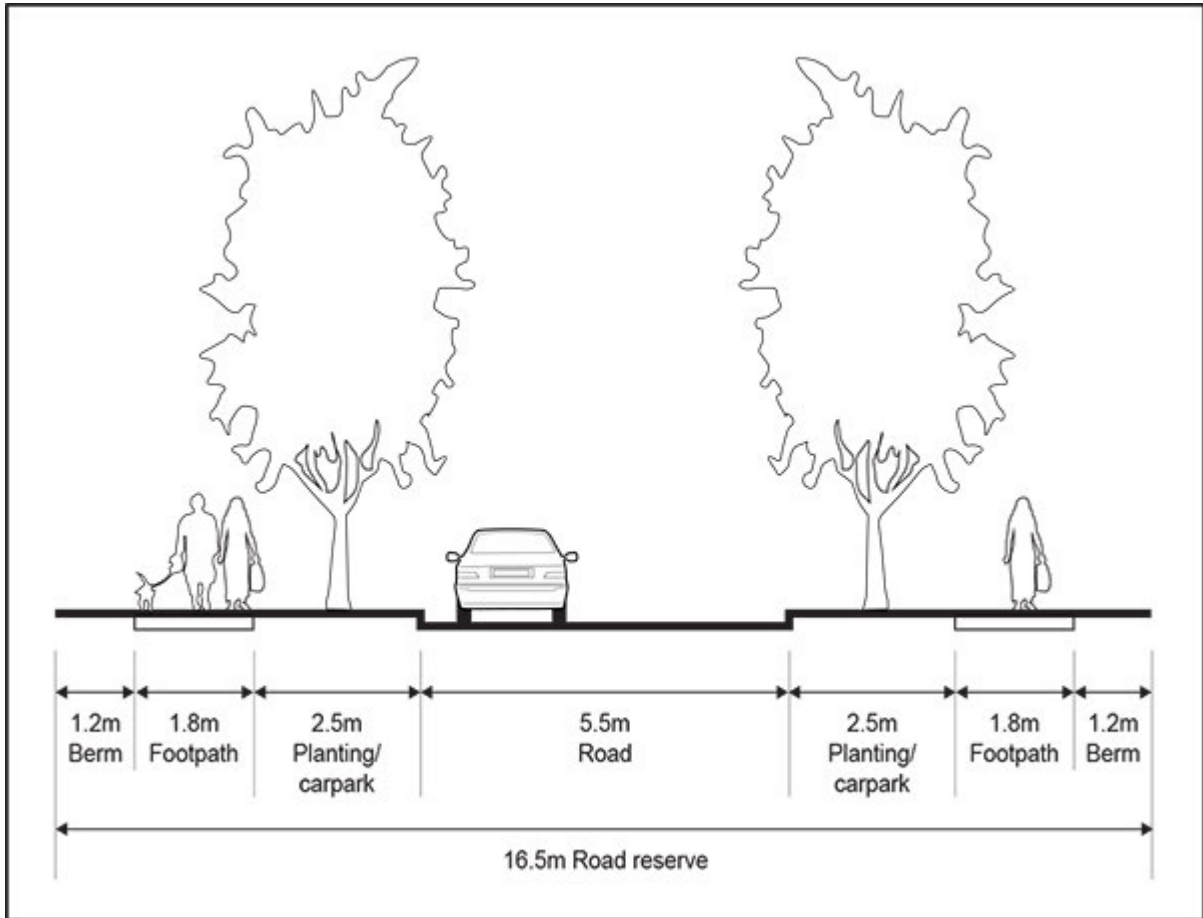


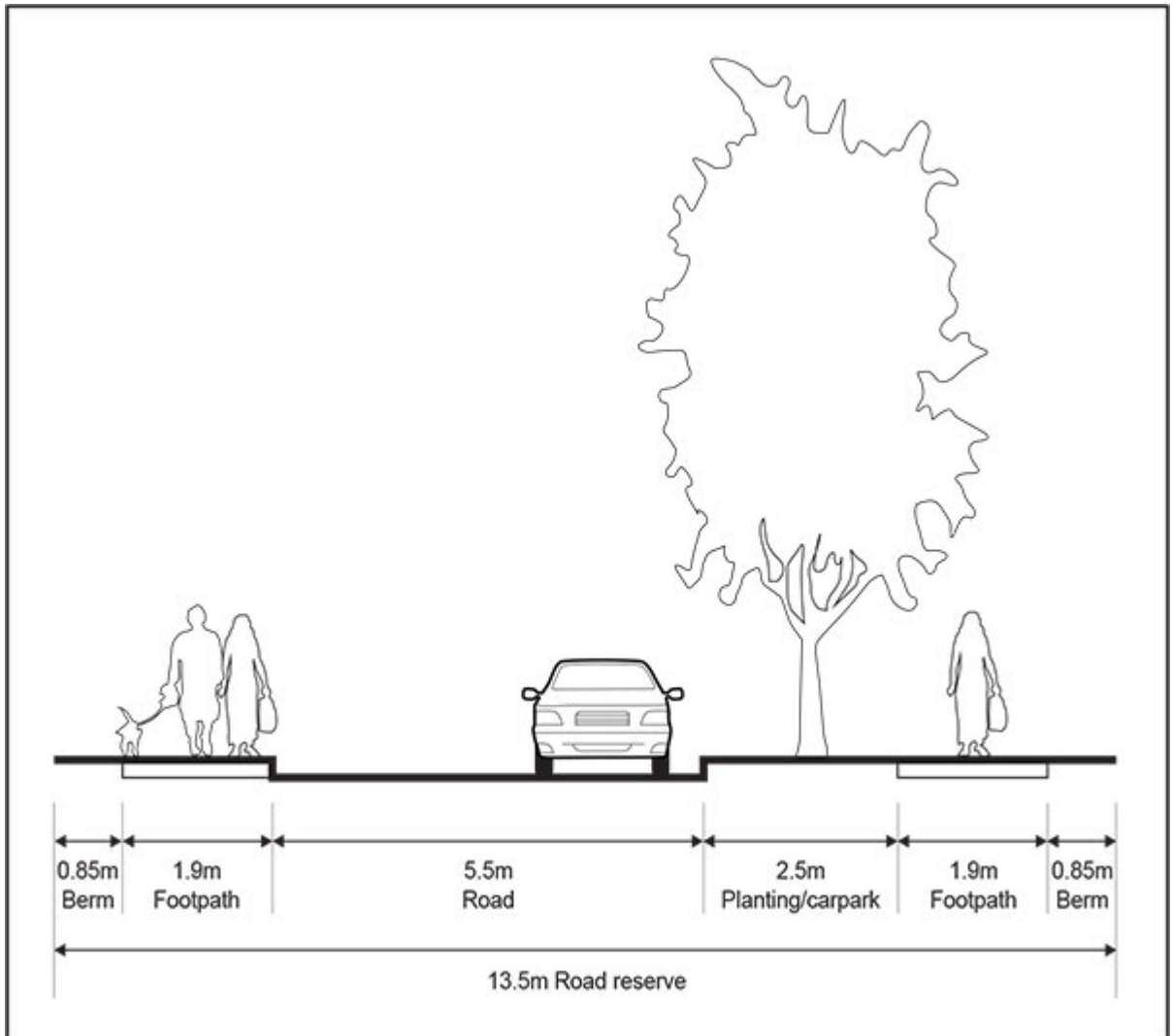
- (6) whether buildings are generally simple in form, relying on elegant proportioning, façade composition and detail, including recesses, pilasters, balconies, changes in surface texture and colour, for their aesthetic appeal rather than complex forms.
- (7) whether development maintains continuity of architectural form within each individual building and also between separate buildings.
- (8) the extent to which elevations facing streets and other publicly accessible spaces are restrained and relatively formal, befitting the somewhat grand character of the racecourse grounds and gardens.
- (9) the extent to which building form acknowledges site corners where these form a main entry into the racecourse grounds or are visually prominent.
- (10) whether the area between the Major Recreation Facility zone boundary, which coincides with the outer rail of the racetrack, and the adjoining parallel private road should remain visually unimpeded so as to preserve views from the carriageway and footpath within the private road into the racecourse.
- (11) development layout should substantially avoid adverse shadowing effects on existing residential properties within adjoining or nearby sites with Mixed Housing Suburban zone between 9am-3pm in mid-winter.
- (12) development should maximise outlook over publicly accessible areas, the racecourse and infield and minimise outlook over adjoining residential property.
- (13) landscaping associated with development should be responsive to the restrained, elegant and formal character of the racecourse grounds.
- (14) the street boundary of sites should be defined by visually permeable steel, wrought iron or aluminium fencing or stone or concrete walls up to 1.2m, which may incorporate hedging. The use of stone, basalt or volcanic stone similar in appearance and detail to the existing stone walls is encouraged.
- (15) whether streets are constructed in general accordance with I311.8.2.1.1 Indicative Section – Streets adjacent to Racetrack (16.5m minimum width – where it is closest to the racetrack), I311.8.2.1.2 Indicative Street Section – Walpole Street extension between sub-precincts A and B (16.5m wide), and Figure I311.8.2.1.3 Indicative Street Section for all other streets (13.5m wide).

**Figure I311.8.2.1.1 Indicative Section – Streets adjacent to Racetrack (16.5m minimum width – where it is closest to the racetrack)**



**Figure I311.8.2.1.2 Indicative Street Section – Walpole Street extension between sub-precincts A and B (16.5m wide)**



**Figure I311.8.2.1.3 Indicative Street Section for all other streets (13.5m wide)****I311.8.2.2. Design of car parking, access and servicing**

- (1) adequate signposted public pedestrian access should be provided within the area, including a well-formed route on the racecourse side of the private road paralleling the racecourse, and also pedestrian connections to public transport including between Derby Downs Place and the Greenlane railway station, via Mitchelson Street and The Avenue of Palms, and Ellerslie Town Centre and railway station via Morrin Street.
- (2) at least one publicly accessible footpath should be constructed between the private road and the racecourse's outer rail should an at-grade pedestrian crossing to the infield eventuate.
- (3) access to any basement or outdoor car parking facility should be from the sides or rear of buildings rather than their trackside faces.
- (4) buildings containing car parking facilities at or above ground level should provide a sleeve of residential or active uses between the car parking areas and the street or publicly accessible space frontages. Where

sleeving is not practicable, all vehicles at or above ground level should be screened from view from public areas and be located outside the required building frontage.

#### **I311.8.2.3. Traffic and roading**

- (1) The extent to which the detailed design of and any changes to the roading network identified below achieves good urban design outcomes and ensure that any adverse effects on the roading networking are avoided or mitigated:
  - (a) the T-intersection on the northern side of Morrin Street in the vicinity of Somerfield Street;
  - (b) the realignment of Mitchelson Street; or
  - (c) the roundabout at the intersection of Mitchelson and Morrin streets, or alternative design that achieves good urban design and traffic management outcomes
- (2) whether and to what extent works maybe required to upgrade or modify intersections based on whether traffic modelling shows this is needed to accommodate traffic flows arising from the proposed development. These intersections may include:
  - (a) Great South Road and Woodbine Avenue;
  - (b) Great South Road and Kalmia Street;
  - (c) Mitchelson and Walpole Streets;
  - (d) Main Highway and Walpole Street;
  - (e) Ellerslie Racecourse Drive and Greenlane East intersection; and
  - (f) Greenlane and Ellerslie Panmure Interchanges.

Note: If any of these intersections are included in Auckland Transport's programme of works, development contributions will be sought to assist in the funding of those works instead of conditions being imposed requiring works and services or imposing financial contributions.

#### **I311.8.2.4. Tree modification or removal tree trimming not otherwise a permitted activity, removal and alteration:**

- (1) the degree to which the tree contributes to the existing amenities of the precinct and protects the surrounding environment from the adverse effects of development;
- (2) the necessity for carrying out the works;

- (3) whether any alternative methods and locations are available to the applicant for carrying out the work or activities;
- (4) the degree to which the tree or a part of the tree is, in the opinion of a Council arborist structurally unsound;
- (5) the degree to which removal of the tree would be beneficial to the health and growth of existing trees on the site, taking into account the size, appearance, health and condition of the existing trees;
- (6) the extent to which the removal of the tree will impact on ground stability;
- (7) whether the proposed activities within the dripline of the tree, in the opinion of Council, will not damage the tree or endanger its health;
- (8) whether conditions may be imposed as part of any consent to an application to mitigate effects and may include the following requirements:
  - (a) payment of a bond to ensure a tree is not damaged or destroyed during pruning and maintenance or works or activities in the dripline area; and
  - (b) providing a replacement tree where a tree is removed or destroyed where appropriate, having regard to the amenity of the area.

#### **I311.8.2.5. Lava cavities**

- (1) whether a protocol is provided to Council's satisfaction setting out a suitable response should lava cavities be discovered during construction.

#### **I311.9. Special information requirements**

An application for any activity must be accompanied by:

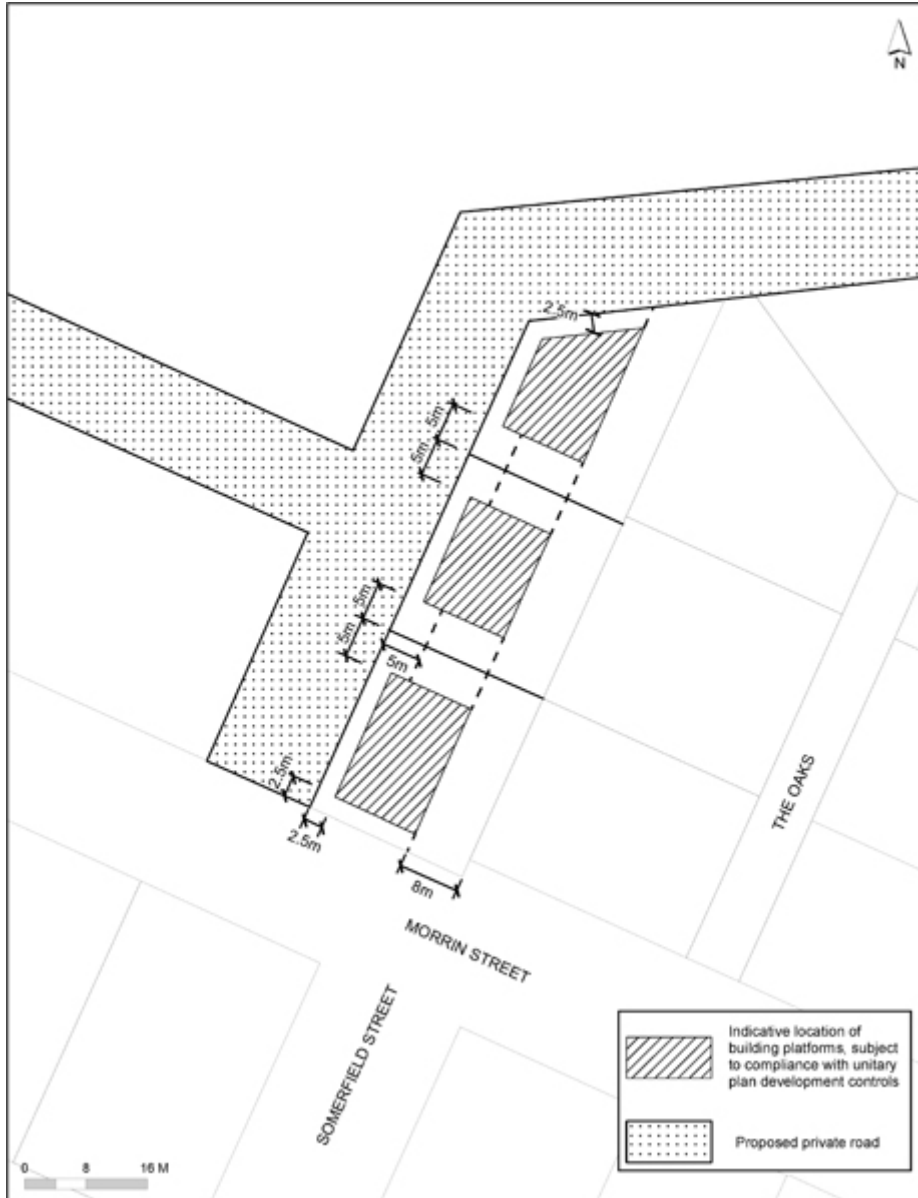
- (1) The special information requirements in [D12](#) apply.
- (2) In addition, an application for resource consent for subdivision or a restricted discretionary activity for accommodation shall include:
  - (a) the detailed design of, or any necessary design change to, the following parts of the adjacent roading network:
    - (i) the T-intersection on the northern side of Morrin Street in the vicinity of Somerfield Street
    - (ii) the realignment of Mitchelson Street
    - (iii) the roundabout at the intersection of Mitchelson and Morrin streets, or alternative design that achieves good urban design and traffic management outcomes

(b) A travel plan should be provided, prepared in consultation with the NZTA and Auckland Transport, which includes measures to reduce private car travel and promote walking, cycling and public transport use.

### I311.10. Precinct plans

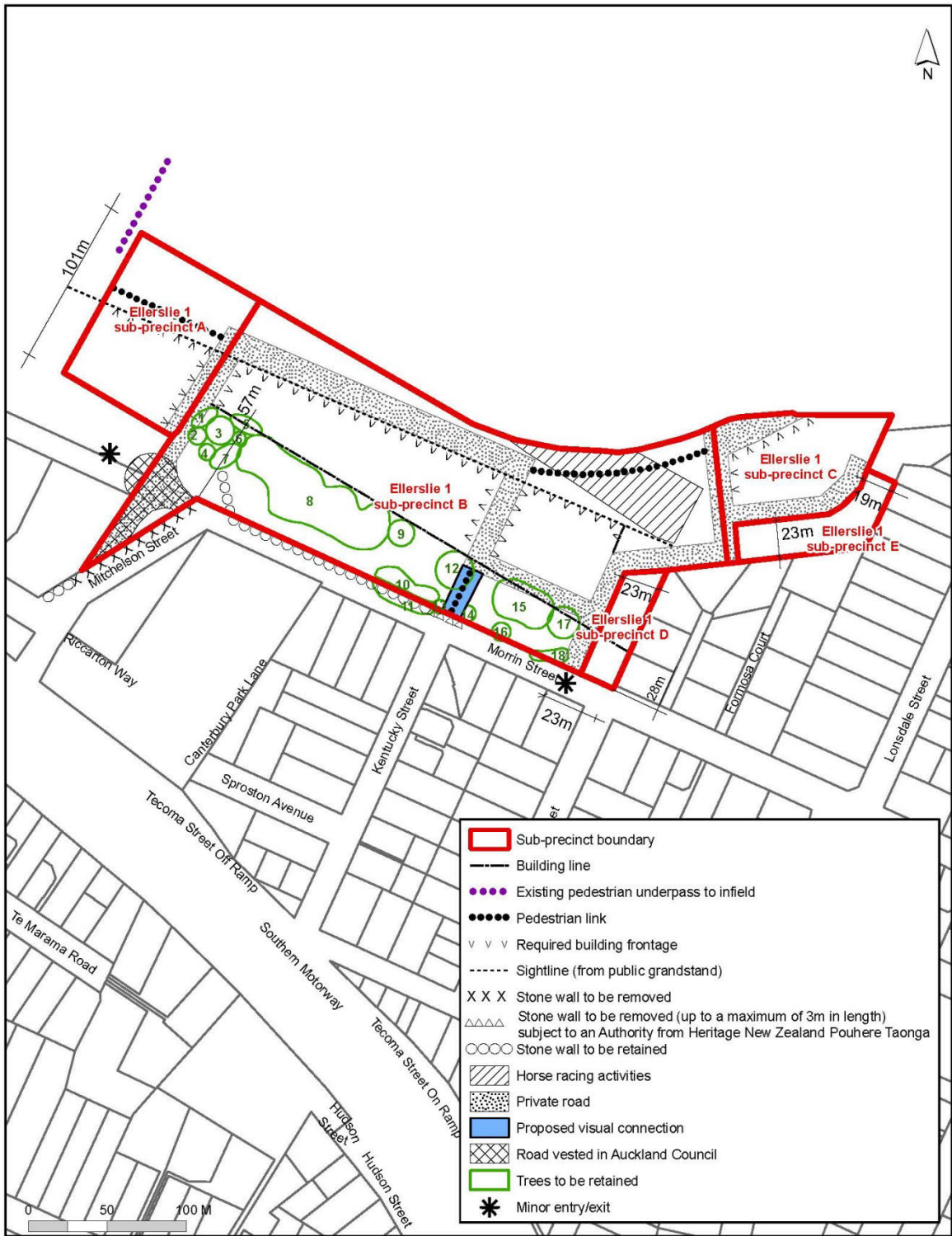
#### I311.10.1. Ellerslie 1: Precinct plan 1 – Special Yards

Qualifying matter as per s771(j) of the RMA



Qualifying matter as per s77I(j) of the RMA

**I311.10.2. Ellerslie 1: Precinct plan 2**





## **I312. Ellerslie 2 Precinct**

### **I312.1. Precinct Description**

The Ellerslie 2 precinct is located in the south western corner of the Ellerslie Racecourse, bordered by the southern motorway and an avenue of phoenix palms, which is used to provide the main entrance to the racecourse. The land contains a mixture of pervious and impervious surfaces and was once frequently used for parking in conjunction with race meetings.

The purpose of the Ellerslie 2 precinct is to provide for a limited range of mixed uses that complement existing land uses to the north west of the precinct and do not compromise the economic vitality of Ellerslie town centre.

There are three sub-precincts:

- Sub-precincts A and B introduce variations in land use and design development controls from the underlying Business - Mixed Use Zone that manage the built form, limit the range of activities and protect landscape values.
- Sub-precinct C manages the formation and public use of a private road for through access.

The zoning of land within this precinct is Business - Mixed Use Zone. Refer to the planning maps for the location and extent of the precinct.

### **I312.2. Objectives**

- (1) Development is of an intensity that complements surrounding businesses north west of the precinct and does not compromise the economic vitality of Ellerslie town centre.
- (2) Development in sub-precincts A and B is of a scale, bulk and height that integrates positively with the landscape values within the precinct and surrounding built form.
- (3) Development within the precinct and any resulting through traffic does not result in significant adverse effects on the surrounding road network.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above

### **I312.3. Policies**

- (1) Provide for a limited range of mixed uses while managing the effects of activities on the surrounding environment, particularly nearby centres.
- (2) Enable a limited amount of total floor area for retail and food and beverage land uses.
- (3) Require new buildings and development to be designed and located in a manner that contributes positively to the visual landscape of the Ellerslie Racecourse when viewed from the southern motorway, within the racecourse grounds and surrounding sites by:

- (a) Retaining existing significant trees;
  - (b) Requiring sufficient space to allow for additional landscaping;
  - (c) Requiring an active building frontage at the south eastern corner of Sub-precinct B that contributes to pedestrian amenity and passive surveillance of the adjoining road; and
  - (d) Using building design to manage the building scale, height and bulk
- (4) Manage adverse effects of traffic from the precinct and through vehicle and pedestrian safety by:
- (a) Providing a private road through the precinct linking Ascot Avenue and Mitchelson Street designed and constructed to ensure the safety and efficiency of the use of this private road by the public, and formed to provide continuous and integrated access with the existing and vested road connections;
  - (b) Requiring land to vest as road in the Council as specified on the Ellerslie 2 Precinct plan 1 to be designed and constructed in accordance with any relevant codes of practice or any relevant engineering standards;
  - (c) Requiring pedestrian footpaths/routes linking with existing footpaths to be designed and constructed in accordance with any relevant codes of practice or any relevant engineering standards to provide continuous and integrated access with the existing and vested road connections; and
  - (d) Controlling the location and number of vehicular access to sites.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

**I312.4. Activity table**

The provisions in any relevant overlays and the Auckland-wide apply in this precinct unless otherwise specified below.

The provisions of the zone are replaced by Table I312.4.1 Activity table

Table I312.4.1 Activity table specifies the activity status of land use, development, and subdivision activities in the Ellerslie 2 Precinct pursuant to section 9(3) and 11 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

**Table I312.4.1 Activity table**

Activity		Activity status		
Use		Sub-precincts		
Residential		A	B	C
(A1)	Dwellings	RD	RD	NC

I312 Ellerslie 2 Precinct

(A2)	Visitor Accommodation	RD	RD	NA
<b>Commerce</b>				
(A3)	Offices	P	P	NA
(A4)	Carparking	P	P	P
(A5)	Food and beverage up to 400m <sup>2</sup> gross floor area within sub-precinct A and B combined	P	P	NA
(A6)	Food and beverage greater than 400m <sup>2</sup> total gross floor area within sub-precinct A and B combined	RD	RD	NA
(A7)	Retail up to 300m <sup>2</sup> total gross floor area within sub-precinct A and B combined	P	P	NA
(A8)	Retail greater than 300m <sup>2</sup> total gross floor area within sub-precinct A and B combined	D	D	NA
<b>Community</b>				
(A9)	Care centres	RD	RD	NA
(A10)	Community facilities	RD	RD	NA
(A11)	Educational facilities	RD	RD	NA
(A12)	Healthcare services	RD	RD	NA
(A13)	Hospitals	RD	RD	NA
<b>Development</b>				
(A14)	The use and modification of the private road (Avenue of Palms) for public access	NA	NA	C
(A15)	Trimming of protected trees	P	P	NA
(A16)	Trimming of protected trees not otherwise a permitted activity	RD	RD	NA
(A17)	Removal or alteration of protected trees	RD	RD	NA
(A18)	New buildings	RD	RD	NA
(A19)	Accessory activities	P	P	P
<b>Subdivision</b>				
(A20)	Subdivision	RD	RD	RD

### I312.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table I312.4.1 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides

that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

(2) Any application for resource consent for an activity listed in Table I312.4.1 Activity table and which is not listed in Standard I312.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

### I312.6. Standards

The overlay and Auckland-wide standards apply in this precinct.

The standards below replace the standards of the Business – Mixed use Zone

#### I312.6.1. Activities in the active building frontage

(1) The ground floor of a building subject to the active building frontage identified on the Ellerslie 2 Precinct plan 1 must be occupied by the following activities for a minimum depth of 6m:

- (a) retail up to 300m<sup>2</sup> gross floor area with sub-precinct A and B combined and/or
- (b) food and beverage.

#### I312.6.2. Building height

(1) Buildings must not exceed the heights as listed in Table I312.6.2.1 Building height below:

**Table I312.6.2.1 Building height**

Sub - precinct	Occupiable building height	Height for roof form	Total building height
A	18m	NA	18m
B	25m	2m	27m

Qualifying matter as per s77O(j) of the RMA

#### I312.6.3. Yards and building setbacks

- (1) Buildings up to 7m in height must be located at least 7.5m from the nearest site area boundary, except where the Active Building Frontage identified on Ellerslie 2 Precinct plan 1 applies.
- (2) Buildings above 7m in height must be located at least 15m from any part of another building.
- (3) Buildings above 7m in height must be setback at least 10m from the motorway boundary.

#### **I312.6.4. Building coverage**

- (1) The maximum building coverage for each site area identified on Ellerslie 2 Precinct plan 1 is:
  - (a) 80 per cent for that part of the building up to 7m in height.
  - (b) 35 per cent for that part of the building between 7m and the maximum height specified in I312.6.2 Building height above.

#### **I312.6.5. Active building frontage**

- (1) Buildings subject to the active building frontage must:
  - (a) be set back no greater than 6m from the private road frontage;
  - (b) adjoin the site frontage adjoining sub-precinct C (private road) for at least 80 per cent of its length;
  - (c) have a minimum height of 6m for a minimum depth of 6m from the site frontage adjoining sub-precinct C (private road);
  - (d) provide clear glazing for at least 60 per cent the surface area of the building façade at the ground floor; and
  - (e) provide clear glazing for at least 40 per cent the surface area of the building façade at the upper floors.
- (2) Where a building is setback from the private road frontage, the space between the building and private road frontage must incorporate landscaped areas, pedestrian amenity areas or outdoor eating areas.
- (3) The ground floor of a new building subject to the active building frontage must be no more than 1m above or below the level of the site frontage adjoining sub-precinct C (private road).
- (4) Vehicle access to parking and service areas must not occupy more than 10 per cent of the site frontage adjoining sub-precinct C (private road).

#### **I312.6.6. Site areas**

- (1) Site areas may be modified in area by up to plus or minus 10 per cent.
- (2) Side boundaries of site areas may be moved up to 15m in either direction.

#### **I312.6.7. Building platform**

- (1) Buildings must be constructed within the building platform identified on the Ellerslie 2 Precinct plan 1.

#### **I312.6.8. Landscaping**

- (1) Minimum landscaping for each site area identified on the Ellerslie 2 Precinct plan 1 is 15 per cent.

**I312.6.9. Identified Trees**

- (1) The following trees listed in Schedule I312.6.9.1 Identified trees below and identified on Ellerslie 2 Precinct plan 1 are subject to this rule.

**Schedule I312.6.9.1 Identified trees**

<b>Tree number on Ellerslie 2: Precinct plan 1</b>	<b>Botanical name</b>	<b>Common name</b>	<b>Location of tree</b>	<b>Legal description</b>
1	Removed			
2	Metrosideros excelsa	Pohutukawa	80-100 Ascot Avenue	Lot 2 DP 476619
3	Metrosideros excelsa	Pohutukawa	130 Ascot Avenue	Lot 1 DP 406738
4	Elaeocarpus dentatus	Hinau	80-100 Ascot Avenue	Lot 2 DP 476619
5	Elaeocarpus dentatus	Hinau	80-100 Ascot Avenue	Lot 2 DP 476619
6	Telopea oreads.	Warratah	80-100 Ascot Avenue	Lot 2 DP 476619
7	Podocarpus sp.	Cow tail Pine	130 Ascot Avenue	Lot 1 DP 406738
8	Lagunaria patersonii	Norfolk Island Hibiscus	80-100 Ascot Avenue	Lot 2 DP 476619
9	Corynaocarpus laevigatus	Karaka	130 Ascot Avenue	Lot 1 DP 406738
10	Stenocarpus sinuatus	Firewheel tree	80-100 Ascot Avenue	Lot 2 DP 476619
11	Lagunaria patersonii	Norfolk Island Hibiscus	80-100 Ascot Avenue	Lot 2 DP 476619
12	Lagunaria patersonii	Norfolk Island Hibiscus	130 Ascot Avenue	Lot 1 DP 406738
13	Corynaocarpus laevigatus	Karaka	80-100 Ascot Avenue	Lot 2 DP 476619
14	Vitex lucens	Puriri	130 Ascot Avenue	Lot 1 DP 406738
15	Lagunaria patersonii	Norfolk Island Hibiscus	130 Ascot Avenue	Lot 1 DP 406738
16	Cinnamomum camphora	Camphor Laurel	80-100 Ascot Avenue	Lot 2 DP 476619

- (2) The following works to the trees in Schedule I312.6.9.1 Identified trees are permitted under this rule.

- (a) the removal of any tree or part of a tree that is dead or that is suffering from an untreatable disease which has caused a significant decline in its health, evidence must be produced if required. Note: Where any element

of uncertainty exists as to the likely fate of the tree, the benefit of doubt will be given to the tree's survival by not removing it until such time as its irreversible decline is obvious. Before removing any affected tree, consultation with the council's arborist is strongly advised.

- (b) where emergency tree works are required the person undertaking the work must notify the Council in writing within seven days of the work commencing as to the reason for the work.
- (c) where any statutory authority carries out of work authorised by statute the authority must notify the Council in writing no later than seven days prior to the work commencing as to the reason for the work.
- (d) maintenance of the private road where the works in the dripline of protected trees is supervised by a qualified arborist and in accordance with accepted arboricultural practices.
- (e) trimming of the canopy of the trees, excluding the roots. Such works will be limited to no more than 20 per cent of live growth removal in any one year and must be carried out in accordance with currently accepted arboricultural practice, ensuring that the natural form and branch habit of the tree species is maintained.
- (f) if the trimming is completed by a qualified arborist or arboriculturalist, the work must be limited to no more than 30 per cent of live growth removal in any one year and must be in accordance with currently accepted arboricultural practice, ensuring that the natural form and branch habit of the tree species is maintained.
- (g) where activities do not comply with clauses e. and f above, any regular minor trimming or maintenance must be done by hand operated secateurs or pruning shears, in accordance with the currently accepted arboricultural practice.

### **I312.7. Assessment – controlled activities**

#### **I312.7.1. Matters of control**

The Council will reserve its control to all of the following matters when assessing:

- (1) For the use and modification of the private road (Avenue of Palms) for public access that is a controlled activity in the Ellerslie 2 precinct, the Council will reserve its control over the following matters:
  - (a) road closure;
  - (b) monitoring;
  - (c) traffic management measures; and
  - (d) consultation.

### **I312.7.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for controlled activities:

- (1) Road closure
  - (a) the appropriateness of private road closure to public through traffic on a temporary basis for large scale events associated with the Ellerslie Racecourse.
- (2) Monitoring:
  - (a) whether monitoring is required to be carried out to assess the effects of public through traffic (using the Avenue of Palms) on Morrin Street, Somerfield Street, and Kentucky Streets which connect with the Tecoma Street motorway ramps, Mitchelson Street and Walpole Street, Wairakei Street and Woodbine Avenue.
- (3) Traffic management measures
  - (a) the extent to which traffic management measures are necessary to mitigate adverse effects identified by the monitoring to be implemented, including the temporary or permanent closure of the Avenue of Palms to through traffic and associated road design changes.
- (4) Consultation
  - (a) the extent to which the applicant should provide details on the process to be followed for consultation with NZTA, Auckland Transport, Auckland Council and the residents of the surrounding streets, on the results of the monitoring and the identification and implementation of any necessary traffic management measures.

### **I312.8. Assessment – restricted discretionary activities**

#### **I312.8.1. Matters of discretion**

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

- (1) Traffic effects
- (2) Intensity and scale of activity
- (3) Centre vitality
- (4) Landscaping and trees to enhance the visual amenity of buildings and reduce their scale
- (5) Building design and interface with the public realm
- (6) Water sensitive design
- (7) Tree trimming not otherwise a permitted activity, removal and alteration refer to [E16 Trees in open space zones](#) and [E17 Trees in roads](#).



- (8) Additional subdivision criteria for the private road, pedestrian connections and road to vest in Council.

### **I312.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

(1) Traffic:

- (a) the extent to which The Avenue of Palms (including extension to it) is designed and constructed in accordance with any relevant codes of practice or engineering standards by the landowner prior to the occupation of any proposed building; and
- (b) the extent to which the proposal results in significant traffic effects on Green Lane East, Green Lane interchange, Great South Road and surrounding street network.

(2) Intensity and scale of activity:

- (a) whether the activity is of a character, scale and intensity which ensures that any adverse effects on the planned outcomes identified in the Plan for the surrounding area (including likely future use or intensification) are avoided, remedied or mitigated.

(3) Centre vitality:

(a) whether Retail and Food and Beverage activities:

- (i) have a substantial adverse effect upon the function, role and amenity values, vitality and functions of the city centre, metropolitan centres or town centres (and in the case of activities in the Business - Mixed Use Zone such effects on local centres), beyond those effects ordinarily associated with trade effects on trade competitors, having regard to:
- the activity's proposed size, composition and characteristics; and
  - the centre's on-going ability to provide for the future needs of communities

(b) whether Community activities:

- (i) support the efficient and effective operation of public services; and
- (ii) enable the convenient access of communities to community services.

(c) whether Residential activities:

- (i) result in the intensification of the site; and
- (ii) support local high density housing.

(4) Landscaping and trees:

- (a) the extent to which the landscaping enhances the visual amenity of the building(s) when viewed from the southern motorway, from within the grounds of the Ellerslie Racecourse and surrounding residential areas. Landscaping alongside the motorway boundary should include a significant number of substantial trees capable of growing to a height of at least 8m above the nearest adjoining motorway carriageway;
  - (b) whether landscaping protects or utilise the existing rock wall located between the subject site and the Avenue of Palms (apart from those sections which need to be demolished for vehicle or pedestrian access purposes);
  - (c) the extent to which the landscaping is in-keeping with the character of the site and Ellerslie Racecourse in general; and
  - (d) whether on site carparking is screened from view from the motorway and the Avenue of Palms by existing and proposed planting.
- (5) Building design and interface with the public realm:
- (a) whether the building incorporates architectural relief in terms of its articulation and building mass, and the inclusion of recesses, pilasters, entrances, windows, balconies, and changes in surface texture, colour and other architectural detailing;
  - (b) whether any rooftop projections including towers, turrets, chimneys, lift towers, machinery rooms and water towers which exceed the parapet or roof height, are compatible with the overall architectural form and detailing of the building. As a general rule rooftop projections should be enclosed in a single structure and avoid a plain box like appearance;
  - (c) whether good quality, durable exterior cladding materials are used and highly reflective cladding or glazing avoided;
  - (d) the extent to which the continuity of architectural form in the various facades of a building, especially those visible from adjacent public and private roads. (This criterion is intended to ensure that all of a building's facades are designed to a similar standard);
  - (e) whether on site parking areas, whether at grade or on elevated decks, are softened by planting, paving patterns or other architectural / landscaping elements, so as to provide visual relief when viewed from adjacent buildings;
  - (f) whether windows of buildings are designed to overlook adjacent public and private roads, pedestrian routes and entrances;
  - (g) the extent to which the landscape and streetscape enhances individual sites, adjacent private roads, and any public roads being vested in the Council;

- (h) the extent to which the design treatment of the building edge (with a particular emphasis on the ground level) and any landscape work adjacent to it within the proposed 7.5m setback along that part of the Avenue of Palms that is not classified as 'active building frontage', contributes to the quality and safety of the proposed pedestrian route by:
  - (i) entry foyers, offices or other ground level activities (where possible) facing the road;
  - (ii) employing design techniques to mitigate any 'blank wall' effect;
  - (iii) providing quality landscape design and appropriate lighting that are consistent with 'personal safety' (CPTED) principles; and
  - (iv) ensuring that the space within the setback (between the building edge and road boundary) is not used for surface carparking (apart from delivery bays).
- (i) in sub-precinct B:
  - (i) the extent to which proportions (height in relation to footprint, including modulation) and design avoid buildings with bulky appearance; and
  - (ii) the extent to which the building in sub-precinct B contributes as a positive landmark when viewed from the motorway.
- (6) Water sensitive design:
  - (a) whether On site stormwater management can be integrated into the site design, including landscaped areas, applying to apply a water sensitive design approach as appropriate.
- (7) Tree trimming not otherwise a permitted activity, removal and alteration:
  - (a) the degree to which the tree contributes to the existing amenities of the precinct and protects the surrounding environment from the adverse effects of development;
  - (b) the need to obtain a practicable building site, access, a car parking area, or to install engineering services to the land;
  - (c) any alternative methods which may be available to the applicant in the achievement of their objectives including consideration of variation to specified development controls or alternative design options where this would encourage retention and enhancement of existing large trees on the site;
  - (d) whether the tree can be relocated;
  - (e) whether previous applications made in respect of the land involved consideration of treescape conservation;

- (f) the extent to which the tree or trees contribute to the amenity of the neighbourhood both visual and physical, including contributions as habitats for birds and other animals;
- (g) whether there are any function the tree may have in conserving water and soil;
- (h) whether there are any actions of the applicant in regard to the tree;
- (i) the extent to which the tree or part of a tree is, in the opinion of a council arborist, structurally unsound;
- (j) whether removal of the tree would be beneficial to the health and growth of existing, more appropriate trees on the site, taking into account the size, appearance, health and condition of those existing trees; and
- (k) the impact of the tree on ground stability.

(8) Additional subdivision criteria

The following assessment criteria apply to subdivision within the precinct and these are in addition to any relevant assessment criteria in the Auckland-wide Subdivision rules:

- (a) the extent to which the layout of the private road should be in accordance with the precinct plan;
- (b) the extent to which the Avenue of Palms (including its proposed extension) is designed and constructed in accordance with any relevant codes of practice or engineering standards and include the following works:
  - (i) a traffic roundabout part way along the Avenue of Palms and another at its intersection with Mitchelson Street; and
  - (ii) the provision of footpaths along each side of the proposed private road together with connections to the existing and proposed footpaths in Ascot Avenue and Mitchelson Street.
- (c) whether the proposed footpaths link into the footpaths/pedestrian accessways on the adjoining site(s) so as to facilitate access to Greenlane Road and the Greenlane train station; and
- (d) The appropriateness of the proposed road to be vested in the Council as shown on the precinct plan.

**I312.9. Special information requirements**

The special information requirements in the underlying zone and Auckland-wide provisions apply in this precinct.

In addition, an application for a controlled activity for the use and modification of the private road (Avenue of Palms) must be accompanied by:

(1) Traffic monitoring programme

(a) the traffic monitoring programme must set out how the traffic monitoring is to be undertaken:

(i) prior to the opening of the Avenue of Palms to through traffic; and/or

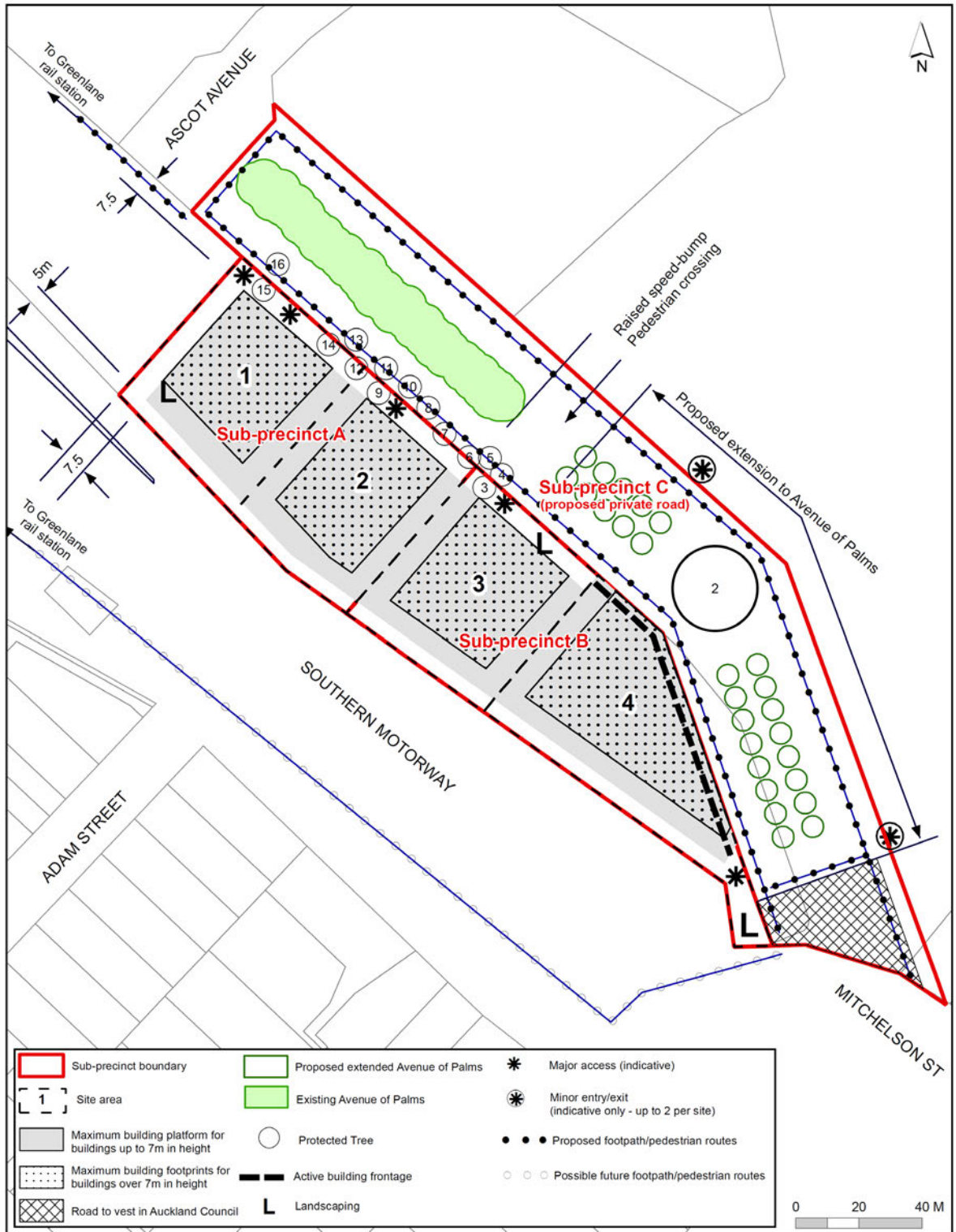
(ii) within 1 month of the following times or events:

- 12 months after the opening of the Avenue of Palms to through traffic (or a shorter period if deemed appropriate by the Council following the opening of the Avenue of Palms to through traffic); and
- 12 months, 24 months, and 36 months after substantial completion and occupation of the development provided for within the precinct.

(b) the traffic monitoring must be undertaken by an independent traffic engineer engaged by the Auckland Racing Club and the results of the monitoring must be submitted in a report to Auckland Transport and Auckland Council within 2 months of completion of each of the monitoring surveys.

**I312.10. Precinct plans**

I312.10.1. Ellerslie 2 Precinct plan 1



## **I314 Epsom Precinct**

### **I314.1. Precinct Description**

The Epsom Precinct applies to an 8.48 hectare site at 74 Epsom Avenue, Epsom. The purpose of the Epsom precinct is to enable the development and operation of a range of education-focused activities. Campus facilities on the site include a range of small to large buildings primarily used for teaching, learning and research, childcare facilities, a marae as well as substantial parking areas and recreational facilities in a spacious well-treed environment. The Campus is one of the largest teacher education providers in the country. The campus adjoins two long-established schools providing primary and intermediate education, and there is some sharing of facilities and services.

Community, commercial and social services and other accessory use of the facilities are also enabled in the precinct. In addition, accessory accommodation, administrative, cultural, health, retail and communal facilities are enabled within the definition of Tertiary Education facilities.

The zoning of the land within the Epsom precinct is Residential - Terrace Housing and Apartment Buildings and Residential - Mixed Housing Urban ~~Suburban~~ zones.

### **I314.2. Objectives**

- (1) Tertiary education facilities at Epsom Campus meet the education needs of their students, facilitate research and economic development, and provide for the support and well-being of employees, students and visitors.
- (2) Tertiary education facilities integrate positively with the wider community and environment and mitigate potential adverse effects.
- (3) Tertiary education and accessory business activities benefit from co-location in tertiary education precincts.
- (4) New buildings and structures respond to and positively contribute to the amenity values of public streets, public open spaces and surrounding context, thereby reinforcing sense of place while having regard to the functional and operational requirements of the tertiary education facility.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

### **I314.3. Policies**

- (1) Enable a wide range of activities and building development in the Epsom Precinct, including tertiary education, research, health, recreation, student accommodation and appropriate accessory activities.
- (2) Provide for those accessory activities which clearly contribute to and benefit from co-location with a tertiary education facility, including research, innovation, learning, clinics, and related work experience and training.

- (3) Having regard to the functional and operational requirements of the tertiary education facility, require new buildings and significant additions and alterations to be designed in a manner that:
  - (a) makes efficient use of the site;
  - (b) contributes to the amenity of the public realm where development is located adjacent to a public street or public open space;
  - (c) responds positively to the existing and planned future form and quality of the Epsom Precinct, underlying zone and surrounding area; and
  - (d) responds and contributes positively to the sense of place.
- (4) Require screening or landscaping of waste management facilities, service areas/buildings and parking to enhance their appearance when viewed from adjacent residential zones or the public realm.
- (5) Enable accessory activities to meet the needs of employees, students and visitors without undermining the function of nearby town centres as the primary location for business activities, and while avoiding, remedying or mitigating adverse effects on the transport network.
- (6) Require new buildings to be designed in a manner that respects any adjacent existing heritage places on the site and provides a high standard of amenity.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

#### **I314.4. Activity table**

The provisions in any relevant overlays, zone and Auckland-wide apply in this precinct unless otherwise specified below.

The rules in Activity Table I314.4.1 in I314 Epsom Precinct as they relate to the construction and use of up to 3 dwellings per site replace the rules in the underlying zones for the construction and use of up to 3 dwellings per site.

Table I314.4.1 Activity table specifies the activity status of land use and development activities in the Epsom Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I314.4.1 Activity table**

<b>Activity</b>		<b>Activity status</b>
<b>Use</b>		
<b>Accommodation</b>		
(A1)	Student accommodation	P
<b>Commerce</b>		
(A2)	Commercial services	P



(A3)	Licensed premises accessory to Tertiary education facilities	P
(A4)	Laboratories	P
(A5)	Entertainment facilities accessory to Tertiary education facilities	P
(A6)	Light manufacturing and servicing accessory to Tertiary education facilities	P
(A7)	Office accessory to Tertiary education facilities	P
(A8)	Use of Tertiary education facilities for conference purposes	P
(A9)	Conference facilities	D
<b>Community</b>		
(A10)	Care centres	P
(A11)	Community facilities	P
(A12)	Community use of education and tertiary education facilities	P
(A13)	Tertiary education facilities	P
(A14)	Informal recreation	P
(A15)	Organised sport and recreation	P
(A16)	Public amenities	P
(A17)	Displays and exhibitions	P
(A18)	Healthcare facilities up to 200m <sup>2</sup> gross floor area per site	P
(A19)	Artworks	P
(A20)	Information facilities	P
<b>Development</b>		
(A21)	Accessory buildings	P
(A22)	Buildings, alterations, additions and demolition unless otherwise specified below	P
<u>(A22A)</u>	<u>Development of up to three residential units per site</u>	
(A23)	Sport and recreation structures	P
(A24)	Buildings greater than 500m <sup>2</sup> gross floor area <u>not otherwise provided for under rule I314.4.1(A22A)</u>	RD
(A25)	Buildings, external alterations, additions and demolition within the site and where the work is visible from and located within 10m of a road or land zoned Open Space (excluding private roads)	RD
(A26)	<u>Parking buildings to be used in association with any activity other than residential units provided for under rule I314.4.1(A22A)</u>	RD

(A27)	Parks maintenance	P
<b>Infrastructure</b>		
(A28)	Waste management facilities accessory to tertiary education facilities	P

**I314.5. Notification**

(1) Any application for resource consent for an activity listed in Table I314.4.1 Activity table 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 purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

**I314.6. Standards**

The overlay, zone and Auckland-wide standards apply in this precinct, unless otherwise specified below.

All activities listed as permitted and restricted discretionary in Table I314.4.1 Activity table must comply with the following standards.

Standard I314.6.1 Building height also applies to activities specified within the activity table for the underlying Residential - Terrace Housing and Apartment Buildings Zone.

The standards in I314.6 in I314 Epsom Precinct as they relate to the construction and use of up to 3 dwellings per site replace the corresponding standards in the underlying Residential Mixed Housing Urban and Residential Terraced Housing and Apartment Buildings Zones for the construction and use of up to 3 dwellings per site.

~~The following standards apply to activities specified within Table I314.4.1 Activity table.~~

~~The zone standards apply to activities not specified within the Activity Table, other than I314.6.1 Building height which also applies to the zone.~~

**I314.6.1. Building height**

(1) Buildings must not exceed the heights as set out in Epsom: Precinct plan 1 - building heights. Where there is no height specified, the height specified in the underlying zone will apply instead.

**I314.6.2. Yards ~~[deleted]~~**

~~(1) The following table sets out the permitted minimum yard requirements for the Epsom Precinct:~~

**Table I314.6.2.1 Yards**

Yard	Dimension
------	-----------

Front, side and rear yards adjoining a site in the residential zones or a public open space	3m
---	----

**I314.6.3. Building coverage [deleted]**

- (1) The maximum building coverage area must not exceed 50 per cent of the net site area.

**I314.6.4. Height in relation to boundary [deleted]**

- (1) Where a site in the Epsom Precinct directly adjoins a site in another zone outside the precinct, the height in relation to boundary control that applies in the adjoining zone applies to the common boundary.
- (2) Where the adjoining zone does not specify a height in relation to boundary control, the yard and/or setback controls in the adjoining zone apply to the common boundary.

**I314.6.5. Screening**

- (1) Any outdoor storage or rubbish collection areas that directly face and are visible from a residential zone or public open space adjoining a boundary with, or on the opposite side of the road from, the Epsom Precinct, must be screened from those areas by a solid wall or fence at least 1.8m high.

**I314.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

**I314.8. Assessment – restricted discretionary activities**

**I314.8.1. Matters of discretion**

The Council will restrict its discretion to all of 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 overlay, Auckland-wide or zone provisions:


- (1) for parking buildings, and structures, buildings greater than 500m<sup>2</sup> gross floor area:
  - (a) refer to matters [H30.8.1](#) in Special Purpose – Tertiary Education Zone.
- (2) for buildings, external alterations, additions and demolition within the site and where the work is visible from and located within 10m of a road or land zoned Open Space (excluding private roads):
  - (a) refer to matters [H30.8.1](#) in Special Purpose – Tertiary Education Zone.
- (3) for infringements of building height, height in relation to boundary and maximum building coverage standards:
  - (a) refer to matters [H30.8.1](#) in Special Purpose – Tertiary Education Zone.

 (4) for infringement of ~~yards and~~ screening standards:

(a) refer to matters [H30.8.1](#) in Special Purpose – Tertiary Education Zone.

#### **I314.8.2. 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) for parking buildings, and ~~structures~~, buildings greater than 500m<sup>2</sup> gross floor area:


(a) refer to criteria [H30.8.2](#) in Special Purpose – Tertiary Education Zone.

(2) for buildings, external alterations, additions and demolition within the site and where the work is visible from and located within 10m of a road or land zoned Open Space (excluding private roads):

(a) refer to criteria [H30.8.2](#) in Special Purpose – Tertiary Education Zone.

 (3) for infringement of building height standard, ~~height in relation to boundary, maximum building coverage~~:

(a) refer to criteria [H30.8.2](#) in Special Purpose – Tertiary Education Zone.

 (4) for ~~yards and~~ infringement of screening standard:

(a) refer to criteria [H30.8.2](#) in Special Purpose – Tertiary Education Zone.

#### **I314.9. Special information requirements**

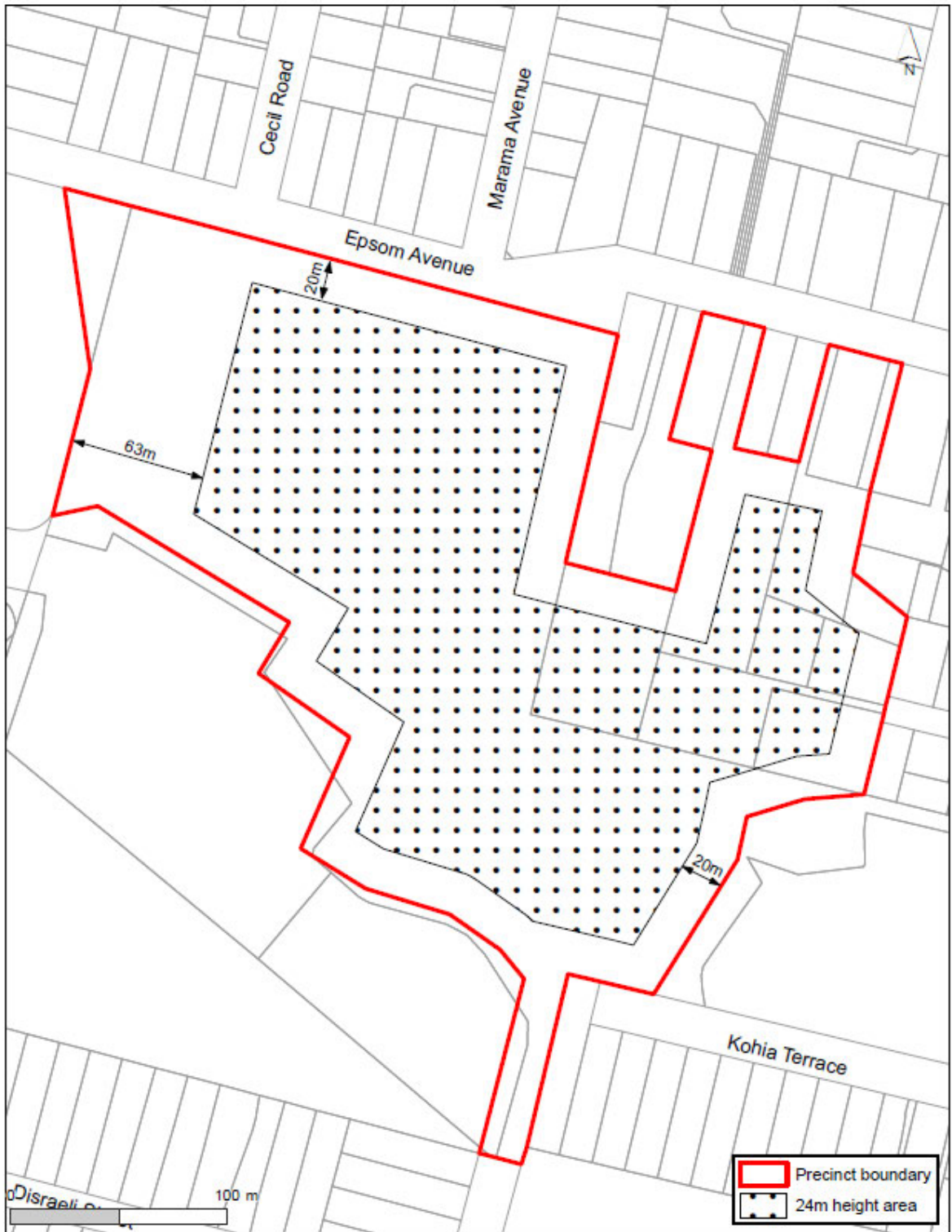
There are no special information requirements in this precinct.

I314.10.1. Epsom: Precinct plan 1 - building heights



Epsom: Precinct plan 1 - building heights

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Epsom: Precinct plan 1 - building heights

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## **I316 Grafton Precinct**

### **I316.1. Precinct Description**

The Grafton Precinct applies to multiple sites currently occupied by the University of Auckland, a tertiary education facility that provides medical teaching and research facilities alongside student accommodation, healthcare services, care centre and other accessory activities. The primary campus site is zoned Business - Mixed Use and contains buildings of a significant scale located in a campus style arrangement. The remaining sites contain smaller buildings used for accessory activities.

The purpose of the Grafton Precinct is to enable the development and operation of a range of tertiary education and accessory activities, including teaching and research, and catering for the diverse requirements of the student population, employees and visitors. Community use of the facilities is also provided for, including the Auckland District Health Board (Auckland City Hospital) use of the MRI unit and mortuary.

The zoning of the land within the Grafton Precinct is for Sub-precinct A the Business - Mixed Use Zone, for Sub-precinct B the Business - Local Centre Zone and Residential - Terrace Housing and Apartment Buildings Zone and for Sub-precinct C the Residential - Terrace Housing and Apartment Buildings Zone.

### **I316.2. Objectives**

- (1) Tertiary education facilities at Grafton Campus meet the education needs of their students, facilitate research and economic development, and provide for the well-being of employees, students and visitors.
- (2) Tertiary education facilities integrate positively with the wider community and environment and mitigate potential adverse effects.
- (3) Tertiary education and complementary business activities including services and facilities related to Auckland City Hospital benefit from co-location in tertiary education precincts.
- (4) New buildings and structures respond to and positively contribute to the amenity values of public streets, open spaces and surrounding context, thereby reinforcing sense of place.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

### **I316.3. Policies**

- (1) Enable a wide range of activities and building development in the Grafton Precinct, including tertiary education, research, health, recreation, student accommodation and appropriate complementary and accessory activities.
- (2) Provide for those complementary activities which clearly contribute to and benefit from co-location with a tertiary education facility, including research, innovation, learning, clinics, and related work experience and training.

(3) Require new buildings and significant additions and alterations to be designed in a manner that:

(a) makes efficient use of the site;

(b) contributes to the amenity of the public realm where development is located adjacent to a public street or public open space;

(c) responds positively to the existing and planned future context of the Grafton Precinct, zones and surrounding area; and

(d) responds and contributes positively to the sense of place.

(4) Require screening or landscaping of waste management facilities, service areas/buildings and parking to enhance their appearance when viewed from adjacent residential zones or the public realm.

(5) Provide for accessory activities to meet the needs of employees, students and visitors without undermining the function of nearby town centres as the primary location for business activities, and while avoiding, remedying or mitigating adverse effects on the transport network.

(6) Require new buildings to be designed in a manner that respects any adjacent existing heritage places and provides a high standard of amenity.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

**I316.4. Activity table**

The provisions in any relevant overlays, zone and Auckland-wide provisions apply in this precinct unless otherwise specified below.

Table I316.4.1 Activity table specifies the activity status of land use and development activities in the Grafton Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I316.4.1 Activity table**

Activity		Activity status
<b>Use</b>		
Residential		
(A1)	Student accommodation	P
(A2)	Visitor accommodation accessory to tertiary education facilities	P
Commerce		
(A3)	Commercial services	P
(A4)	Licenced premises accessory to tertiary education facilities	P



I316 Grafton Precinct

(A5)	Laboratories	P
(A6)	Light manufacturing and servicing accessory to tertiary education facilities	P
(A7)	Entertainment facilities accessory to tertiary education facilities	P
(A8)	Offices accessory to tertiary education facilities	P
(A9)	Conference facilities	P
(A10)	Waste management facilities accessory to tertiary education facilities	P
<b>Community</b>		
(A11)	Care centres	P
(A12)	Community facilities	P
(A13)	Community use of tertiary education facilities	P
(A14)	Tertiary education facilities	P
(A15)	Informal recreation	P
(A16)	Organised sport and recreation	P
(A17)	Public amenities	P
(A18)	Displays and exhibitions	P
(A19)	Healthcare facilities	P
(A20)	Artworks	P
(A21)	Information facilities	P
<b>Development</b>		
(A22)	Accessory buildings	P
(A23)	Buildings, alterations, additions and demolition unless otherwise specified below	P
<u>(A23A)</u>	<u>Up to three dwellings</u>	
<u>(A23B)</u>	<u>Four or more dwellings</u>	
(A24)	Buildings <u>not complying with I316.4.1(A23A) or I316.4.1(A23B)</u> , external alterations, additions and demolition where the work is visible from and located within 10m of a road or Open Space zone (excluding private roads).	RD
(A25)	New parking buildings visible from and located within 10m of a public road or a residential zone or open space zone	RD
(A26)	Parks maintenance	P

**I316.5. Notification**

(1) Any application for resource consent for an activity listed in I316.4.1 Activity table 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 purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

**I316.6. Standards**

The overlay, Auckland-wide and zone standards apply in this precinct unless otherwise specified below.

The standards in I316.6 in I316 Grafton Precinct as they relate to the construction and use of up to 3 dwellings per site replace the corresponding standards in the underlying Residential - Terrace Housing and Apartment Buildings Zone for the construction and use of up to 3 dwellings per site.

All activities listed as permitted or restricted discretionary in Table I316.4.1 Activity table must comply with the following permitted activity standards.

**I316.6.1. Building height**

(1) Buildings must not exceed the heights as set out below:

Building location	Maximum height (m)		
	A	B	C
Sub-precinct	Standard <a href="#">H13.6.1</a> does not apply	Standard <a href="#">H6.6.5</a> does not apply.	
Less than 20m from the boundary of a site having a residential zoning	<u>2146m</u>	<u>2142m</u>	<u>2146m</u>
Greater than 20m from the boundary of a site having a residential zoning	30m	<u>2148m</u>	<u>2146m</u>

**~~I316.6.2. Height in relation to boundary [Delete]~~**

~~(1) Where a site in the Grafton Precinct directly adjoins a site in another zone outside the precinct, the height in relation to boundary control that applies in the adjoining zone applies to the common boundary.~~

~~(2) Where the adjoining zone does not specify a height in relation to boundary control, the yard and/or setback controls in the adjoining zone apply to the common boundary.~~

**I316.6.3. Yards**

(1) The following standard applies to any boundary in the precinct that adjoins a site having a residential zoning:

Yard	Dimension (m)		
	A	B	C
Sub-precinct			
Front yard	3m	0m	3m
Side and rear yard	3m	3m	3m

#### I316.6.4. Building coverage

(1) Building coverage must not exceed the coverage standards as set out below:

- (a) Sites zoned Business – Mixed Use Zone 60 per cent.

#### I316.6.5. Screening

(1) Any outdoor storage or rubbish collection areas that directly face and are visible from a residential zone or open space adjoining a boundary with, or on the opposite side of the road from, the Grafton Precinct, must be screened from those areas by a solid wall or fence at least 1.8m high.

#### I316.6.6. Outlook space

(1) Visitor accommodation and student accommodation in any zone must comply with the Residential - Terrace Housing and Apartment Buildings Zone outlook space Standard [H6.6.13](#).

#### I316.7. Assessment – controlled activities

There are no controlled activities in this section.

#### I316.8. Assessment – restricted discretionary activities

##### I316.8.1. Matters of discretion

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

- (1) New parking buildings visible from and located within 10m of a public road or a residential zone or open space zone:
  - (a) refer to Matters [H30.8.1](#) Special Purpose – Tertiary Education Zone.
- (2) New buildings, and external alterations, and additions to buildings, and demolition where the work is visible from and located within 10m of a road or open space zone (excluding private roads) the street:
  - (a) refer to Matters [H30.8.1](#) Special Purpose – Tertiary Education Zone.
- (3) For development that does not comply with Standards I316.6.1 Building height, ~~I316.6.2 Height in relation to boundary~~, I316.6.3 Yards, I316.6.4 Building coverage, I316.6.5 Screening, I316.6.6 Outlook space ~~the Council will reserve its discretion to all of the following matters when assessing a restricted discretionary resource consent application:~~

- (a) any special or unusual characteristic of the site which is relevant to the standard:
- (b) where more than one standard will be infringed, the effects of all infringements considered together; or
- (c) any matter contained within Matters [H30.8.1](#) Special Purpose – Tertiary Education Zone.

### **I316.8.2. Assessment criteria**

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

- (1) New parking buildings visible from and located within 10m of a public road or a residential zone or open space zone:
  - (a) refer to Criteria [H30.8.2](#) Special Purpose – Tertiary Education Zone.
- (2) ~~New buildings, and external alterations, and additions to buildings, and demolition where the work is~~ visible from and located within 10m of a road or open space zone (excluding private roads) the street:
  - (a) the extent to which development minimises visual dominance effects to open spaces and the street; and
  - (b) refer to Criteria [H30.8.2](#) Special Purpose – Tertiary Education Zone.
- (3) For development that does not comply with Standards I316.6.1 Building height, ~~I316.6.2 Height in relation to boundary,~~ I316.6.3 Yards, I316.6.4 Building coverage, I316.6.5 Screening, I316.6.6 Outlook space ~~the Council will consider the following assessment criteria when assessing a restricted discretionary resource consent application:~~
  - (a) refer to Criteria [H30.8.2](#) Special Purpose – Tertiary Education Zone.

### **I316.9. Special information requirements**

There are no special information requirements in this precinct.

### **I316.10. Precinct plans**

There are no precinct plans in this precinct.

## I320. Mount Albert 2 Precinct

### I320.1. Precinct Description

The Mount Albert 2 precinct covers the site currently occupied by the Auckland Institute of Studies St Helens (AIS), a tertiary education facility. The St Helens campus is located on Linwood Avenue in Mount Albert adjacent to the Chamberlain Park Golf Course and established residential areas. The purpose of the precinct is to provide for tertiary education and accessory activities of a scale and intensity compatible with the surrounding Residential and Open Space zones.

The precinct is separated into two sub-precincts. Sub-precinct A applies to the established built out area of the site, ~~and therefore does not anticipate additional development outside of existing building platforms.~~ Sub-precinct B provides for future development whilst ~~controlling~~ managing its location and scale, in order to protect the amenity values of Chamberlain Park Golf Course and the surrounding residential area.

The underlying zoning of land within this precinct is Residential - ~~Mixed Housing Suburban Zone~~ Terrace Housing and Apartment Buildings Zone.

### I320.2. Objectives

- (1) Tertiary education facilities meet the education needs of their students, and provide for the well-being of employees, students and visitors.
- (2) Tertiary education facilities integrate positively with the wider community and environment and mitigate potential adverse effects. In particular the amenity of neighbouring residential areas on the south east and south west boundaries of the campus is ~~protected~~ managed.
- (3) New buildings and structures respond to and positively contribute to the amenity values of streets, open spaces and the surrounding context, thereby reinforcing a sense of place.
- (4) Traffic effects arising from the tertiary education facilities are managed on the site.

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

### I320.3. Policies

- (1) Enable tertiary education, student accommodation and appropriate accessory activities in the precinct.
- (2) Manage effects on the amenity of surrounding residential and open space areas by:
  - ~~(a) limiting new development to specified locations within the precinct~~ {deleted};
  - ~~(a) controlling~~ managing the scale and intensity of new development; and
  - (b) requiring identified areas within the precinct to be landscaped.

- (3) Require new buildings and significant additions and alterations to be designed in a manner that:
  - (a) makes efficient use of the site;
  - (b) contributes to the amenity of the public realm where development is located adjacent to a street or open space;
  - (c) responds positively to the existing and planned future form and quality of the surrounding area; and
  - (d) responds and contributes positively to the sense of place.
- (4) Require screening or landscaping of waste management facilities, service areas/buildings and parking to enhance their appearance when viewed from adjacent residential zones and open space.
- (5) Manage external transport effects arising from the operation of the tertiary education facility by:
  - (a) limiting the campus population; and
  - (b) requiring that sufficient on-site car parking be provided.
- (6) Provide for community liaison with parties potentially affected by the operation of the tertiary education facility.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

#### **I320.4. Activity table**

The provisions in any relevant overlays, Auckland-wide provisions and the zone apply in this precinct unless otherwise specified below:

The rules in Activity Table I320.4.1 in I320 Mt Albert Precinct as they relate to the construction and use of up to 3 dwellings per site replace the rules in the underlying zones for the construction and use of up to 3 dwellings per site.

In [E23 Signs - E23.4.1](#) Activity Table – Billboards in zones, the Residential - ~~Mixed Housing Suburban~~ Terrace Housing and Apartment Buildings rule (A4 A6) is replaced with the Special Purpose - Tertiary Education Zone rule (A38).

Table I320.4.1 specifies the activity status of land use and development activities in the Mount Albert 2 Precinct pursuant to sections 9(3) of the Resource Management Act 1991.

For the purpose of this precinct, the “campus population” is defined as the number of students and staff present on the site at any one time. When calculating “campus population”, students living on the campus will be assumed to be on the site at all times.

Table I320.4.1 Activity table

Activity		Activity status	
		Sub-precinct A	Sub-precinct B
(A1)	Development that does not comply with a Standard	RD	RD
<b>Use</b>			
Residential			
(A2)	Student accommodation accommodating up to 120 students	P	D
(A3)	Student accommodation accommodating up to 400 students	D	D
(A4)	Student accommodation accommodating more than 400 students	NC	NC
Infrastructure			
(A5)	Parking existing at 16 December 2004	P	P
(A6)	Parking not existing at 16 December 2004	D	D
Community			
(A7)	Artworks	P	P
(A8)	Community use of education and tertiary facilities	P	P
(A9)	Displays and exhibitions	P	P
(A10)	Informal recreation	P	RD
(A11)	Information facilities	P	RD
(A12)	Organised sport and recreation associated with the tertiary education facility	C	C
(A13)	Public amenities associated with the implementation of this precinct	P	RD
(A14)	Tertiary education facilities existing at 16 December 2004	P	N/A
(A15)	Tertiary education facilities not existing at 16 December 2004	D	D
(A16)	Tertiary education facilities for a maximum campus population of 1,100 from Monday to Friday and 570 from Saturday to Sunday	P	D
(A17)	Tertiary education facilities for a maximum campus population of 1,500	D	D
(A18)	Tertiary education facilities over a campus population of 1,500	NC	NC

(A19)	Accessory buildings for the maintenance of the campus grounds and buildings, including storage and workshops	P	RD
(A20)	Buildings, external alterations, additions and demolition unless otherwise specified below	P	RD
<u>(A20A)</u>	<u>Development of up to three residential units per site</u>		
<u>(A20B)</u>	<u>Development of four or more residential units per site</u>		
(A21)	Buildings greater than 500m <sup>2</sup> in gross floor area <u>not otherwise provided for under rule (A20A)</u>	RD	RD
(A22)	Buildings, external alterations, additions, and demolition where the work is visible from and located within 10 metres of a road or open space zone (excluding private roads) <u>not otherwise provided for under rule (A20A)</u>	RD	RD
(A23)	Parking buildings <u>to be used in association with any activity other than residential units provided for under rules (A20A) or (A20B)</u>	D	D

### I320.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table I320.4.1 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table I320.4.1 Activity table and which is not listed in I320.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

### I320.6. Standards

The standards applicable to the underlying zone and Auckland-wide apply in this precinct, except the following:



- ~~H4 H6 Residential – Mixed Housing Suburban Zone Terrace Housing and Apartment Zone Standard~~ H4.6.10 H6.6.12 Landscaped area;
- E27 Transport - Table E27.6.2.4 Parking rates - area 2; and
- In E24 Lighting - Table E24.6.1.1 Lighting category classifications, the ~~Mixed Housing Suburban Terrace Housing and Apartment Zone~~ standard is replaced by the Special Purpose - Tertiary Education Zone standard. For the avoidance of doubt, the lighting category for this precinct is Lighting Category 4 (high brightness).

The standards in I320.6 in I320 Mt Albert Precinct as they relate to the construction and use of up to 3 dwellings per site replace the corresponding standards in the underlying Residential - Terraced Housing and Apartment Buildings Zone for the construction and use of up to 3 dwellings per site.

All activities listed in Table I320.4.1 must comply with the following ~~permitted~~ activity standards.

### I320.6.1. Height

- ~~(1) [deleted] Buildings must not exceed the maximum height in Table I320.6.1.1 Building heights below:~~

**Table I320.6.1.1 Building heights**

Building	Maximum height in metres
<del>Parking building</del>	<del>6</del>
<del>All other building platforms</del>	<del>10</del>

- ~~(1) For the purposes of determining maximum height on the building platform in the north western corner of the site marked on Mount Albert 2: Precinct plan 1, all of the following apply:~~
- ~~(a) the average ground level method or the rolling height method must be used;~~
  - ~~(b) the maximum ground level (RL in terms of NZVD2016) must be taken as RL22.2 and no regard must be had to ground levels above RL22.2; and~~
  - ~~(c) regard must be had to ground levels below RL22.2.~~

### ~~I320.6.2. Building platform [deleted]~~

- ~~(1) [deleted] Building development must only occur on the building platforms identified on Mount Albert 2: Precinct plan 2 – activity locations.~~

### I320.6.3. Parking

- ~~(1) [deleted]~~
- (2) All parking must be located within the identified parking areas shown on Mount Albert 2: Precinct plan 2 - activity locations.

- (3) A designated on-site bus stop and bus parking area must be provided on the site.

#### **I320.6.4. Access**

- (1) All vehicle and pedestrian access must be from Linwood Avenue.
- (2) There must be no pedestrian or vehicle access to the site from Burnside Avenue or Martin Avenue.
- (3) The boundary of the tertiary education facility campus with Burnside and Martin Avenues must be fenced so that no pedestrian or vehicle access can be achieved.
- (4) The northern Linwood Avenue access must be closed to traffic during the following hours:
  - (i) Mondays to Saturdays between 10pm and 7am the following day; and
  - (ii) Sundays between 6pm and 7am the following day
- (d) The access must be closed by a physical barrier such as a locked gate.
- (e) A sign must be maintained at the access clearly advising of the times the access is open.

#### **I320.6.5. ~~Impervious area, building coverage and Landscaping~~**

- ~~(1) [deleted] The maximum impervious area must not exceed 35 per cent of the total site area.~~
- ~~(2) [deleted] The maximum building coverage must not exceed 35 per cent of the total site area.~~
- (3) Screening trees and shrubs, in accordance with Mount Albert 2: Precinct plan 3 - landscaping must be planted in Sub-precinct B along the site's boundary with the adjoining open space zoned land 12 months prior to any construction work being undertaken on the building platforms. The planting must be accompanied by a planting plan in accordance with I320.9.6.

#### **I320.7. Assessment – controlled activities**

##### **I320.7.1. Matters of control**

The Council will reserve its control to the following matters when assessing a controlled activity resource consent application, in addition to the matters specified for the relevant controlled activities in the zone or Auckland-wide provisions:

- (1) for organised sport and recreation:
  - (a) the effects of planting and landscaping on the surrounding residential properties and golf course;
  - (b) the effects of the activity on the neighbourhood character and residential amenity of the surrounding residential properties and golf course; and
  - (c) the effects on the wider transport infrastructure and network.

### **I320.7.2. Assessment criteria**

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

- (1) for organised sport and recreation:
  - (a) the effects of planting and landscaping on the surrounding residential properties and golf course:
    - (i) the extent to which the planting and other landscaping is provided in relation to the following matters:
      - (i) is consistent with Mount Albert 2: Precinct plan 3 – landscaping;
      - (ii) mitigates adverse visual effects with particular regard to views from adjacent residential and open space zoned land. This includes whether boundary planting is of a suitable species, spacing and size to provide screening of the new buildings when viewed from the adjoining open space zoned land;
      - (iii) includes provision for specimen trees in appropriate locations with particular regard to the need to mitigate the effects of the loss of any existing trees which need to be removed during development; and
      - (iv) provides adequate topsoil depth to allow for optimum growing conditions for boundary screen planting. This would be required to be achieved through mounding where existing ground conditions are not adequate to provide minimum topsoil depths of 1m for trees and 0.4m for shrubs.
    - (b) the effects of the activity on the neighbourhood character and residential amenity of the surrounding residential properties and golf course:
      - (i) the extent to which screening or other design features mitigate adverse effects relating to noise and lighting on the adjoining properties; and
      - (ii) whether hours of operation and operational measures should be controlled to mitigate adverse effects on adjoining properties.
    - (c) effects on wider transport infrastructure and network:
      - (i) the extent to which the proposal provides for safe pedestrian access into and within the site (other than from Martin Avenue). This will include consideration of the pedestrian connections from the site to the adjoining street network and the Asquith Avenue campus; and
      - (ii) the extent to which any potential adverse effects on the wider transport and infrastructure and network are mitigated. Council may require the following transport actions to be actioned or funded by the tertiary education facility as a condition of any resource consent:

- (i) widening Linwood Avenue by approximately 2.2 metres in the vicinity of the site access points to allow for the provision of a central painted flush median and the provision of left turn slip lanes for vehicles turning left into the site from Linwood Avenue. These works are intended to reduce delays for other traffic using Linwood Avenue. Any loss of on-street parking due to the road widening is to be mitigated by the provision of replacement parking in recessed parking bays at suitable locations on Linwood Avenue;
- (ii) the upgrading of vehicle access points to the campus from Linwood Avenue to a sealed width of 10 metres. This work will allow the provision of separate left and right turn lanes for vehicles exiting the site and will assist in minimising delays for vehicles exiting the site;
- (iii) modification of the vertical alignment of Linwood Avenue to ensure that adequate visibility is maintained at the northern Linwood Avenue access for traffic safety;
- (iv) provision of low noise generating surfaces, such as friction course sealing, on Linwood Avenue adjacent to the southern Linwood Avenue access into the campus;
- (v) the enhancement of existing pedestrian access from Linwood Avenue in order to minimise pedestrian and vehicle conflict;
- (vi) the design and implementation of intersection upgrades (to the extent that these are required to deal with traffic effects generated by the development on site) for the following intersections:
  - St Lukes Road and Linwood Avenue
  - Linwood Avenue and Rossgrove Terrace; and
  - Rossgrove Terrace and Asquith Avenue.
- (vii) the implementation of a transport demand management strategy to reduce reliance on private motor vehicles by tertiary education institute staff and students as a means of transport to the site and to minimise the increase in peak period traffic generation; and


## **I320.8. Assessment – restricted discretionary activities**

### **I320.8.1. 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) informal recreation:

(a) the matters listed in I320.7.1(1) above;

 (2) information facilities, public amenities, and, development, accessory buildings, buildings, alterations and additions identified as restricted discretionary activities:

(a) the matters listed in I320.7.1(1) above;


- (b) the effect of the built form on the amenity of the golf course; and
- (c) the effect of the building design, location and external appearance.

### **I320.8.2. 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 Auckland-wide or zone provisions:

(1) informal recreation

- (a) the matters listed in I320.7.1.(1) above;
- (i) the criteria listed at I320.7.2 above;

 (2) information facilities, public amenities, and development, accessory buildings, alterations and additions identified as restricted discretionary activities:

- (a) the matters listed in I320.7.1.(1) above;
- (i) the criteria listed at I320.7.2 above;
- (b) the effect of the built form on the amenity of the golf course:
  - (i) the extent to which new buildings include suitable screening and/or use toughened glass to minimise damage to people and campus property caused by golf balls from the adjoining golf course; and
  - (ii) where the boundary planting along the north eastern boundary of the site required by I320.6.5(3) above is not yet of sufficient height and form to provide adequate visual screening of the parking building when viewed from the golf course, the car parking building should be designed such that its building form and north western façade treatment reduces the visual impact of the bulk of the building and provides interest through façade modulation, setbacks, contrasting materials, parapet and or roof forms and building openings; and
- (c) the effect of the building design, location and external appearance:
  - (i) the extent to which the scale, bulk, location and design of buildings or structures:

- (i) minimise adverse overshadowing or privacy effects on adjoining residential zoned and open space zoned sites by landscaping, screening, and/or separation distances;
- (ii) maintain the personal safety of tertiary education facility users; and
- (iii) provides appropriate landscaping or fencing so that the tertiary education facility building is compatible with its surroundings and to preserve privacy of adjoining and facing residential properties and the golf course.

- (ii) whether the design of buildings contributes to the local streetscape and sense of place by responding to the planned future context of the surrounding area;
- (iii) whether buildings that front the streets and open spaces positively contribute to the public realm and pedestrian safety; and
- (iv) whether buildings include activities that engage and activate streets and public spaces at ground and first floor levels; and

### **I320.9. Special information requirements**

An application for any resource consent in this precinct must be accompanied by the following information, or confirmation that the provisions are being met, whichever is applicable:

#### **I320.9.1. Parking and traffic**

- (1) The tertiary education institute must provide an annual statement to the Council by 31 March of every calendar year identifying campus numbers and formally marked car parking spaces. The statement must identify:
  - (a) total people, being equivalent full-time students and full-time staff; and
  - (b) campus population, being numbers of students and staff on the site at any one time; and
  - (c) the number of marked parking spaces provided on the site.

#### **I320.9.2. Traffic survey**

- (1) The tertiary education facility must undertake an annual traffic survey during a peak operational period as agreed with Council to determine:
  - (a) the extent of traffic generation in the surrounding streets resulting from the tertiary education facility.
  - (b) the on-site parking demand and the incidence of on-street parking resulting from the tertiary education facility.
- (2) The traffic survey must:
  - (a) be undertaken by a registered traffic engineer during the course of a typical day;
  - (b) include Linwood, Burnside and Verona Avenues, Martin Avenue as far as Rossgrove Terrace, Rossgrove Terrace between Norrie and Martin Avenues and Challinor Crescent; and
  - (c) include information setting out the actual campus population during the time that the survey was undertaken.
- (3) The manner and timing of the survey must be agreed beforehand with Council.

- (4) The results of the survey must be provided to Council within one month of the survey being undertaken.

#### **I320.9.3. 24-hour contact and complaints register**

- (1) The tertiary education facility must provide the owners and occupiers of all properties adjoining the site and the Mount Albert Residents Association with a 24-hour contact phone number(s) to report concerns or complaints associated with the tertiary education institute directly to its management or security staff.
- (2) The tertiary education facility must keep and maintain a register of any complaints about its operation including those received via the 24-hour contact phone number(s), email, written correspondence or face to face meetings.
  - (a) The register must record the time of the complaint, who it is from, the nature of the issue and the action taken by the tertiary education facility.
  - (b) The tertiary education facility must make the register available to the council within 48 hours of a written request from the council.

#### **I320.9.4. Community liaison group**

- (1) The tertiary education facility must form a community liaison group to consult and liaise with the local community in respect of its operations, including implementation of and compliance with this precinct.
- (2) The tertiary education facility must invite the following parties to participate in the community liaison group:
  - (a) Mount Albert Residents Association;
  - (b) Auckland City Golf Course Ltd, or any successive manager of the Chamberlain Park Golf Course;
  - (c) local residents living in the following streets:
    - (i) Linwood Avenue;
    - (ii) Burnside Avenue;
    - (iii) Verona Avenue;
    - (iv) Martin Avenue (those properties located on either side of Martin Avenue between Rossgrove Terrace intersection and the former Martin Avenue entrance onto the campus);
    - (v) Rossgrove Terrave; and
    - (vi) Chaillinor Crescent; and
  - (d) Gladstone Primary School Board of Trustees.
- (3) The tertiary education facility must convene a meeting of the community liaison group on a yearly basis no later than one month after undertaking the

annual traffic survey (refer to I320.9.2 above) for the purpose of providing and discussing the traffic survey and any other matters of concern to the community arising from activities at the tertiary education institute.

- (4) The tertiary education facility must provide a written invitation to the parties outlined in I320.9.4(2) above at least ten working days before the commencement of the meeting.
- (5) The meeting must be held at a convenient location mutually agreed upon by the tertiary education institute facility-and Mount Albert Residents Association. The costs, if any, of renting the venue must be borne by the tertiary education institute.
- (6) The meeting must be chaired by an independent party with mediation skills as agreed between the tertiary education facility-and Mount Albert Residents Association. The cost of employing such a person must be borne by the tertiary education facility.
- (7) Minutes of the meeting must be provided to all attendees promptly following the meeting. A copy of the minutes must also be provided to Council.

#### **I320.9.5. Intensity**

- (1) Within 48 hours of receiving a written request from the Council, the tertiary education facility must provide written information about the number of staff and students present on the campus throughout the course of a particular campus day. This is for monitoring purposes.

#### **I320.9.6. Planting and maintenance plan**

- (1) A planting and maintenance programme must be submitted to and approved by the Council prior to the planting required under Standard I320.6.5(3) being implemented.

The planting plan and maintenance programme must:

- (a) be prepared by a registered landscape architect;
- (b) include details of plant sizes at the time of planting and intended species, including mature specimen trees to provide screening;
- (c) set out the methods for irrigation and fertilising to ensure continued growth of the plants;
- (d) set out the methods to protect planting during construction;
- (e) provide details on the timing of planting; and
- (f) detail topsoil depths, sufficient to ensure the optimum growth of the plants. In particular, boundary planting must be required to achieve the following minimum topsoil depths at the time of planting:
  - (i) for trees 1 metre of topsoil depth, and

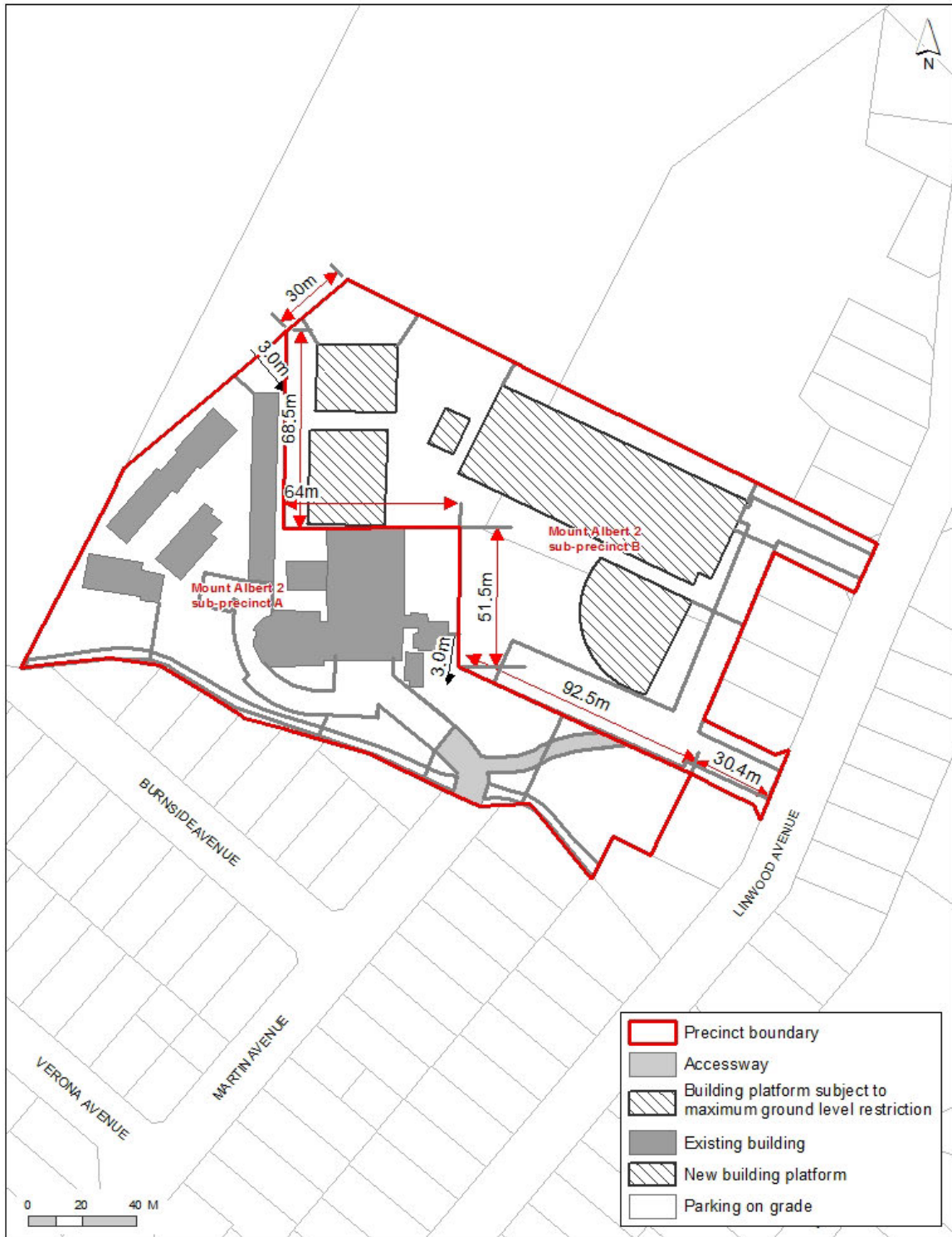


(ii) for shrubs 0.4 metres of topsoil depth.

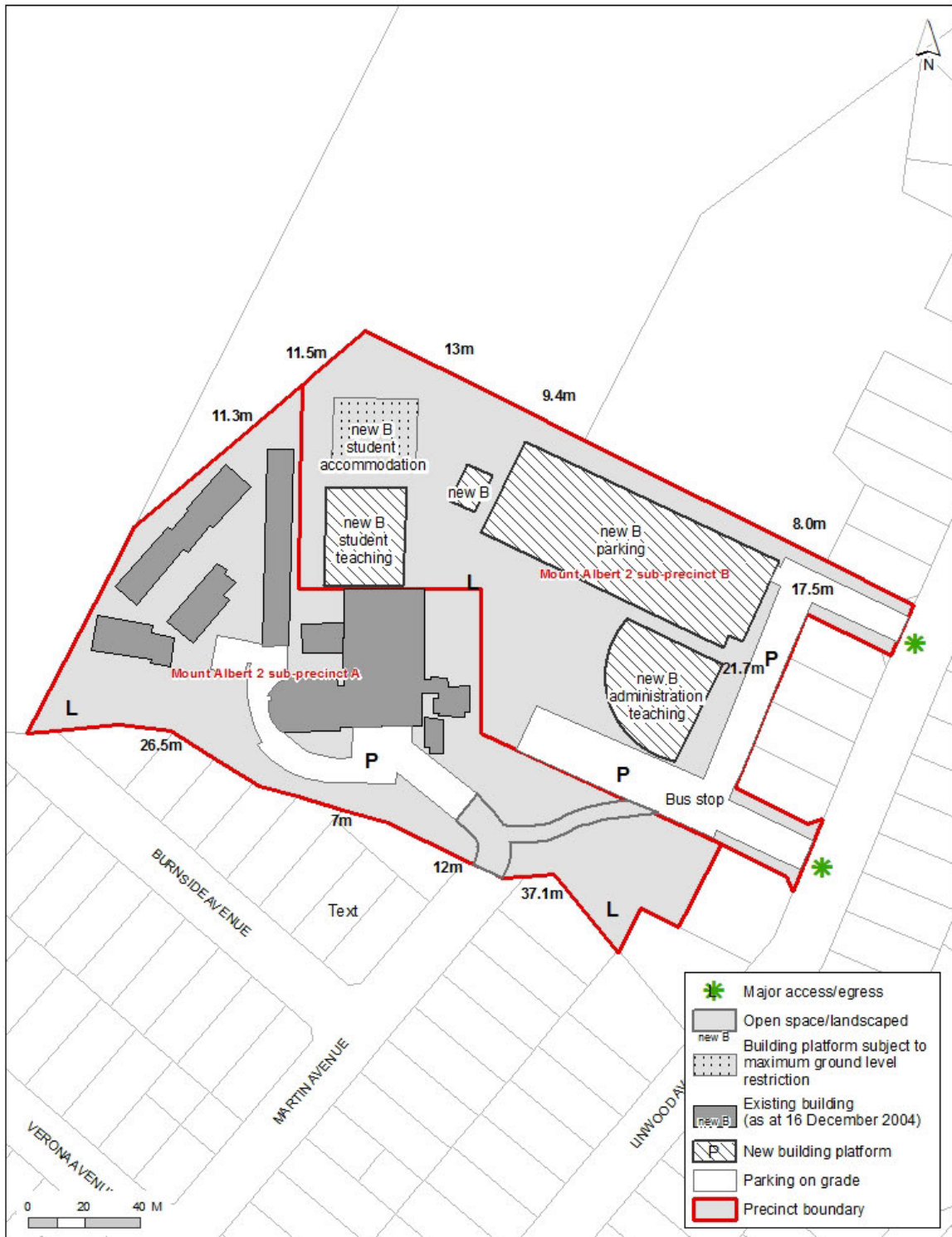
Note: The minimum topsoil depths may either be achieved using existing ground conditions where appropriate or through mounding.

I320.10. Precinct plans

I320.10.1 Mount Albert 2: Precinct plan 1



**I320.10.2 Mount Albert 2: Precinct plan 2 - activity locations**



I320.10.3 Mount Albert 2: Precinct plan 3 - landscaping



## **I323. Observatory Precinct**

### **I323.1. Precinct Description**

The Observatory Precinct includes both the Auckland Observatory and Planetarium (Stardome) located within One Tree Hill/ Maungakiekie Domain.

Auckland is one of the few cities in the world with both an astronomical observatory and a planetarium. Both of these facilities are valued regional assets.

The purpose of this precinct is to provide for the ongoing use and development of the Observatory and Planetarium. The precinct enables a range of activities that enhance the operation, use and enjoyment of these facilities and manages effects on the heritage values and landscape character of One Tree Hill/ Maungakiekie Domain.

The land within the precinct is scheduled:

- in the Historic Heritage Overlay as part of the extent of place identified for the One Tree Hill/ Maungakiekie Domain;
- in the Volcanic Maunga Viewshafts and Height and Building Sensitive Areas Overlay; and
- as an outstanding natural feature in the Outstanding Natural Features Overlay and the Outstanding Natural Landscapes Overlay as part of the outstanding natural feature identified for the One Tree Hill/ Maungakiekie Domain.

The land within this precinct is zoned Open Space – Informal Recreation Zone.

### **I323.2. Objectives**

- (1) Use and development enhances the operation, use and enjoyment of the Observatory and Planetarium and enables technical requirements to be met.
- (2) Use and development in the Observatory Precinct is compatible with the heritage values and landscape character of One Tree Hill/ Maungakiekie Domain.

The overlay, Auckland-wide and Open Space – Informal Recreation Zone objectives apply in this precinct in addition to those specified above.

### **I323.3. Policies**

- (1) Enable activities that enhance the operation, use and enjoyment of the Observatory and Planetarium.
- (2) Enable development necessary to meet the technical requirements of the Observatory and Planetarium.
- (3) Manage development to ensure it is compatible with the heritage values and landscape character of the One Tree Hill/ Maungakiekie Domain.
- (4) Manage parking within the precinct to ensure the heritage and landscape character values of One Tree Hill/ Maungakiekie Domain are not adversely affected.

- (5) Manage the impacts of light spill on the Observatory from surrounding land uses.

The overlay, Auckland-wide and Open Space – Informal Recreation Zone policies apply in this precinct in addition to those specified above.

**I323.4. Activity table**

The overlay, Auckland-wide and Open Space – Informal Recreation Zone provisions apply in this precinct unless otherwise specified below.

Table I323.4.1 Activity table specifies the activity status of land use and development activities in the Observatory Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I323.4.1 Activity table**

Activity		Activity status
<b>Use</b>		
(A1)	Restaurants and cafes, excluding a drive-through facility, accessory to use of the Observatory and Planetarium	P
(A2)	Conference facilities accessory to the Observatory and Planetarium	P
(A3)	Observatory and Planetarium activities	P
(A4)	Displays and exhibitions	P
<b>Development</b>		
(A5)	Internal and external alterations and additions to existing buildings	P
(A6)	Buildings where the cumulative total building coverage, or cumulative total footprint of buildings, is greater than 50% of the total precinct area	D
(A7)	Buildings associated with the Observatory Precinct which are not entirely located within the precinct boundary	D

**I323.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I323.4.1 Activity table 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 purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

**I323.6. Standards**

The zone standards do not apply in this precinct. The overlay and Auckland-wide standards apply in this precinct except for Standard [E27.6.2](#) Number of parking and loading spaces in [E.27 Transport](#).

Internal and external alterations and additions to existing buildings, provided for as a permitted activity in Table I323.4.1 Activity table, must comply with the following permitted activity standards:

**I323.6.1. Maximum building height**

- (1) Buildings must not exceed 9m above the height of the existing ground level in Area A as shown on Observatory Precinct: Precinct plan 1 – Maximum building height.
- (2) Buildings must not exceed 3m above the height of the existing ground level in Area B as shown on Observatory Precinct: Precinct plan 1 – Maximum building height.

**I323.6.2. Maximum building coverage and building location**

- (1) The maximum building coverage or cumulative total footprint of buildings must not exceed 50 per cent of the total precinct area.
- (2) Buildings associated with the Observatory and Planetarium must be entirely located within the precinct boundary.

**I323.6.3. Maximum impervious area**

- (1) The maximum impervious area must not exceed 70 per cent of the total precinct area.

**I323.6.4. Number of parking spaces**

- (1) The number of parking spaces must not exceed 15 parking spaces.

**I323.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

**I323.8. Assessment – restricted discretionary activities**

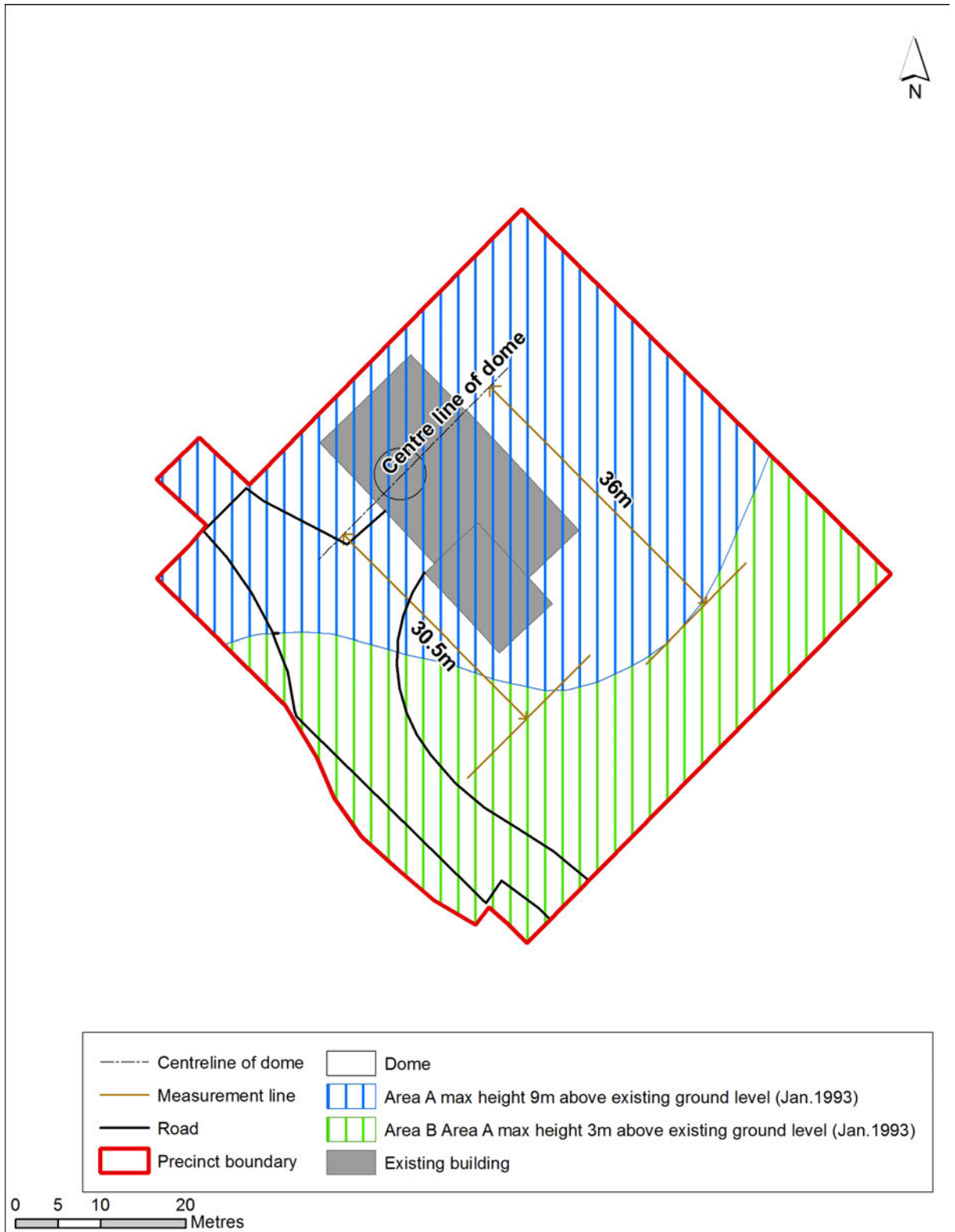
There are no restricted discretionary activities in this precinct.

**I323.9. Special information requirements**

There are no special information requirements in this precinct.

**I323.10. Precinct plans**

I323.10.1. Observatory Precinct: Precinct plan 1 – Maximum building height





## **I326. Ōrākei 1 Precinct**

### **I326.1. Precinct Description**

The Ōrākei 1 Precinct includes the land identified as hapu reservation (land held for the purposes of a marae, church, urupa and related hapu amenities) and land identified for development for papakāinga and other commercial and non-commercial activities under the Ngāti Whātua Ōrākei Claims Settlement Act 2012.

The purpose of the Ōrākei 1 Precinct is to:

- enable development and land management which reflect the principles of the Ngāti Whātua Ōrākei Iwi Management Plan 2012;
- provide for a range of activities that support and enhance development for papakāinga and other commercial and non-commercial activities; and
- provide additional rules and assessment criteria to manage the effects of development.

The establishment of a joint management agreement under section 36 of the Resource Management Act 1991 is encouraged to provide for joint decision making on all resource consents or plan changes directly affecting the Ōrākei 1 Precinct. As part of this approval process, a design review panel would also be established to provide for the specific consideration of Maori identity and design. While the precinct does not rely on a joint management agreement, it is an important part of the planning context of the precinct.

The zoning of land within this precinct is a combination of:

- Special Purpose – Māori Purpose Zone;
- Residential – Terrace Housing and Apartment Buildings Zone;
- Residential – Mixed Housing Urban Zone;
- Business – Mixed Use Zone; and
- Open Space – Informal Recreation Zone.

### **I326.2. Objectives**

- (1) The re-establishment of Ngāti Whātua Ōrākei on their Whenua Tūpuna (ancestral land) within an integrated and sustainable community environment which reflects Ngāti Whātua Ōrākei Mātauranga.
- (2) Ngāti Whātua Ōrākei is meaningfully involved in the management and decision making processes relating to Ngāti Whātua Ōrākei ancestral land.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

### **I326.3. Policies**

#### **Kotahitanga and Whanaungatanga – community and relationships:**

- (1) Promote a cultural sense of place, a location that promotes and supports interaction and engagement between tribal members and a community environment unique to Ngāti Whātua Ōrākei in Tāmaki Makaurau.

**Wairuatanga – spiritual connections and building design:**

- (2) Encourage design which promotes connection to significant Ngāti Whātua Ōrākei landmarks, cultural features and heritage connections.
- (3) Manage the building footprint, profile and height of buildings, where four or more dwellings are located on a site, to establish an integrated built form across the land area while also:
  - (a) creating a gateway entry to the community and a sense of awareness of entering a special residential environment;
  - (b) reinforcing and referencing local historic reference points and the wider cultural landscape;
  - (c) providing diversity in building forms and ownership models to accommodate a wide range of hapu and residents, including intergenerational whanau living opportunities and shared outdoor space;
  - (d) avoiding monotonous built form when viewed from public open space and sites within the residential zones outside of the precinct by ensuring a variation in building height and variations in building footprints and form; and
  - (e) complementing adjacent public open space by orientating buildings to enhance passive surveillance, and locating parking and servicing areas remote from public open space boundaries.

**Kaitiakitanga – sustainable management:**

- (4) Recognise and promote development and design solutions that protect or enhance natural, cultural and heritage values of Ngāti Whātua Ōrākei ancestral land.
- (5) Encourage, where four or more dwellings are located on a site, a form and layout of the development that enables the following sustainability initiatives:
  - (a) native planting and restoration of natural waterways;
  - (b) community gardens, including mahinga kai;
  - (c) low impact stormwater design, including the use of the Whenua Rangatira to achieve stormwater neutrality where practicable; and
  - (d) using the existing contour where possible and minimising large areas of cut and fill.

**Mātauranga – traditional knowledge and identity:**

- (6) Promote and provide for Ngāti Whātua Ōrākei Mātauranga in design and development.

**Orangatanga – wellbeing:**

- (7) Promote the establishment of community, social and employment facilities which enhance the economic and social wellbeing of Ngāti Whātua Ōrākei people and the wider community.
- (8) Maximise the opportunity to utilise the finite papakāinga land resource efficiently to house current and future generations of Ngāti Whātua Ōrākei people while avoiding or mitigating adverse effects on the surrounding environment.

**Mauritanga – ecosystem enhancement and linkages:**

- (9) Require development to maintain or enhance ecosystems and surrounding natural habitats, including the Whenua Rangatira.

**Rangatiratanga – self determination**

- (10) Establish a joint management agreement in accordance with section 36B of the Resource Management Act 1991 (or similar agreement) between Ngāti Whātua Ōrākei and the Council which:
  - (a) ensures Ngāti Whātua Ōrākei have equal decision-making powers in relation to policy and development decisions affecting their ancestral land; and
  - (b) provides an efficient process to assess the design attributes of new buildings and development.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

**I326.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

The rules in Activity Table I326.4.1 in I326 Orakei 1 Precinct as they relate to the construction and use of up to 3 dwellings per site replace the rules in the underlying zones for the construction and use of up to 3 dwellings per site.

Table I326.4.1 Activity table specifies the activity status of land use and development activities in the Ōrākei 1 Precinct pursuant to section 9(3) of the Resource Management Act.

A blank in Table I326.4.1 Activity table below means that the provisions of the zone or Auckland-wide provisions apply.

Table I326.4.1 Activity table

Activity		Activity Status				
		Special Purpose – Māori Purpose Zone	Residential – Terrace Housing and Apartment Buildings Zone	Residential – Mixed Housing Urban Zone	Business – Mixed Use Zone	Open Space – Informal Recreation Zone
<b>Use</b>						
Accommodation						
(A1)	Retirement villages	RD				
(A2)	Supported residential care	RD				
(A3)	Visitor accommodation	RD				
(A4)	Boarding houses	RD				
(A5)	Dwellings					
Community						
(A6)	Care centres	P				
(A7)	Community facilities	P				
(A8)	Education facilities	P				
(A9)	Informal recreation	P				
(A10)	Organised sport and recreation	P				
(A11)	Healthcare facilities	P				
(A12)	Urupā and accessory buildings	P				
Commerce						
(A13)	Offices up to 1500m <sup>2</sup> of GFA	P				
(A14)	Offices with greater than 1500m <sup>2</sup> GFA	D				
(A15)	Retail up to a GFA of 500m <sup>2</sup>	P				

I326 Ōrākei 1 Precinct

	and up to 100m <sup>2</sup> GFA per tenancy					
(A16)	Retail with greater than 500m <sup>2</sup> GFA or greater than 100m <sup>2</sup> GFA per tenancy	D				
(A17)	Retail accessory to a marae complex	P				
<b>Rural</b>						
(A18)	Farming	P				
(A19)	Horticulture	P				
<b>Development</b>						
(A20)	Public roads	RD				
(A21)	New buildings, or additions and alterations to existing buildings, greater than 200m <sup>2</sup> for care centres, community facilities, education facilities, informal recreation and leisure, organised sport and recreation, healthcare facilities, offices or retail	RD				

**I326.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I326.4.1 Activity table 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 purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

### **I326.6. Standards**

The standards in I326.6 in I326 Orakei 1 Precinct as they relate to the construction and use of up to 3 dwellings per site replace the corresponding standards in the underlying Residential - Mixed Housing Urban Zone and Residential - Terrace Housing and Apartment Buildings Zone for the construction and use of up to 3 dwellings per site.

The relevant overlay, zone and Auckland-wide standards apply in this precinct, unless otherwise provided for below:

#### **I326.6.1. Horticulture**

- (1) Glasshouses must not exceed 50m<sup>2</sup> in size.

#### **I326.6.2. Height in relation to boundary**

- (1) Where a height in relation to boundary standard applies in a zone, the standard only applies:
  - (a) at the external boundary of the precinct where it adjoins a site zoned Residential - Mixed Housing Urban Zone ~~or Residential – Mixed Housing Suburban Zone~~; or
  - (b) at any internal boundary where sites are under separate ownership, and does not apply to the internal site boundaries within the precinct where land is under a single ownership and / or subject to a single application.
- (2) No part of any building on 107-111 Kupe Street (Lots 208 DP 48825) shall project above a 35° recession plane measured from any point 2 metres above the ground level along the common boundary with 105 Kupe Street (Lot 2 DP 446155).

#### **I326.6.3. Yards and building setbacks**

- (1) Where the Residential - Terrace Housing and Apartment Buildings Zone applies:
  - (a) Standard [H6.6.9](#) Yards and ~~Standard [H6.6.8](#) Height in relation to boundary adjoining lower intensity zones~~ only applies ~~y~~ at the boundary of the precinct where it adjoins Residential - Mixed Housing Urban Zone ~~or Residential – Mixed Housing Suburban Zone~~; or
  - (b) at any internal boundary where sites are under separate ownership, and does not apply to the internal site boundaries within the precinct where the land is zoned Residential – Terrace Housing and Apartment Buildings Zone and is under single ownership and / or subject to a single application.

#### **I326.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

#### **I326.8. Assessment – restricted discretionary activities**

##### **I326.8.1. Matters of discretion**

The Council will restrict its discretion to all of 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) retirement villages, supported residential care, visitor accommodation, boarding houses:
  - (a) in the Special Purpose – Māori Purpose Zone the matters of discretion in [H5.8.1\(1\)](#) and [H5.8.1\(3\)](#) Matters of discretion for activities in the Residential – Mixed Housing Urban Zone; and
  - (b) in the Special Purpose – Māori Purpose Zone; Residential – Terrace Housing and Apartment Buildings Zone; Residential – Mixed Housing Urban Zone; Business – Mixed Use Zone; and Open Space – Informal Recreation Zone the integration of mātauranga and tikanga.
- (2) public roads:
  - (a) transport effects;
  - (b) design and routes of public roads; and
  - (c) public pedestrian connections.
- (3) new buildings, or additions and alterations to existing buildings, greater than 200m<sup>2</sup> for care centres, community facilities, education facilities, informal recreation and leisure, organised sport and recreation, healthcare facilities, offices or retail:
  - (a) integration of mātauranga and tikanga.
- (4) four or more dwellings:
  - (a) cultural sense of place;
  - (b) building location, height and profile; and
  - (c) sustainability.

#### **I326.8.2. 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 Auckland-wide or zone provisions:

- (1) retirement villages, supported residential care, visitor accommodation, boarding houses:
  - (a) in the Special Purpose – Māori Purpose Zone the assessment criteria in [H5.8.2\(1\)](#) and [H5.8.2\(3\)](#) Assessment criteria for activities in the Residential – Mixed Housing Urban Zone; and

(b) in the Special Purpose – Māori Purpose Zone; Residential – Terrace Housing and Apartment Buildings Zone; Residential – Mixed Housing Urban Zone; Business – Mixed Use Zone; and Open Space – Informal Recreation Zone, the extent to which the building design integrates mātauranga and tikanga principles.

(2) public Roads:

(a) the extent to which the location, physical extent and design of new public roads and associated public pedestrian connections integrate with existing and proposed public open space and provide for well-connected, and safe vehicular and pedestrian routes;

(b) whether vehicle traffic through the marae area is avoided to the extent practicable; and

(c) the extent to which public pedestrian access across open space areas from Takitimu and Kupe Streets to Kitemoana Streets is established and reinforced.

(3) new buildings, or additions and alterations to existing buildings, greater than 200m<sup>2</sup> for care centres, community facilities, education facilities, informal recreation and leisure, organised sport and recreation, healthcare facilities, offices or retail:

(a) the extent to which the building design integrates mātauranga and tikanga principles.

(4) four or more dwellings:

(a) cultural sense of place:

(i) the extent to which the development reinforces and complements the marae as the heart of the community;

(ii) the extent to which opportunities for local community services, employment and places to shop are provided, particularly at the Takitimu Street / Kupe Street entrance to the Ōrākei precinct and near the marae; and

(iii) whether development establishes and reinforces the use and function of areas zoned open space and orientate views towards the Whenua Rangatira;

(b) building location, height and profile:

(i) whether building footprints, profile and height (rather than detailed building design) establish an integrated built form and spatial framework across the subject land area and address the matters in Policy I326.3(3) above; and

(c) sustainability



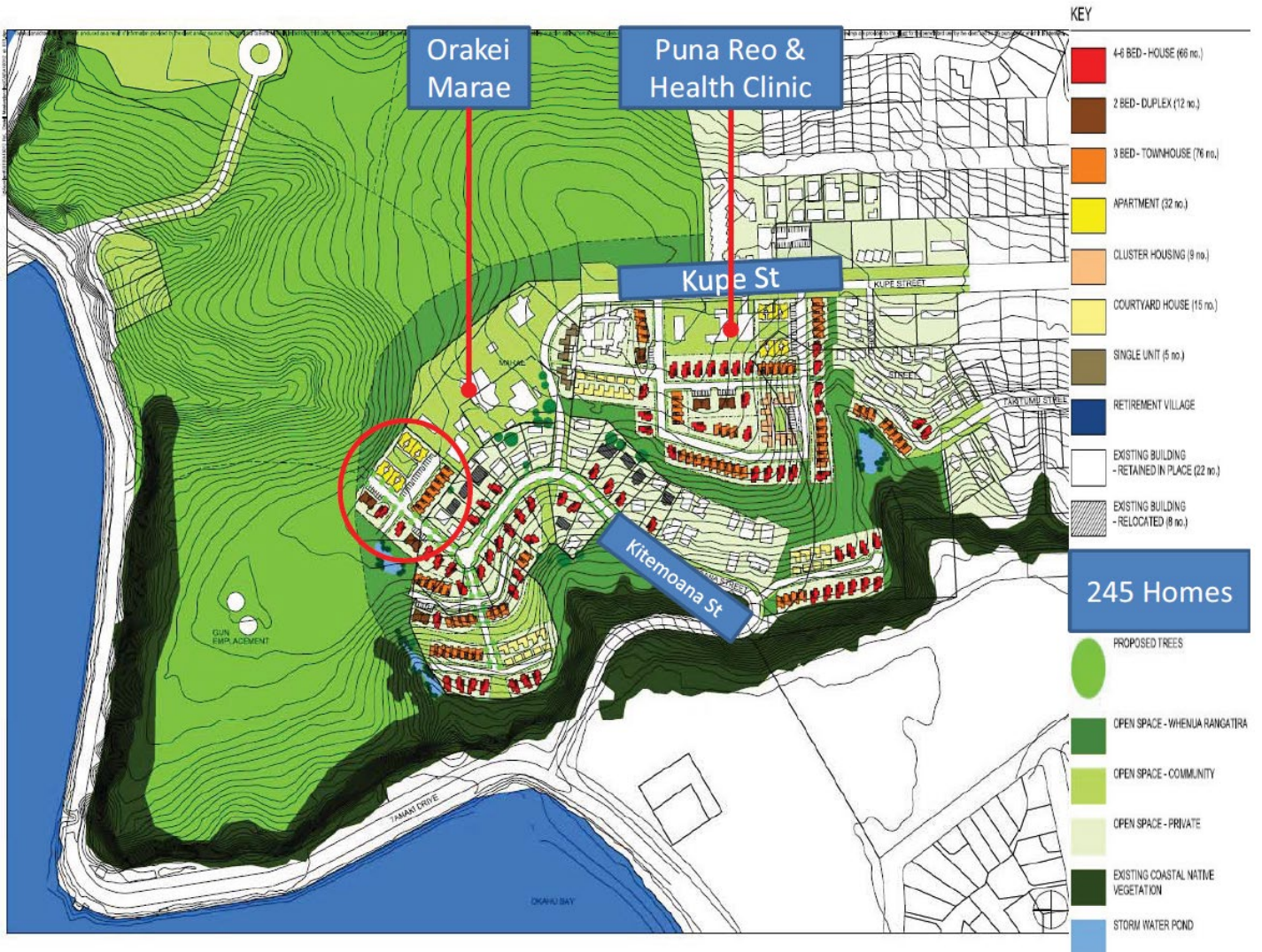
- (i) whether the form and layout of the development enables the sustainability initiatives identified in Policy I326.3(5) above.

**I326.9. Special information requirements**

There are no special information requirements in this precinct.

**I326.10. Precinct plans**

**I326.10.1 Orakei 1: Precinct Plan 1 - Ōrākei Papakāinga master plan**



## **I328. Ōrākei Point Precinct**

### **I328.1. Precinct Description**

The Ōrākei Point Precinct applies to land located along Ōrākei Road adjoining the coastal marine area. The precinct is bisected by the North Island Main Trunk Railway.

The purpose of the precinct is to enable a comprehensively planned, transit oriented community, with development undertaken generally in accordance with a master plan, and the staged provision of public facilities and infrastructure. The master plan is shown on I328.10.5 Ōrākei Point: Precinct plan 5.

The Ōrākei Point precinct is divided into Sub-precincts A to F for the purposes of the different standards that apply in these areas. The precinct plans seek to maximise the opportunities offered by the precinct, while respecting the sensitivities of its coastal location and geological and heritage values.

Under I328.10.5 Ōrākei Point: Precinct plan 5, the railway corridor is capped by a podium, reducing noise and allowing development and public access across the precinct.

I328.10.5 Ōrākei Point: Precinct plan 5 also includes public plazas, a new Ōrākei train station, and a new loop road to re-enforce the public nature of the development.

I328.10.5 Ōrākei Point: Precinct plan 5 provides for 80,000m<sup>2</sup> of gross floor area, equating to approximately 700 apartments and a maximum of 10,000m<sup>2</sup> for both retail and office activities.

The zoning is primarily Business – Mixed Use Zone, apart from the land adjoining the railway line within the railway designation which is zoned Strategic Transport Corridor Zone. Land between the coastal marine area and the precinct in the north and west is zoned Open Space – Informal Recreation Zone and Open Space – Conservation Zone. There is also a small area of Coastal – Coastal Transition Zone land included within this precinct.

### **I328.2. Objectives**

- (1) Ōrākei Point is comprehensively developed for mixed-use activities which integrate well with the public transport network.
- (2) High quality public open spaces are created, both within Ōrākei Point and around its seaward perimeter.
- (3) Principles of sustainability are adopted in the development.
- (4) Adverse effects from the current and anticipated future operation of the North Island Main Trunk Railway Line are avoided and mitigated.

The provisions of the [D10 Outstanding Natural Feature Overlay](#) and [H13 Business – Mixed Use Zone](#) and [H22 Strategic Transport Corridor Zone](#) apply in addition to those specified above unless otherwise specified.

### **I328.3. Policies**

#### *Transit Orientated Community*

- (1) Promote future growth and improvements to public transport through the construction of a new covered railway station.
- (2) Require staging of infrastructure and public places in a manner that compliments built development.
- (3) Enable other modes of transport other than private motor vehicle by providing connections to public transport, and limiting parking.

#### *Development is undertaken in a comprehensive manner*

- (4) Promote development that is generally consistent with I328.10.5 Ōrākei Point: Precinct plan 5.
- (5) Require new development and public places to achieve an appropriate interface between buildings, public spaces and Ōrākei Point's coastal setting.
- (6) Promote high urban design standards.

#### *High quality public open space*

- (7) Provide a wide range of public spaces, including green spaces for passive recreation around the perimeter of Ōrākei Point, urban plazas and a street network with a strong pedestrian focus.
- (8) Provide a green corridor along Ōrākei Road and Ōrākei Basin by creating new public space and requiring landscaping and setback requirements.
- (9) Provide public plazas on the northern seaward side of Ōrākei Point maximising public views and amenity.

#### *Sustainability in new development*

- (10) Integrate development with public transport.
- (11) Orientate development and open spaces northwards to maximise solar access.
- (12) Design buildings to be adaptable to other suitable activities over time.

#### *Adverse effects from the North Island Main Trunk Line are avoided or mitigated*

- (13) Require a minimum level of acoustic amenity for occupiers of buildings through the design and construction of buildings and services.
- (14) Avoid and mitigate vibration effects, and diesel fumes associated with current and future operation of the railway line through the design and construction of buildings.

The provisions of the [D10 Outstanding Natural Feature Overlay](#) and [H13 Business – Mixed Use Zone](#) and [H22 Strategic Transport Corridor Zone](#) apply in addition to those specified above unless otherwise specified.

**I328.4. Activity table**

Table I328.4.1 Activity Table specifies the activity status of land use activities in the Ōrākei Point Precinct pursuant to section 9(3) of the Resource Management Act 1991.

The activities in the [D10 Outstanding Natural Features Overlay](#) and Auckland-wide provisions apply unless otherwise specified.

The provisions in the underlying [H13 Business – Mixed Use Zone](#) and [H22 Strategic Transport Corridor Zone](#) apply unless otherwise specified.

**Table I328.4.1 Activity table**

Activity		Activity status
<b>Use</b>		
<b>Accommodation</b>		
(A1)	Dwellings	P
(A2)	Home occupations	P
<b>Commercial</b>		
(A3)	Parking (non-accessory) in sub-precinct F	RD
(A4)	Entertainment facilities up to 500m <sup>2</sup> gross floor area	P
(A5)	Entertainment facilities between 500m <sup>2</sup> and 2000m <sup>2</sup> gross floor area	D
(A6)	Food and beverage	P
(A7)	Garden centres	P
(A8)	Offices	P
(A9)	Parking up to 1750 spaces	P
(A10)	Parking between 1750 and 1950 spaces	RD
(A11)	Retail	P
(A12)	Taverns up to 500m <sup>2</sup> gross floor area	P
(A13)	Visitor accommodation	P
<b>Community</b>		
(A14)	Community facilities up to 500m <sup>2</sup> gross floor area	P
(A15)	Community facilities between 500m <sup>2</sup> and 2000m <sup>2</sup> gross floor area	RD
(A16)	Park and ride	D
(A17)	Road network	P
(A18)	Signs, structures and information boards associated with public pedestrian and cycling access in and around the coastal marine area	P
(A19)	Transport equipment	P
<b>General</b>		
(A20)	Artificial lighting	P
(A21)	Use of buildings complying with Standard I328.6.10	P

(A22)	Use of buildings not complying with Standard I328.6.10	RD
(A23)	Construction of public open space, public accessways, overpasses, plazas and accessory buildings (excluding roads)	RD
(A24)	Construction of road network	P
(A25)	Buildings and works within the Special Tree Protection Area shown on I328.10.3 Ōrākei Point: Precinct plan 3	RD

### I328.5. Notification

(1) The following activities will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991:

(a) any application for buildings, excavation or related works within the Special Tree Protection Areas that result in:

- (i) removal of more than 5 per cent of the canopy of any tree located within the Special Tree Protection Area; or
- (ii) removal of three or more trees located within the Special Tree Protection Area; or
- (iii) significant adverse effects on three or more trees located within the Special Tree Protection Area caused by any physical works or activities within the Special Tree Protection Area.

(2) Any application for resource consent for an activity that does not comply with Standard I328.6.10 Use of buildings will be limited notified to New Zealand Rail Corporation and Ports of Auckland Limited.

(3) Any activity in Table I328.4.1 Activity table not otherwise listed above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(4) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

### I328.6. Standards

All activities listed as permitted in Table I328.4.1 Activity table must comply with the following standards.

The zone, Auckland-wide and overlay standards apply in this precinct unless otherwise specified.

### **I328.6.1. Parking**

- (1) Parking within the precinct must not exceed 1950 spaces unless the 200 park and ride parking spaces have been disestablished.
- (2) Where parking for the 200 park and ride spaces has been disestablished, parking within the precinct must not exceed 2150 spaces.
- (3) Parking that does not comply with Standard I328.6.1(1) and/or I328.6.1(2) is a non-complying activity.

### **I328.6.2. Parking (non-accessory) within sub-precinct F**

- (1) Parking (non-accessory) within Sub-precinct F must not exceed 400 spaces, and can only be undertaken prior to the completion of development within Sub-precinct F (excluding parking provided ancillary to a permitted or restricted discretionary activity).
- (2) Parking (non-accessory) that does not comply with Standard I328.6.2(1) is a non-complying activity.

### **I328.6.3. Garden centres**

- (1) Garden centres, including an ancillary café must only occupy up to 20 per cent of the gross floor area, and/or up to 5 per cent of the outdoor area.
- (2) Garden centres that do not meet Standard I328.6.3(1) are a discretionary activity

### **I328.6.4. Offices**

- (1) Offices must have a total cumulative gross floor area of between 5,000m<sup>2</sup> and 10,000m<sup>2</sup>.
- (2) Offices that do not meet Standard I328.6.4(1) are a discretionary activity.

### **I328.6.5. Food and beverage**

- (1) Food and beverage activities must not operate between 11.00pm and 7:00am.

### **I328.6.6. Park and ride parking**

- (1) Park and ride parking must provide a maximum of 200 parking spaces.
- (2) Park and ride parking that does not meet Standard I328.6.6(1) is a discretionary activity.

### **I328.6.7. Retail premises**

- (1) The gross floor area of any individual tenancy (including ancillary on-site warehousing and storage) must not exceed 500m<sup>2</sup>.
- (2) A single large floor plate retail tenancy (including ancillary onsite warehouse and storage) must not exceed 2,000m<sup>2</sup>.
- (3) The total cumulative gross floor area of retail premises in Standards I328.6.7(1) and I328.6.7(2) must not exceed 10,000m<sup>2</sup>.
- (4) A minimum gross floor area of 5,000m<sup>2</sup> must be provided
- (5) Retail premises that do not comply with any of Standards I328.6.7(1) to (4) for retail premises are a discretionary activity.

### **I328.6.8. Taverns**

(1) Taverns must have a maximum gross floor area of 500m<sup>2</sup>.

### **I328.6.9. Artificial lighting**

(1) Artificial lighting may be used on a site producing on luminance in excess of 150lux, measured at any point on the site containing the light source in a horizontal or vertical plain at ground level.

(2) Lighting that does not comply with Standard I328.6.9(1) is a non-complying activity.

### **I328.6.10. Use of buildings**

(1) Use of buildings for any permitted activity in Table I328.4.1 where located 30m either side of the land designated for railway purposes must be subject to a restrictive non-complaints encumbrance in favour of New Zealand Railways Corporation and the Ports of Auckland, in accordance with Standard I328.6.10(2).

(2) For the purposes of the Ōrākei Point precinct and Standard I328.6.10 (1) a "restrictive non-complaints encumbrance" is a restrictive encumbrance registered on the title to the property or a binding agreement of encumbrance, in favour of New Zealand Railways Corporation and Ports of Auckland Limited, by the landowner (and binding successors in title) not to complain as to the effects generated by the lawful operation of the North Island Main Trunk railway.

(3) The requirement in Standard I328.6.10(2) does not require the encumbrance to forego any right to lodge submissions in resource consent applications or plan changes in relation to the operation of the railway line (although an individual restrictive non-complaints encumbrance may do so. Details of the existence of encumbrance documents may be obtained from New Zealand Railways Corporation, Ports of Auckland Limited, their solicitors, or in the case of registered encumbrance by searching the title to the property.)

### **I328.6.11. Building height**

(1) Buildings within an identified building platform must not exceed the maximum number of floors above the podium shown on I328.10.1 Ōrākei Point: Precinct plan 1, provided that the overall height of the building (including roofs and roof top projections) must not exceed the maximum height (above datum) in meters also specified for that building platform.

(2) For the purposes of the control above, the 'maximum number of floors' must be measured in each case as being above a nominal podium level of RL12.2 (Reduced Level in terms of NZVD2016), with the podium level storey counting as the first floor.

(3) Buildings within that area identified as 'podium level' on I328.10.1 Ōrākei Point: Precinct plan 1 must not exceed the height above datum shown on the Plan for that section of the podium, provided that this height limit must not apply to the following buildings and structures located on or over the podium level:

(a) balconies over roads and plazas which meet the assessment criteria in I328.8.2(1)(a) to (c);

(b) seating, bus shelters, pedestrian shelter structures, balustrades, light poles, signs or public artwork on roads or plazas; or



(c) buildings and structures associated with temporary activities.

(d) The Reduced Level in terms of NZVD2016 shown on I328.10.1 Ōrākei Point: Precinct plan 1 must be in terms of New Zealand Vertical Datum 2016 (mean sea level).

#### **I328.6.12. Floor to floor height within buildings**

(1) The minimum floor to floor height within buildings must be 4m for the ground level of a building, provided that no minimum floor to floor height will apply to the ground or basement levels of buildings within Sub-precinct A, where those floors contain residential or parking.

(2) The minimum floor to floor height for all other levels within a building must be 3m other than parking levels or to levels below the podium where no minimum floor height applies.

(3) Standard I328.6.21(3) and (4) minimum floor to ceiling heights for residential units must be met.

(4) The maximum floor to ceiling height limit on all levels within a building must be 4.5m, except that the maximum floor to ceiling height limit does not apply to:

(a) ground levels;

(b) other building levels used for entrance lobbies, circulation or foyers or as public entry and access to the covered railway station;

(c) parking levels;

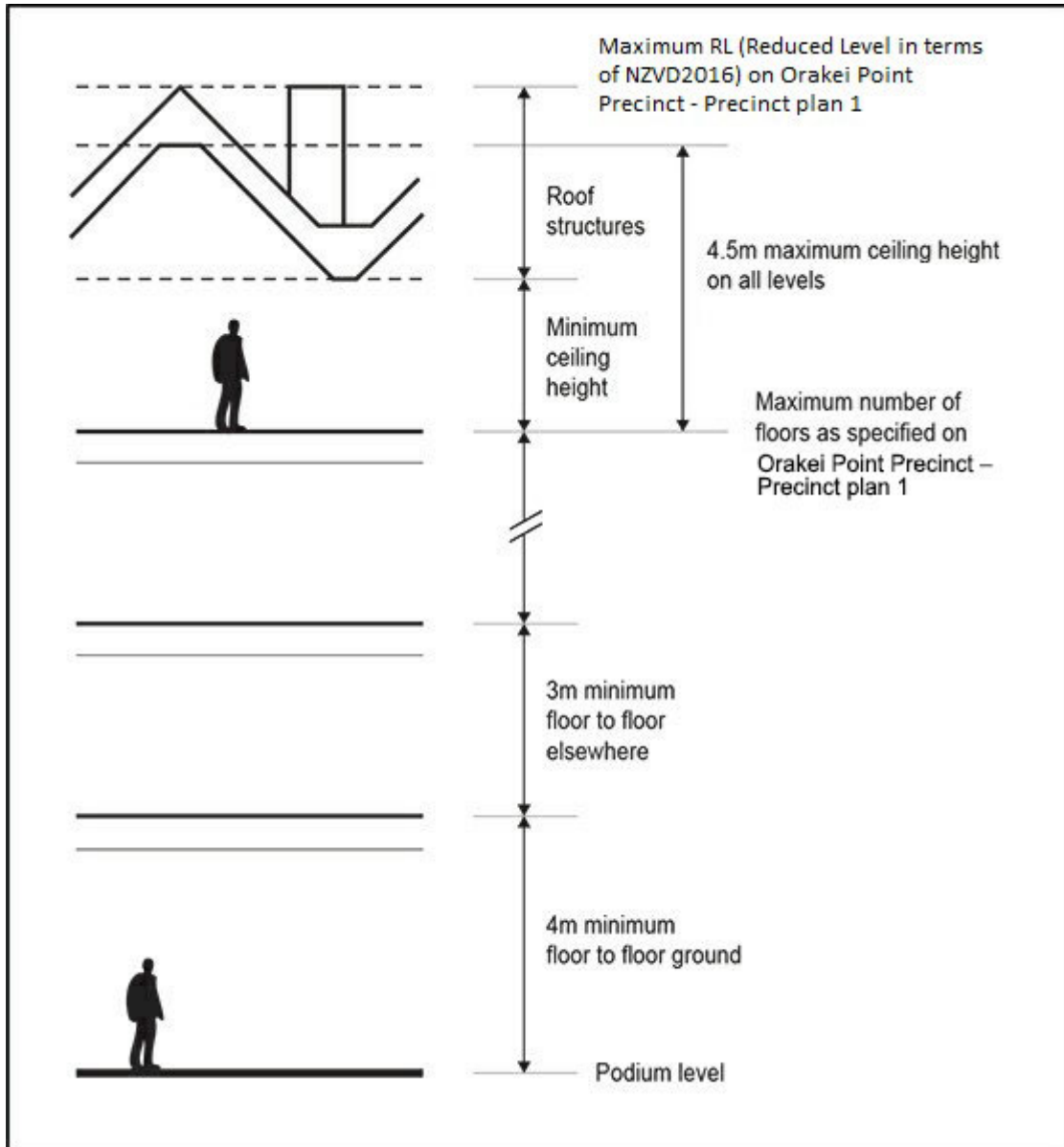
(d) levels used for the rail station, lines and ancillary activities; or

(e) levels incorporating mezzanine floors.

#### **I328.6.13. Roof-top control**

(1) Rooftop projections including lift towers, machinery rooms and plant which exceed the height of all parts of a parapet surrounding a roof on which the projections are located, must be enclosed in a structure or structures designed as an integral part of the roof of the building, refer to Figure I328.6.13.1 Ōrākei Point height controls .

#### **Figure I328.6.13.1 Ōrākei Point height controls**



Explanation:

Buildings are limited to the building platforms shown on the precinct plans to ensure development is consistent with I328.10.5 Ōrākei Point: Precinct plan 5. Building platforms are positioned to concentrate development on the inner and northern part of Ōrākei Point, thereby generally avoiding its Ōrākei Road and Ōrākei Basin edge and ensuring the greatest intensity of development closest to the railway station. Building platforms also provide for buildings to define and enclose public streets open spaces.

Appropriate building heights have been determined with reference to the landform of the wider visual and physical catchment. Maximum building heights have been determined for each of the building platforms, with reference to the landscape sensitivities of Ōrākei Point and I328.10.5 Ōrākei Point: Precinct plan 5. A range of building heights are specified to ensure variation in the roof profile of the overall development and to have building heights at a scale appropriate to other buildings

and adjoining roads and public open spaces. This is achieved by a combination of a maximum number of floors and a maximum RL (Reduced Level in terms of NZVD2016), the later being set higher than the former to provide for and encourage pitched and varied roof forms rather than flat roofs.

Maximum heights (RL in terms of NZVD2016) of RL12.2, RL15.7 and RL14.2 are applied to the plaza podium levels, representing the top of the plaza and road level. The maximum height of RL15.7 is applied to one portion of the podium to allow the road to slope up from the general podium level of RL12.2 to meet Ōrākei Road at grade. A maximum height of RL5.2 is applied to the lower podium levels.

Minimum floor to floor heights have been applied to residential and commercial buildings to allow buildings to be adaptable to alternative uses and provide amenity for occupants.

Maximum floor to floor heights have been applied to ensure that buildings adhere to the scale allowed by the specified floor limits. Lobbies, foyers and public space within buildings have been excluded from the maximums to encourage such spaces to have generous volumes. The rail corridor has also been excluded from the maximum height limit in recognition of its functional need.

#### **I328.6.14. Ōrākei Road recession plane and building landscaping**

(1) Buildings within the building platforms identified on I328.10.1 Ōrākei Point: Precinct plan 1 as being subject to the Ōrākei Road recession plane and building landscaping control must comply with the following:

- (a) no part of the building must project through a plane starting at the level of Ōrākei Road, measured at the boundary of the site, and rising at 45° to its baseline parallel with the street boundary of the site;
- (b) the face of the building to Ōrākei Road must be landscaped and must have sufficient soil depth and drainage to ensure proper plant growth;
- (c) the building and landscaping must either be a terraced profile or have a modulated form so as to create a natural hill profile, to generally screen the bulk of buildings behind when viewed from Ōrākei Road level and must not be a literal regression of the 45° angle;
- (d) no part of the building must exceed an overall height of RL 29.7 above New Zealand Vertical Datum 2016; and
- (e) the upper most edge and sides of the sloping or terraced building face to Ōrākei Road must be fenced in a manner that satisfies the requirements of the Building Act 2004 and any subsequent amendments.

Explanation:

The Ōrākei Road Recession Plane and Building Landscaping control is applied to the buildings adjoining Ōrākei Road. The control ensures that the buildings maintain a green face to Ōrākei Road and are set back from the road so as to maintain its open character.

**I328.6.15. Site intensity**

(1) The maximum gross floor area within each sub-precinct must not exceed the area in Table I328.6.15.1.

**Table I328.6.15.1 Maximum gross floor areas in sub-precincts**

<b>Sub-precinct</b>	<b>Maximum gross floor area</b>
Sub-precinct A	16,000m <sup>2</sup>
Sub-precinct B	18,000m <sup>2</sup>
Sub-precinct C	9,000m <sup>2</sup>
Sub-precinct D	13,000m <sup>2</sup>
Sub-precinct E	9,000m <sup>2</sup>
Sub-precinct F	15,000m <sup>2</sup>
Total gross floor area	80,000m <sup>2</sup>

(2) The maximum gross floor area within each sub-precinct must be calculated as the combined total gross floor area of both existing and consented buildings within each of the identified building platforms, with:

(a) 'consented buildings' meaning buildings for which resource consent has been granted, but not given effect to; and

(b) resource consents which have expired or lapsed, or which have been surrendered, not being used in the calculation of maximum gross floor area.

(3) In addition to the matters excluded in the definition of gross floor area, the following must also be excluded from the calculation of gross floor area:

(a) all outdoor balcony or deck space, whether enclosed or not;

(b) floor area used for parking, including associated access ramps, stairs, lifts and plant, where that floor area is:

(i) for Sub-precinct A, below RL 17.71 (Reduced Level in terms of NZVD2016);

(ii) for Sub-precincts B – F, below the podium levels shown on I328.10.1 Ōrākei Point: Precinct plan 1;

(iii) contained within the Ōrākei Road building(s) within the building platform shown on I328.10.1 Ōrākei Point - Precinct plan 1 as being subject to the Ōrākei Road Recession Plane and Building Landscaping Control; or

(iv) outdoor floor areas associated with garden centres.

Explanation:

The site intensity control limits the amount of gross floor area achievable within each of the sub-precinct areas. Maximum gross floor areas have been established to allow the development of appropriate densities of development (in terms of apartment numbers and commercial floor area) to create a vibrant transit oriented community

which supports patronage of public transport, within the constraints imposed by the building platforms and height limits.

Maximum gross floor areas are identified on a sub-precinct basis. The development of individual building areas within each sub-precinct will need to be assessed at the time of resource consent application with reference to the quantum of gross floor area already taken up within the sub-precinct, by both existing and consented development.

Overall, the gross floor areas provided for within the precinct equates to a floor area ratio of approximately 1.8:1 of the entire area of the precinct.

#### **I328.6.16. Verandah/Colonnade requirement**

(1) For buildings within building platforms identified as subject to a verandah/colonnade control on I328.10.2 Ōrākei Point - Precinct plan 2 a verandah/colonnade must be provided and must comply with all of the following:

- (a) the verandah/colonnade must provide continuous pedestrian cover within the site along the entire building platform frontage identified as subject to a colonnade requirement;
- (b) the verandah/colonnade must have a minimum height of 3.4m above the footpath immediately below;
- (c) any colonnade must have a minimum unobstructed horizontal width of 2m; and
- (d) any verandah must comply with relevant bylaws relating to verandahs.

Explanation:

A verandah/colonnade is required along the western side of the loop road to provide for pedestrian cover between Ōrākei Road and the lee plaza and railway station entrance.

A verandah/colonnade is also required around the southern edge of the lee plaza to provide pedestrian cover to and around the plaza and to enhance the pedestrian amenity of the plaza.

#### **I328.6.17. Pedestrian links**

(1) Pedestrian links connecting the road, plazas and open space land must be provided generally at the locations shown on I328.10.3 Ōrākei Point - Precinct plan 3 and must comply with all of the following:

- (a) have a minimum width of 2m;
- (b) create a direct and logical pedestrian link through the site between public road, plaza and open space land;
- (c) be open to the sky or be covered with transparent glazing, except for a pedestrian link beneath the rail line; and
- (d) comply with relevant Crime Prevention Through Environmental Design principles.

Explanation:

Pedestrian links are required in the locations specified to provide for mid-block linkages between roads, plazas and public open space and to allow permeability through the site and development.

**I328.6.18. Frontage height and activity control**

(1) Any building shown on I328.10.3 Ōrākei Point - Precinct plan 3 subject to a frontage height and activities control must comply with all of the following:

(a) the façade of the building must generally abut the building platform boundary identified as being subject to the frontage height control;

(b) the number of floors along that building platform boundary must be no less than the maximum number of floors specified on I328.10.1 Ōrākei Point - Precinct plan 1, except on the building platform subject to the Ōrākei Road Recession Plane and Building Landscaping Control where Standard I328.7.8(1)(b) does not apply; and

(c) 'frontage' shall be interpreted as meaning the external wall of a building which occupies the length of the road boundary and which rises from that boundary to a height no less than the minimum specified, but excludes vehicle entrances, loading bays, pedestrian entrances and lobbies, window and balcony recesses and similar architectural modulations.

(2) Activities occupying the ground floor frontage of a building on a site identified on I328.10.3 Ōrākei Point - Precinct plan 3 must be limited to the following:

(a) entertainment facilities;

(b) garden centres;

(c) food and beverage;

(d) retail;

(e) taverns;

(f) community facilities; or

(g) offices.

(3) Activities occupying the ground floor frontage of a building on a site identified on I328.10.3 Ōrākei Point - Precinct plan 3:

(a) must occupy not less than 80 per cent of the length and not less than 10m of the depth of the ground floor road frontage of an identified site; and

(b) up to 20 per cent of the length of the frontage of identified sites may be occupied by building entrances, services entrances, vehicle access and service functions.

Explanation:

The frontage height and activities control is applied to certain building frontages to ensure that new buildings appropriately address and define roads and plazas through

specified minimum number of floors appropriate to the scale and character of the streets and plaza they adjoin, while excluding certain building elements to provide for flexibility in design and avoiding potential visual monotony of regimented frontage forms.

On such identified frontages, ground floor activities are limited to entertainment, garden centres, restaurants, cafes and other eating places, retail and taverns to activate the road and plaza.

**I328.6.19. Noise**

(1) Buildings within the Ōrākei Point precinct must be designed and constructed to ensure the internal noise limits in Table I328.6.19.1 Internal noise limits will not be exceeded.

**Table I328.6.19.1 Internal noise limits**

<b>Receiving environment</b>	<b>L<sub>Aeq</sub>, 1 hour</b>
Residential – bedroom	35 dB
Residential – habitable rooms	40 dB
Commercial – offices	40 dB
Conference facilities and care centres	40 dB
Retail	45 dB

(2) Sound insulation calculations must be based on external noise levels derived from 3D acoustic modelling software (Soundplan or Predictor) using:

(a) a train sound power level of LWA127 dB as a point source travelling at 40 km/hr, and 4 trains per hour, and using the spectrum in Table I328.6.19.2 sound spectrum; and

**Table I328.6.19.2 Sound spectrum**

	Octave Band Centre Frequency (Hz)						
	63	125	250	500	1k	2k	4k
Sound Power Level (dB)	133	131	127	123	123	119	114

(b) road traffic noise at the façade must be calculated with 3D modelling software and the current traffic flow rates on Ōrākei Road between 10.00 pm and 11.00 pm.

(3) Sound from a moving point source (which propagates in the same manner as line source) can be modelled as such in 3D modelling software.

(4) In addition to meeting Standard I328.6.19 (1) to (3) all bedrooms and other habitable spaces must be adequately ventilated or air conditioned, as determined by a suitably qualified mechanical engineer, to achieve reasonable internal temperatures during all but the extreme summer conditions and at a minimum meet the requirements of Clause G4 of the Building Regulations 1992.

(5) Residential accommodation must not be located closer than 80m to any exposed rail line unless a report from a suitably qualified acoustic consultant demonstrates that the external criterion of LAeq,1hr 60 dB can be achieved within any primary outdoor living area using the source levels detailed in Standard I328.6.19 (2) (a).

#### **I328.6.20. Noise emission**

(1) The noise level arising from any activity within the Ōrākei Point precinct must not exceed the following levels;

(a) at the façade of any habitable space within the Ōrākei Point precinct the noise level in Table I328.6.20.1 Noise level at the façade of habitable spaces;

**Table I328.6.20.1 Noise level at the façade of habitable spaces**

Time	Noise level
7.00 am to 10.00 pm	LA10 60 dB
10.00 pm to 7.00 pm	LA10 55 dB L63 Hz 10 60 dB L125Hz 10 55 dB LAmx 75 dB

(b) within the boundary of any residentially zoned property outside of the Ōrākei Point precinct, the noise level in Table I328.6.20.2 Noise level within the boundary of any residential zoned property outside of the Ōrākei Point precinct; and

**Table I328.6.20.2 Noise level within the boundary of any residential zoned property outside of the Ōrākei Point precinct**

Time	Noise level
7.00 am to 10.00	LA10 50 dB



10.00 pm to 7.00	$L_{A10}$ 40 dB $L_{Amax}$ 75 dB
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(c) noise levels must be measured and assessed in accordance with the requirements of NZS6801:2008 Acoustics – Measurement of Environmental Sound and NZS6802:2008 Acoustics – Environmental Noise.

Explanation:

The purpose of this control is to provide a minimum level of internal acoustic amenity for occupants of buildings from the external noise sources generated by activities within the Ōrākei Point precinct (including the transport network) and to provide a maximum level of noise that activities other than residential activities can generate.

A general noise control is also applied to the Ōrākei Point precinct to avoid excessive noise occurring for a continuous period or duration so as to be damaging to public health or have an adverse effect on the amenity of the receiving environment.

#### **I328.6.21. Standards for residential units**

(1) Residential units must comply with the minimum gross floor area in Table I328.6.21.1 Minimum gross floor area for residential units.

**Table I328.6.21.1 Minimum gross floor area for residential units**

<b>Residential unit</b>	<b>Minimum gross floor area</b>
One bedroom	45m <sup>2</sup>
One bedroom plus study	55m <sup>2</sup>
Two bedrooms	70m <sup>2</sup>
Three bedrooms or more	90m <sup>2</sup>

(2) Minimum balcony sizes of at least 8m<sup>2</sup> must be provided in addition to the minimum gross floor area requirements in Table I328.6.21.1 Minimum gross floor area for residential units, and all balconies must be internalised (i.e. not projecting) for improved privacy, flexibility of use and protection from windy aspects.

(3) The minimum floor to ceiling height for habitable rooms (including servicing) must be 2.4m except for multi-level or split-level apartments and mezzanine levels, in which case at least 50 per cent of the apartment floor area must comply with the minimum 2.4m floor to ceiling height requirements.

(4) Kitchens, bathrooms, hallways, toilets, lobbies, laundries and service areas must have a 2.3m minimum floor to ceiling height.

(5) The minimum width of common area corridors is 1.5m.

(6) The minimum width of a corridor/lobby space immediately adjacent to the lift is 2.7m, measured at 90° to the lift doors, for the full combined width of the lift doors.

- (7) Residential units must be designed to achieve the following minimum daylight standards:
- (8) living rooms and living/dining areas must have a total clear glazed area of exterior wall no less than 20 per cent of the floor area of that space;
- (9) bedrooms must have a total clear glazed area of exterior wall no less than 20 per cent of the floor area of that space; and
- (10) entrance halls, kitchens, kitchen/dining rooms, bathrooms, toilets, and laundries may rely on borrowed or artificial light, other than where such building elements contain a window placed in an exterior wall parallel to a site boundary, other than the street boundary, then that window/wall must be set back from the boundary by a minimum of 1m.

Explanation:

Minimum unit standards are imposed within the Ōrākei Point precinct to ensure that each unit has an adequate level of amenity for the occupants. Such amenity includes the provision of minimum areas for apartments, floor to ceiling heights, widths of corridors and daylight standards. These standards are designed to ensure that apartments at Ōrākei Point are a desirable place to live.

**I328.6.22. Mix of residential units**

- (1) The combined number of one bedroom, one bedroom plus study and two bedroom units within the Ōrākei Point precinct must not exceed 80 per cent of the total number of residential units in the precinct.
- (2) No single building must comprise entirely one bedroom units and no more than:
- (a) 10 per cent of units within the precinct can be one bedroom; and
- (b) 15 per cent of units within the precinct can be one bedroom plus study.
- (3) The total number of residential units in the precinct must be calculated as the combined total of units in both existing and consented buildings where:
- (a) 'consented buildings' means buildings for which resource consent has been granted, but not given effect to; and
- (b) resource consents which have expired or lapsed, or which have been surrendered must not be used in the calculation of residential units.

Explanation:

A mix of unit sizes is required to ensure that the housing stock within the Ōrākei Point precinct can provide for a variety of household types. The mix of unit sizes ensures that no one apartment size dominates and will provide for a wide demographic mix of occupants, including families, through setting minimums on the number of one bedroom apartments allowed. No provision is made for smaller studio units in the precinct under the gross floor area requirements for residential units.

**I328.6.23. Private open space**

- (1) All residential units must have an outdoor living area no less than 8m<sup>2</sup>.

(2) An outdoor living area must:

(a) have convenient access from a living room;

(b) may consist of either an exclusive area at ground level, a balcony (including a recessed or semi enclosed balcony or part of the balcony) or a roof top space exclusively available to that residential unit; and

(c) must comprise one continuous area rather than comprise the cumulative total of smaller areas.

Explanation:

Outdoor living areas are required to ensure that each unit has an adequate level of amenity for the occupants in the form of useable private open space.

**I328.6.24. Visual privacy**

(1) Where the habitable room windows of a dwelling or a guestroom within visitor accommodation are less than 6m away, and have direct views of the habitable room windows of other residential units or a guestroom within a tourist facility within the same or adjacent sites, they must:

(a) be offset a minimum of 1m (horizontally or vertically) from the edge of one window to the edge of the other;

(b) have sill heights of 1.6m above floor level;

(c) have fixed obscure glazing in any part of the window below 1.6m above floor level; or

(d) be on the ground floor level and separated by a suitable screening device, including landscaping, of 1.6m minimum height.

Explanation:

This rule provides a balance between allowing the windows of upper storeys of new developments to have reasonable daylight and outlook while limiting intrusive overlooking of habitable rooms of units on adjoining sites.

**I328.6.25. Residential outlook space**

(1) A residential outlook space must be provided:

(a) from each face of the building containing windows to principal living areas, (“principal living area” meaning the main communal living space within an accommodation unit for entertainment, recreation and relaxation), or bedrooms of any residential unit; and

(b) where windows to a principal living area or bedroom are provided from two or more faces of a building, outlook space must be provided to the face with the greatest window area of outlook.

(2) The minimum dimensions for outlook space for principal living areas and for bedrooms is 6m, measured perpendicular to the exterior face of the building.

(3) An outlook space may be over:

(a) the site on which the building is located;

(b) legal road;

(c) public open space;

(d) an area otherwise shown on I328.10.1 Ōrākei Point - Precinct plan 1 as being podium or open space and not a building platform above the podium levels;

(e) another site, where more than one building may share an outlook space, provided that:

(i) the outlook space must be secured in perpetuity for the benefit of the building by a legal instrument to be put in place prior to the commencement of construction; and

(ii) written approval of the owner of the adjoining site for the outlook space must be provided when the application for resource consent is lodged.

(4) Balconies that have direct access from the principal living area or bedroom and are recessed within the exterior face of the building may be included in the calculation of outlook space to a maximum depth of 3m.

Explanation:

The purpose of this control is to safeguard outlook, daylight, sunlight and privacy for occupants of residential buildings. It is noted this is not a view protection control.

**I328.6.26. Vibration**

(1) Occupied buildings within the Ōrākei Point precinct must be designed and constructed to ensure the levels of vibration in Table I328.6.26.1 Levels of vibration from trains will not be exceeded based on the procedures specified in the Norwegian Standard NS 8176E: 2nd

edition September 2005 Vibration and Shock Measurement of Vibration in Buildings from Land Based Transport and Guidance to Evaluation of its Effects on Human Beings.

**Table I328.6.26.1 Levels of vibration from trains**

Receiving Environment	Maximum Weighted Velocity, $V^w$ , <sup>95</sup>
Residential Accommodation	0.3 mm/s
Commercial/Retail Areas	0.6 mm/s

### **I328.6.27. Screening**

(1) Where any outdoor storage, refuse disposal area, service or parking area adjoins or directly faces land that is in an open space or residential zone, other than the outdoor area of a garden centre used for the display and sale of plants, pots, garden ornaments and outdoor furniture, a solid wall screen must be erected, to the following heights:

(a) front boundary: 1.2m;

(b) side and rear boundaries: 1.8m; and

(c) the solid wall screen must be densely planted behind with vegetation and shrubs that will screen the areas during the year.

Explanation:

The purpose of this control is to ensure that unsightly outdoor storage, refuse disposal and parking areas are adequately screened to adjoining open space zoned land.

### **I328.6.28. Parking**

(1) The Auckland-wide rules in Chapter [E27 Transport](#) apply with the exception of the parking standards where the following rules apply:

(a) where a site is located within the Ōrākei Point precinct the number of parking spaces must not exceed the maximum number of spaces in Table I328.6.28.1 Maximum permitted parking spaces;

**Table I328.6.28.1 Maximum permitted parking spaces**

<b>Activity</b>	<b>Maximum permitted parking</b>
Residential	One space per residential unit up to one bedroom (including one bedroom units plus study) Two spaces per residential unit two bedrooms or more
Offices	One space per 60m <sup>2</sup> of gross floor area
Retail	One space per 40m <sup>2</sup> of gross floor area
Garden Centre, including an ancillary café that incorporates up to 20 per cent of the gross floor area, and/or up to 5 per cent of the outdoor area	Garden Centre: one space per 40m <sup>2</sup> of gross floor area plus one space per 100m <sup>2</sup> of outdoor area Café: one space for every 4 café seats
All other activities	One space per 60m <sup>2</sup> of gross floor area

(2) The overall parking spaces within the Ōrākei Point precinct must be no more than 1750 spaces.

(3) A minimum parking threshold of 75 per cent of the maximum parking requirement must apply.

(4) The overall parking spaces in the precinct must be calculated as the combined total of spaces in both existing and consented buildings, with:

(a) 'consented buildings' meaning buildings for which resource consent has been granted, but not given effect to; and

(b) resource consents which have expired or lapsed, or which have been surrendered, not being used in the calculation of maximum gross floor area.

(5) Parking may either be provided on the same site as the activity to which it relates, or on another site within the Ōrākei Point Precinct.

(6) No minimum parking standards apply within the Ōrākei Point Precinct.

(7) Podium level public on-street parking is not subject to the maximum permitted parking limitations or total overall parking in Standard I328.6.28(1)(a) or I328.6.28(2).

(8) Park and ride parking up to a maximum of 200 spaces is not subject to the maximum permitted parking limitations or total overall parking in Standard I328.6.28(1)(a) or I328.6.28(2).

(9) The loading standards in Chapter [E27 Transport](#) apply, except that loading requirements for individual buildings may be waived where a common loading space or spaces are provided and are available and accessible to all buildings and activities within a particular sub-precinct.

(10) No off-street loading is required for buildings and activities within Sub-precinct F.

Explanation:

The Ōrākei Point Precinct restricts the amount of parking which may be provided in recognition of the access limitations of Ōrākei Road and carrying capacity of the surrounding road network. There are no minimum parking requirements to allow the flexibility to provide as little parking as necessary to meet the requirements of a development. This recognises that the site is extremely well connected by public transport and acts as an incentive to developers to consider reducing parking in light of the other transport options that are available to Ōrākei Point.

**I328.6.29. Staging and provision of public facilities, infrastructure, traffic and road improvements**

(1) Public facilities, infrastructure, traffic and road improvements must be established as a pre-requisite to development of each sub-precinct in accordance with Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct and ‘the link road’, ‘lee plaza’ and ‘waterfront plaza’ must be as shown on I328.10.5 Ōrākei Point - Precinct plan 5.

**Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct**

Column I	Column II	Column III	Column IV
Sub-precinct	Staging requirements	Public facilities and infrastructure	Traffic and road improvements
Sub-precinct A	No building or development must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established. No building or development within the sub-precinct must be occupied until the traffic and road improvements set out in this column IV have been completed.	Vesting in the council of an esplanade reserve with a minimum depth of 20m along the foreshore adjoining Sub-precinct A so that the reserve can provide continuous public access along its full length.	Closure of any alternative access onto Ōrākei Road (so that the only access onto Ōrākei Road is as shown on I328.10.5 Ōrākei Point: Precinct plan 5).
Sub-precinct B	No building or development above the podium level must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established.  Note: this does not preclude the establishment of the parking levels and associated access below the podium level nor the	a. Vesting of Ōrākei Road site frontage to the council for road widening, as shown on I328.10.5 Ōrākei Point - Precinct plan 5 and b. Vesting to the council of the Open Space zoned land at the northern end of the site at 246 Ōrākei Road	a. Improvements to the alignment along Ōrākei Road, where feasible; and b. The provision of footpaths along the western side of Ōrākei Road, between 228 Ōrākei Road and the Shore Road roundabout); and c. The provision of on or off road facilities for cyclists along Ōrākei Road; and d. The signalisation of the intersection of the southern

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	<p>establishment of the roads, plazas and another public places above the podium level prior to the public facilities and infrastructure set out in column III being established.</p> <p>No building or development within the sub-precinct must be occupied until the traffic and road improvements set out in column IV have been completed.</p>	<p>(headland park); and</p> <p>c. Vesting in the council of an esplanade reserve with a minimum depth of 20m along the foreshore adjoining Sub-precinct A so that the reserve can provide continuous public access along its full length.</p>	<p>access to the site with Ōrākei Road, generally in the position shown on the I328.10.5 Ōrākei Point - Precinct plan 5.</p>
Sub-precinct C	<p>No building or development must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established.</p> <p>No building or development within the sub-precinct must be occupied until the traffic and road improvements set out in column IV have been completed.</p>	<p>(a) to (c) above and:</p> <p>d. completion of that part of the podium level within sub-precinct B; and</p> <p>e. the establishment of lee plaza*; and</p> <p>f. completion of the railway entrance building*</p>	<p>(a) to (d) above and:</p> <p>e. Upgrading of the Kepa/Ōrākei/Ngapiipi intersection from a roundabout to traffic signals, with a single right turn from Ngapiipi Road to Ōrākei Road, but with two exit lanes on Kepa Road (to allow two right turn lanes from Ōrākei Road); and</p> <p>f. The provision of a second northbound lane on Ōrākei Road, from south of the southern site access, including vesting in the council the land identified as "Road Widening" on I328.10.1 Ōrākei Point - Precinct plan 1; and</p> <p>g. The signalisation of the intersection of the northern access to the site with Ōrākei Road, generally in the position shown on I328.20.5 Ōrākei Point - Precinct plan 5.</p>
Sub-precinct D	<p>No building or development must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established.</p> <p>No building or development within the precinct must be occupied until the traffic and road improvements set out</p>	<p>(a) to (f) above and:</p> <p>g. The establishment an vesting of the Link Road as a public road in strata within Sub-precincts B and C, including signalised intersections with</p>	<p>(a) to (g) above and:</p> <p>h. The provision of a flush median along Ōrākei Road, where feasible; and</p> <p>i. Further upgrading of the Ōrākei/Kepa/Ngapiipi Road intersection, with two exit lanes to Ngapiipi Road, plus widening of the approach from Kepa Road</p>



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	in column IV have been completed.	Ōrākei Road	
Sub-precinct E	No building or development must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established.  No building or development within the sub-precinct must be occupied until the traffic and road improvements set out in column IV have been completed.	(a) to (g) above and: h. Vesting to the council of the Open Space – Informal Recreation Zone land on the western edge of the sites at 228 Ōrākei Road and 236 Ōrākei Road to the railway land.	(a) to (i) above.
Sub-precinct F	No building or development must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established. No building or development within the sub-precinct must be occupied until the traffic and road improvements, and local purpose reserve vesting, set out in column IV have been completed.	(a) to (h) above and: i. Completion of that part of the podium level within Sub-precinct E; and j. Establishment of waterfront plaza*; and k. Public indoor and outdoor linkage between lee plaza and waterfront plaza*.	(a) to (i) above and: j. Vesting in the council, in fee simple as a local purpose reserve, the landscaped corridor shown in Ōrākei Point - Precinct plan 5 approximately 10m wide running parallel to and adjoining the northern side of Ōrākei Road between the two vehicle entrances shown on Ōrākei Point - Precinct plan 5, excluding the part of that corridor which also comprises part of the railway corridor.

(2) The construction of lee and waterfront plazas, the linkages between the plazas and the railway station entrance building are required to satisfy assessment criteria as a restricted discretionary activity, including the requirements to legally establish safe public access to these public places and facilities.

(3) Throughout the development of every sub-precinct, public pedestrian and service access to the Ōrākei Railway station and vehicle access from Ōrākei Road to the property at 236 Ōrākei Road (Lot 3 DP 112856) must be maintained.

(4) The sequencing of development of each sub-precinct does not need to follow the order of sub-precinct numbering B- E, provided that the public facilities and infrastructure work in column III in Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct and the traffic and road improvements in column IV in Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct, in respect of the earlier sub-precinct/s are established as a prerequisite to the development of the later sub-precinct.

(5) An application for resource consent for development within any of the sub-precincts must provide details of how the public facilities and infrastructure set out in column III in Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct have been provided.

(6) Where any of the required public facilities and infrastructure set out in column III in Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct have not been established at the time of resource consent for a development a resource consent for a restricted discretionary activity will be required for the new building, which must include:

(a) an explanation of the methods by which the public facilities and infrastructure will be established, prior to occupation of the building;

(b) a timetable for their establishment; and

(c) the methods may include conditions of resource consent or bonding to secure the public facilities and infrastructure and the resource consent will be assessed against the extent to which these methods and timetable are appropriate to ensure the public facilities and infrastructure will be established, prior to occupation of the building.

(7) More than one sub-precinct may be constructed simultaneously provided the completion of relevant public facilities and infrastructure under this rule is bonded to the satisfaction of the Council by way of bank bond or bank guaranteed bond.

Explanation:

The provision of public facilities and infrastructure and traffic and road improvements is tied to the development of sub-precincts to ensure they are provided commensurate with the requirements of the development and to ensure the full public benefit outcomes of I328.10.5 Ōrākei Point - Precinct plan 5 are achieved.

The success of Ōrākei Point depends on the staged and coordinated provision of the covered rail, roads, plazas, linkages and infrastructure and roading upgrades.

### **I328.6.30. Network utility services**

(1) The Ōrākei Point precinct development controls do not apply to network utility services. The provisions of [E26 Infrastructure](#) apply.

Explanation:

The development controls of the Ōrākei Point precinct are intended to apply to building development only and not to the height, position and size of network utilities such as traffic signs, telephone booths, bus shelters and other infrastructure in roads and plazas.

### **I328.6.31. Ōrākei Point coastal yard**

(1) The Ōrākei Point coastal yard applies to land within a line 20m from mean high water springs as shown on I328.10.1 Ōrākei Point - Precinct plan 1 and use and development in the Ōrākei Point coastal yard must comply with the following:

(a) no building can be constructed within the Ōrākei Point coastal yard, other than paths and driveways and associated retaining, foundations, surfaces and structures that are in general accordance with I328.10.5 Ōrākei Point - Precinct plan 5 and approved as part of a resource consent;

(b) no person can, damage, alter, injure, destroy or partially destroy:

- (i) any indigenous tree or vegetation; or
- (ii) any exotic tree greater than 6m in height or 600mm in girth (measured at 500mm above ground level).

(2) The Council may grant an application for restricted discretionary activity resource consent to remove or pollard vegetation or trees within the Ōrākei Point coastal yard if it is satisfied that the works are necessary to address dangerous, diseased or damaged vegetation and trees, compliance with and statutory or legal obligation or hardship, or any other cogent reason.

(3) Consent will not be granted to the removal or pollarding of vegetation or trees within the Ōrākei Point coastal yard for the purpose of improving views unless the natural character of the coastal environment, the ecological and amenity values of the site and the health of the tree will not be adversely affected.

(4) No other yard or building in relation to boundary control applies within the Ōrākei Point precinct.

Explanation:

The Ōrākei Point Coastal Yard is applied at the boundary of Open Space – Informal Recreation Zone land on the northern side of Ōrākei Point. The control is intended to ensure that buildings are appropriately set back from this coastal edge, thereby avoiding effects on its landscape and ecological values.

In other places within the Ōrākei Point precinct the position of buildings in relation to other buildings, roads and open space are controlled by the height and recession plane rules within the identified building platforms rather than yard controls. Buildings are generally encouraged to abut adjoining open space rather than be set back in order that they appropriately address and define such open space to maximise opportunities for outlook and surveillance.

### **I328.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

### **I328.8. Assessment – restricted discretionary activities**

#### **I328.8.1. Matters of discretion**

The Council will reserve its discretion to all the following matters when assessing a restricted discretionary activity resource consent application in the Ōrākei Point Precinct in addition any other matters specified for restricted discretionary activities in the overlay, Auckland-wide, [H13 Business – Mixed Use Zone](#) and [H22 Strategic Transport Corridor Zone](#).

(1) Buildings:

- (a) Building design and external appearance.
- (b) Public safety.
- (c) Creating a positive frontage.
- (d) Designing for landmark buildings (in particular Building H).
- (e) Activity relationship to public open spaces.
- (f) Centre vitality.
- (g) Design of parking, access and servicing.
- (h) Accommodation.
- (i) Site amenity.
- (j) Sustainability.
- (k) Ōrākei Road parking building.
- (l) Travel Demand Management Plan.
- (m) Construction management.
- (n) Traffic impact on roads and intersections.
- (o) Fencing.
- (p) Reverse sensitivity effects associated with the operation of the rail line and roads.

(2) Additions and alterations to existing buildings:

- (a) Building design and external appearance.
- (b) Public safety.
- (c) Creating a positive frontage.
- (d) Activity relationship to public open spaces.
- (e) Centre vitality.
- (f) Design of parking, access and servicing.
- (g) Accommodation.
- (h) Site amenity.
- (i) Sustainability.
- (j) Travel Demand Management Plan.

- (k) Construction management.
  - (l) Traffic impact on roads and intersections.
  - (m) Fencing.
  - (n) Reverse sensitivity effects associated with the operation of the rail line and roads.
- (3) Community facilities between 500m<sup>2</sup> and 2,000m<sup>2</sup> gross floor area:
- (a) Building design and external appearance.
  - (b) Public safety.
  - (c) Creating a positive frontage.
  - (d) Activity relationship to public open spaces.
  - (e) Centre vitality.
  - (f) Design of parking, access and servicing.
  - (g) Accommodation.
  - (h) Site amenity.
  - (i) Sustainability.
  - (j) Travel Demand Management Plan.
  - (k) Construction management.
  - (l) Traffic impact on roads and intersections.
  - (m) Fencing.
  - (n) Reverse sensitivity effects associated with the operation of the rail line and roads.
- (4) Use of buildings for any activity listed in this table as permitted where the site is located within 30m either side of the land designated for railway purposes and the site is not subject to a restrictive non-complaint encumbrance in favour of New Zealand Railways Corporation and Ports of Auckland Limited:
- (a) Restrictive Non-complaint Encumbrance for the Ōrākei Point precinct.
  - (b) Reverse sensitivity effects associated with the operation of the rail line and roads.
  - (c) Fencing.
- (5) Buildings within the Special Tree Protection Area, in addition to the matters of discretion listed in I328.8.1(1):
- (a) Existing tree protection.
  - (b) Tree Protection Plan.

- (c) Site specific tree protection.
- (d) Works within the Special Tree Protection Area.
- (6) Construction of public open space, public accessways, overpasses and plazas, and accessory buildings (excluding roads):
  - (a) Building design and external appearance.
  - (b) Public safety.
  - (c) Creating a positive frontage.
  - (d) Designing for landmark buildings (in particular Building H).
  - (e) Activity relationship to public open spaces.
  - (f) Centre vitality.
  - (g) Design of parking, access and servicing.
  - (h) Accommodation.
  - (i) Site amenity.
  - (j) Sustainability.
  - (k) Travel Demand Management Plan.
  - (l) Construction management.
  - (m) Fencing.
  - (n) Reverse sensitivity effects associated with the operation of the rail line and roads.
  - (o) I328.10.3 Ōrākei Point - Precinct plan 3.
  - (p) Public open spaces, public accessways and streets.
- (7) Parking (non-accessory) in Sub-precinct F:
  - (a) Design of parking, access and servicing.
  - (b) Large commercial parking.
  - (c) Ōrākei Road parking building.
  - (d) Site amenity.
  - (e) Sustainability.
  - (f) Travel Demand Management Plan.
  - (g) Construction management.

- (8) Parking between 1750 and 1950 spaces:
  - (a) Design of parking, access and servicing.
  - (b) Large commercial parking.
  - (c) Ōrākei Road parking building.
  - (d) Site amenity.
  - (e) Sustainability.
  - (f) Travel Demand Management Plan.
  - (g) Construction management.

#### **I328.8.2. Assessment criteria**

The council will consider the assessment criteria below for restricted discretionary activities, in addition to the relevant assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland-wide [H13 Business – Mixed Use Zone](#) and [H22 Strategic Corridor Zone](#).

- (1) Buildings - Building design and external appearance:
  - (a) New buildings should be generally consistent with I328.10.5 Ōrākei Point - Precinct plan 5 and their design and external appearance will be assessed as to whether:
    - (i) buildings respond to the proportions, structural modules, and solid-void relationships of existing and proposed public spaces, streets and open spaces, and any existing or consented buildings or building forms otherwise shown on I328.10.5 Ōrākei Point - Precinct plan 5;
    - (ii) the materials used on new development are responsive to materials used on neighbouring existing and proposed public spaces, streets and open spaces, and any existing or consented buildings or building forms otherwise shown on I328.10.5 Ōrākei Point: Precinct plan 5;
    - (iii) the height of the proposed building is relative to its neighbours so as to ensure variation in roof height and roof form;
    - (iv) the building design is of a high quality, showing variety and responsiveness to the local context in a way that contributes to the identity of Ōrākei Point at every scale, including the appearance from viewing points external to Ōrākei Point itself, including from public viewpoints on Tamaki Drive, Ngapipi Road, Kepa Road, Lucerne Road and Shore Road;
    - (v) the building facades are articulated to create shadows, and have a varied roofline and buildings use exterior materials with a coefficient of reflectivity of less than 55 per cent;
    - (vi) sound building design precedents are introduced to provide visual cues to the building's overall scale and size and to avoid flat planes or blank facades devoid of modulation, relief or surface detail where visible from streets and public open space;

- (vii) the architectural design differentiates upper building levels from lower and ground levels;
  - (viii) the overall form of buildings as seen from a distance is cognisant of the original landform and the existing silhouette of trees on the peninsula;
  - (ix) the overall form of buildings complements the natural rise and fall of the land and existing trees on the peninsula;
  - (x) buildings seen from a distance are varied and intricate in their rooflines and the patterns of light and shade resulting from balconies and other articulation of their facades;
  - (xi) long flat roof profiles are avoided, while roof profiles which are varied are encouraged;
  - (xii) roof profiles are designed as part of the overall building form and contribute to the architectural quality of the skyline as viewed from both ground level and the surrounding area, including the integration of plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design so that they are not visible from beyond Ōrākei Point;
  - (xiii) durable, high quality, inert and easily maintained materials are used on the exterior of buildings;
  - (xiv) side or rear walls are used as an opportunity to introduce creative architectural solutions that provide interest in the façade including modulation, relief or surface detailing; and
  - (xv) balconies over roads project no more than 1.5m over the road, are no wider than 4m and are at least 7m above the surface of the road or footpath below.
- (b) Public safety: Applications will be assessed in respect of how they address public safety and whether:
- (i) consideration has been given to site amenity and safety considerations in the interim period prior to I328.10.5 Ōrākei Point - Precinct plan 5 being completed (including for example temporary site fencing and/or amenity planting);
  - (ii) safe public pedestrian and service access will be maintained to the Ōrākei rail station and methods provided to ensure that this access is maintained from public places at all times the rail service is operating (such methods may include the registration of legal instruments on the land title(s)); and
  - (iii) new development, including parking, is designed in accordance with principles of Crime Prevention Through Environmental Design principles.
- (c) Creating a positive frontage: Applications will be assessed in respect of the extent they create positive frontages and whether:
- (i) building frontages at street level and at the lee and waterfront plaza level contribute to pedestrian vitality, interest and public safety including through using a variety of architectural detail and maximising doors, window openings and balconies fronting streets and plazas;



- (ii) ground floor spaces facing the street and plaza have windows and doors which look directly onto the street and plaza, with glazing comprising a major portion of the ground floor façade;
- (iii) building entrances are visible and easily identifiable from the street and plaza and directly accessible from street and plaza level;
- (iv) when fences and walls are erected between areas of public and private open space, the design of fences and walls is integrated with landscaping and in some cases a landscaped/land formed edge being more appropriate than solid fences or wall;
- (v) passenger drop off points are located close to entrances;
- (vi) building frontages alongside open space land contribute to vitality, interest and public safety including through using a variety of architectural detail and maximising window openings and balconies fronting onto the public open spaces;
- (vii) when the floor level of buildings fronting open space zoned land is above ground level to provide privacy to the occupants or to allow for the fall of the terrain, any foundation walls have a modulated form or are landscaped to avoid the appearance of stark retaining walls or undercroft openings;
- (viii) buildings address and align to the street boundary of an identified building platform to a height appropriate to define and enclose the street and define the edge of public places, with minor modulation and variance of the frontage layout, such as recessed pedestrian entrances and windows being acceptable to avoid architectural monotony provided that the overall continuity of the frontage is not compromised;
- (ix) buildings are designed so the back of a building avoids being oriented to streets, public plazas, or the foreshore open space zoned land and is orientated towards the backs of other buildings wherever practical;
- (x) the rhythm and scale of architectural features, fenestration, finishes and colour harmonises with and complements the streetscape and public places, particularly where this would assist or strengthen the overall effect of the building frontage;
- (xi) where large sites enable the development of an extensive street building frontage, the frontage is visually broken up through building separation and/or variation in building height, form and/or design to avoid monotonous building façades as viewed from streets and public open space and external viewing points;
- (xii) primary entrances to buildings are located along the main street elevation;
- (xiii) where possible, windows are designed to look directly onto the street and to adjoining public open spaces;
- (xiv) building facades at middle levels provide richness, interest and depth, including architectural detail and balconies fronting streets, plazas and public open spaces and avoiding blank walls on frontages; and
- (xv) large expanses of blank walls are avoided at upper levels on street, plaza and public open space frontage and servicing elements are avoided on these facades unless appropriately integrated into the façade design.

(d) Designing for landmark buildings (in particular Building H): The design of landmark buildings (particularly Building H) will be assessed as to whether:

- (i) the landmark building's overall form and the articulation of its façade announce its unique position on the street or plaza and/or its public function;
- (ii) the landmark building articulation or façade treatment is used to express its unique position on the street or plaza, including reduced setbacks and feature elements such as awnings and parapets; and
- (iii) the top of the landmark building is designed to distinguish it from adjacent buildings.

(e) Activity relationship to public open spaces: Applications will be assessed in respect of their relationship to public open spaces and whether:

- (i) internal space at all levels within the building are designed to maximise outlook for occupants onto streets and public open spaces;
- (ii) activities engage and activate streets, through site links and public open space at ground level;
- (iii) parking areas that are located within buildings and are visible from streets or public open spaces are avoided;
- (iv) building space with active uses is provided between parking areas within buildings and street and public open space frontages;
- (v) ventilation, and fumes from parking structures or other uses avoid being exhausted into the adjacent pedestrian environment at podium level;
- (vi) to avoid privatising adjoining publicly accessible open space the boundary between public, semi- public and private open space is clearly defined by either one or a combination of fencing or planting along the boundary of the private open space; and
- (vii) fencing and planting is designed and located to be sufficiently transparent or of low enough height to ensure there are clear views of the open space in accordance with principles of Crime Prevention Through Environmental Design.

(f) Centre vitality: Applications will be assessed for their contribution to centre vitality and whether:

- (i) buildings are designed to be highly adaptable to a variety of uses; for example, open structural frames and more than minimum floor-to-floor heights should be considered.

(g) Design of parking, access and servicing: Applications for parking, access and servicing will be assessed as to whether:

- (i) parking, driveways and circulation are integrated into the overall site and building design;
- (ii) parking areas are located underground or within buildings, other than on-street public parking;
- (iii) parking is designed to minimise conflict between non-residential, residential and pedestrian traffic;

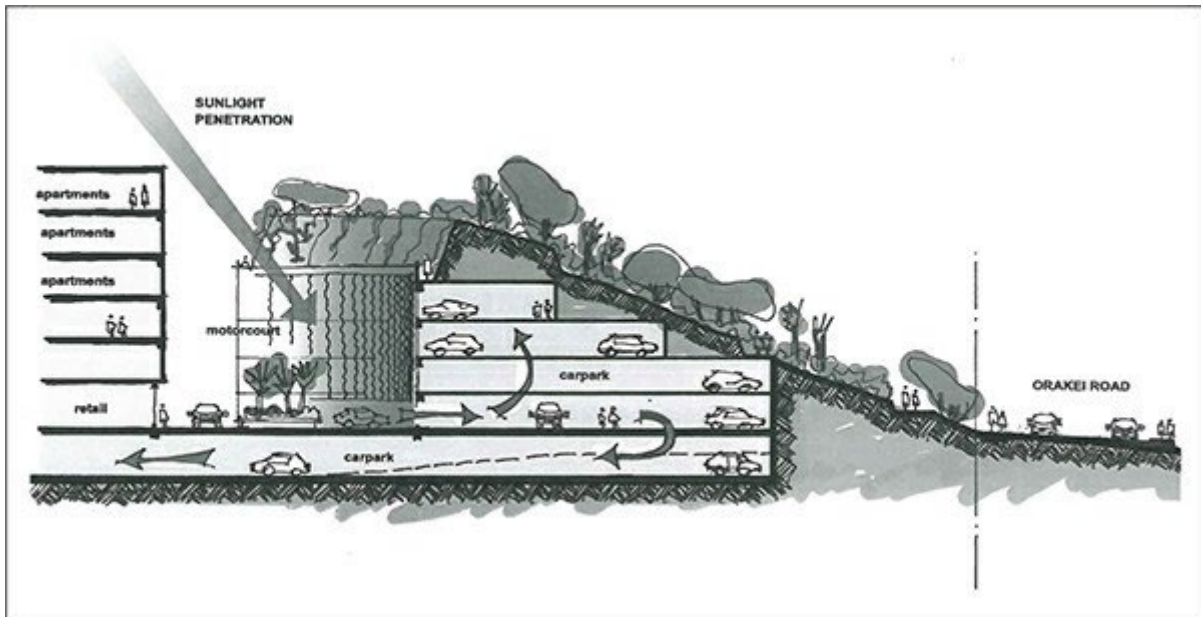
- (iv) when they occur on the subject site, public places and public access linkages shown on I328.10.5 Ōrākei Point - Precinct plan 5 are provided for, and methods to ensure public access to and over such public places and public access linkages are maintained at all times, excluding any areas set aside for outdoor dining (such methods may include the registration of legal instruments on the land title(s));
- (v) the proposed finished levels across the subject site allow for public access linkages through and around the site and between adjacent sites, where these are envisaged by I328.10.5 Ōrākei Point - Precinct plan 5;
- (vi) methods to legally secure public access at all times to the public places and the linkages referred to in the above criteria are provided, including in the interim period before I328.10.5 Ōrākei Point - Precinct plan 5 is completed, and including prior to the vesting of public roads (such methods may include the registration of legal instruments on the land title(s));
- (vii) methods to secure access to other properties within the Ōrākei Point precinct are provided;
- (viii) buildings are designed to provide strong architectural cues to accessways and through-site links, with clear and legible entrances, to enhance the visible sense of pedestrian access to the area;
- (ix) access to the development is clearly defined and identifiable to both vehicles and pedestrians as they approach the site and emerging from public transport/rail station, with a particular focus on way-finding methods to increase the legibility of the rail station;
- (x) the design of vehicle ingress and egress to sites is primarily considered from the perspective of pedestrians and cyclists, particularly in terms of visibility and the use of paving materials;
- (xi) frontages are designed as far as possible to avoid multiple service and access interruptions to frontage continuity;
- (xii) where possible vehicle access points are located away from the main road frontage to minimise vehicle crossing and accessways;
- (xiii) where development within Sub-precinct A occurs prior to the establishment of the link road, a temporary vehicular access to development in Sub-precinct A provides appropriate design, turning restrictions and position of the access drive and footpath crossing (a condition may be imposed on the resource consent requiring the closure of this temporary access upon the completion of construction of an alternative access to sub-precinct A directly from the link road);
- (xiv) access points are designed to be compatible with the visual appearance of the building(s);
- (xv) integration of access for vehicular uses (cars, truck and buses) is used to minimise the crossing of pedestrian paths;
- (xvi) accessways are designed to safely accommodate emergency services and other large vehicles;

- (xvii) where alternative vehicle access is available, the creation of new vehicle crossings across frontages within the frontage height and activity control is avoided where practical;
  - (xviii) buildings and parking areas are designed to provide for disabled access, including to extent to which they comply with NZS 4121:2001 Design for access and mobility: buildings and associated facilities;
  - (xix) parking areas that are located within buildings and are visible from streets or public open spaces are avoided;
  - (xx) building space with active uses is provided between parking areas within buildings and street and public open space frontages; and
  - (xxi) ventilation and fumes from parking structures or other uses avoid being exhausted into the adjacent pedestrian environment at podium level.
- (h) Accommodation: Applications for accommodation will be assessed as to whether:
- (i) accommodation has natural through ventilation, and where there are external windows on more than one wall by window openings facing different directions, with, ventilation provided solely by mechanical means is not being appropriate;
  - (ii) internal design of every accommodation unit within a development maximises outlook, as distinct from views;
  - (iii) a mixture of apartment types is provided within each building; and
  - (iv) plans submitted as part of a resource consent application include a scaled floor plan showing the living arrangement and configuration within each residential or accommodation unit, including scaled furniture.
- (i) Site amenity: Applications will be assessed for their contribution to site amenity and whether:
- (i) screening and/or landscaping is provided for all parking, loading and servicing areas within buildings that are visible from streets or public open spaces;
  - (ii) site services such as mechanical, electrical and communications equipment are concealed from streets or public open spaces;
  - (iii) service areas are located in areas where they do not detract from the developments visual appeal; and
  - (iv) rubbish storage and recycling facilities are located away from habitable spaces and screened from public places.
- (j) Sustainability: Applications will be assessed for their sustainability and whether:
- (i) buildings are designed to be sustainable through the use of durable low maintenance materials, inert exterior cladding, maximising solar access and natural ventilation and the incorporation of mechanical and electrical systems that achieve energy efficiency;
  - (ii) living spaces within buildings are oriented toward the north to allow for provision of good natural light;
  - (iii) on-site landscaping generally consists of indigenous vegetation;

- (iv) measures will be adopted to remove endemic lizards from works footprint prior to works commencing and relocate lizards (ideally to open space on the southern side of Ōrākei Road);
  - (v) on-site stormwater conservation measures will be incorporated where appropriate including rainwater harvesting devices, green roofs, site landscaping, rain gardens and wetland treatment systems and stormwater planter boxes (subject to soil contamination considerations);
  - (vi) separate infrastructure reports will be submitted with resource consent applications assessing infrastructure effects from proposed developments;
  - (vii) adequate storage space is provided for rubbish and recyclable material, in a location which is clearly visible within the site and easily accessible to occupants and collection vehicles;
  - (viii) building and demolition will be undertaken in a way that maximises the use of waste materials for reuse and recycling;
  - (ix) buildings will be insulated beyond the minimum standard to keep buildings warm in winter, cooler in summer, and reduce long term maintenance costs;
  - (x) buildings will be constructed using materials that have a high thermal mass such as bricks, concrete and stone to increase energy efficiency;
  - (xi) buildings utilise external shades and overhangs, and internal blinds, louvres and curtains to maximise solar access in winter and minimise it in summer;
  - (xii) the lighting controls will enable occupants to minimise energy use;
  - (xiii) active solar technologies are incorporated into new development; and
  - (xiv) if solar water heaters are used, they are incorporated into the design of buildings with consideration of their visual impact.
- (k) Ōrākei Road parking building: The Ōrākei Road parking building will be assessed as to whether:
- (i) the sloping face of the Ōrākei Road parking building is landscaped in a manner that provides a terraced profile or has a modulated form so as to create a natural hill profile characteristic of volcanic forms within Auckland, with particular reference to the tuff ring form of Ōrākei Basin;
  - (ii) the face and roof of the building is landscaped and has sufficient soil depth and drainage to ensure proper plant growth;
  - (iii) a fence or appropriate barrier is to be erected at the top and sides of the slope for safety;
  - (iv) planting uses either low grasses and flaxes or trees, and generally consists of indigenous vegetation;
  - (v) the parking building and adjoining building are sufficiently separated by both an access lane and light well so as to achieve daylight access into a motor court;

- (vi) a detailed landscape plan showing compliance with the above criteria and providing details on drainage, soil depth and watering and a maintenance plan is provided; and
- (vii) prior to the 'green hill' covering the Ōrākei Point parking area being designed and constructed, an appropriately qualified landscape architect provides confirmation that planting on the slope can sustain a vegetative cover, including moderate sized trees, over the long term.

**Figure I328.8.2.1 Diagram showing an example the Ōrākei Road parking building form and landscape contour**



(l) Travel Demand Management Plan: Any Travel Demand Management Plan should use tools and targets to encourage people to travel by alternative modes of transport other than by private car, including public transport, walking and cycling and ride sharing, and will be assessed on whether it includes:

- (i) information on existing vehicle, public transport, cycle and pedestrian infrastructure;
- (ii) details on the initial implementation and continued development of the Travel Demand Management Plan;
- (iii) methods to achieve and monitor the objectives of the Travel Demand Management Plan;
- (iv) a description of the facilities to encourage alternative means of transport such as staff showers and bicycle racks; and
- (v) the ratios for bicycle parking for private development set out in the ARTA Guidance Note for Cycle Parking Facilities 2007 as a guide for the provision of cycle parking.

(m) Construction management: Applications will be assessed as to whether appropriate measures will be implemented during construction to avoid, remedy or mitigate any adverse effects associated with construction activities (which may be addressed through a construction management plan) including the effects on:

- (i) the coastal marine area through stormwater and sediment control measures;
- (ii) the safety and flow of pedestrian and vehicular traffic through appropriate location and management of construction site access locations, provision for off-loading of materials and receipt of waste materials and off-street parking for workers;
- (iii) amenity and safety through appropriate construction site fencing or screening and location of workers facilities;

(iv) the road network through measures to avoid and/or clean up debris including wheel washing facilities and procedures to clean up debris; and

(v) access to the railway station, other sites and public areas.

(n) Traffic impact on roads and intersections: Applications will be assessed for their traffic impact on roads and intersections and:

(i) the extent of the actual or potential traffic effects of the development on the safety and flow of the road network, having particular regard to the impact of the traffic generated by the development on Ōrākei Road and its intersections; except

(ii) where the traffic and road improvements have been met, no assessment of the actual or potential traffic effects of the development is required.

(o) Fencing: Fencing will be assessed as to whether:

(i) any fencing abutting public open space is highly transparent with recessive powder coated finish;

(ii) the fencing incorporates landscape initiatives to improve the visual appearance at the interface to open space, as well as to deter tagging; and

(iii) the fencing will deter access to the railway portal.

(p) Reverse sensitivity effects associated with the operation of the rail line and roads: Applications will be assessed for their reverse sensitivity effects associated with the operation of the rail line and roads and where buildings are to be occupied by residential units, visitor accommodation or other sensitive activities, whether:

(i) where they located in accordance with Ōrākei Point - Precinct plan 5 they are appropriately designed to avoid or mitigate reverse sensitivity effects of noise, vibration and fumes associated with the current and future operation of the railway line, and noise effects from traffic;

(ii) where they are not located in accordance with Ōrākei Point - Precinct plan 5 they are appropriately located and designed to avoid or mitigate reverse sensitivity effects of noise, vibration and fumes associated with the current and future operation of the railway line, and noise effects from traffic;

(iii) they are designed with particular regard to the location of bedrooms and other habitable rooms, the type and thickness of glass, and the presence or otherwise of opening windows or doors to the exterior; and

(iv) they include a design methodology for avoiding or mitigating adverse effects from noise, vibration and fumes associated with the current and future operation of the rail line with any resource consent application.

(2) Additions and alterations to existing buildings: Applications for additions and alterations to existing buildings will be assessed on the extent to which they meet:

(a) the assessment criteria for building design and external appearance in I328.8.2(1)(a)(i) to (xv);



- (b) the assessment criteria for public safety in I328.8.2(1)(b)(i) to (iii);
- (c) the assessment criteria for creating a positive frontage in in I328.8.2(1)(c)(i) to (xv);
- (d) the assessment criteria for an activity's relationship to public open spaces in I328.8.2(1)(e)(i) to (vii);
- (e) the assessment criteria for centre vitality in I328.8.2(1)(f)(i);
- (f) the assessment criteria for design of parking, access and servicing in I328.8.2(1)(g)(i) to (xxi);
- (g) the assessment criteria for accommodation in I328.8.2(1)(h)(i) to (iv);
- (h) the assessment criteria for site amenity in I328.8.2(1)(i)(i) to (iv);
- (i) the assessment criteria fo sustainability in I328.8.2(1)(j)(i) to(xiv);
- (j) the assessment criteria for Travel Demand Management plan in I328.8.2(1)(l)(i) to (v);
- (k) the assessment criteria for construction management in I328.8.2(1)(m)(i) to (v);
- (l) the assessment criteria for traffic impact on roads and intersections in I328.8.2(1)(n)(i)(ii);
- (m) the assessment criteria for fencing in I328.8.2(1)(o)(i) to (iii); and
- (n) the assessment criteria for reverse sensitivity effects associated with the operation of the rail line and roads in I328.8.2(1)(p) (i) to (iv).

(3) Community facilities between 500m<sup>2</sup> and 2,000m<sup>2</sup> gross floor area: Applications for community facilities between 500m<sup>2</sup> and 2,000m<sup>2</sup> gross floor area will be assessed on the extent to which they meet:

- (a) the assessment criteria for building design and external appearance in I328.8.2(1)(a)(i) to (xv);
- (b) the assessment criteria for public safety in I328.8.2(1)(b)(i) to (iii);
- (c) the assessment criteria for creating a positive frontage in in I328.8.2(1)(c)(i) to (xv);
- (d) the assessment criteria for an activity's relationship to public open spaces in I328.8.2(1)(e)(i) to (vii);
- (e) the assessment criteria for centre vitality in I328.8.2(1)(f)(i);
- (f) the assessment criteria for design of parking, access and servicing in I328.8.2(1)(g)(i) to (xix);
- (g) the assessment criteria for accommodation in I328.8.2(1)(h)(i) to (iv);
- (h) the assessment criteria for site amenity in I328.8.2(1)(i)(i) to (iv);
- (i) the assessment criteria fo sustainability in I328.8.2(1)(j)(i) to(xiv);

(j) the assessment criteria for Travel Demand Management Plan in I328.8.2(1)(l)(i) to (v);

(k) the assessment criteria for construction management in I328.8.2(1)(m)(i) to (v);

(l) the assessment criteria for traffic impact on roads and intersections in I328.8.2(1)(n)(i);

(m) the assessment criteria for fencing in I328.8.2(1)(o)(i) to (iii); and

(n) the assessment criteria for reverse sensitivity effects associated with the operation of the rail line and roads in I328.8.2(1)(p)(i) to (iv).

(4) Use of buildings for any permitted activity in Table I328.4.1 where the site is located within 30m either side of the land designated for railway purposes and the site is not subject to a restrictive non-complaint encumbrance in favour of New Zealand Railways Corporation and Ports of Auckland Limited: Any permitted activity in Table I328.4.1 within a building inside an area bounded by lines 30m either side of the land designated for railway purposes within the site on which the building is located that is not subject to a restrictive non-complaint encumbrance in favour of New Zealand Railways Corporation and Ports of Auckland Limited will be assessed on the extent to which:

(a) the activity is sensitive to any adverse effects from the surrounding environment, including the effects of noise, vibration and fumes associated with the current and future operation of the railway line, and noise effects from traffic;

(b) the building occupied by the activity is located and designed to avoid or mitigate reverse sensitivity effects and any adverse effects of noise, vibration and fumes associated with the current and future operation of the railway line, and noise effects from traffic;

(c) the assessment criteria for reverse sensitivity effects associated with the operation of the rail line and roads in I328.8.2(1)(p)(i) to (iv) are met; and

(d) the assessment criteria for fencing in I328.8.2(1)(o)(i) to (iii) are met.

(5) Buildings and works within the Special Tree Protection Area: Buildings and works within the Special Tree Protection Area, which applies to the trees existing as at 18 January 2010 located within the Special Tree Protection Area identified on Ōrākei Point - Precinct plan 3 and extends to the outer drip-line of the existing trees, will be assessed on whether:

(a) existing trees or parts of trees within the Special Tree Protection Area will be retained except where:

(i) the tree or a part of the tree is structurally unsound;

(ii) removal of the tree or part of the tree would be beneficial to the health and growth of existing, more appropriate trees on the site, taking into account the size, appearance, health and conditions of those existing trees; or

(iii) the removal of the tree or part of the tree is necessary to provide for the access drive contained within Sub-precinct A or other public road shown on I328.10.5 Ōrākei Point - Precinct plan 5;

(b) works for building and vehicle access within the Special Tree Protection Area are necessary to give effect to, and generally accord with, I328.10.5 Ōrākei Point - Precinct plan 5;

(c) works for building and vehicle access within the Special Tree Protection Area are subject to an assessment and Tree Protection Plan prepared by a suitably qualified arborist; and

(d) the vehicle access within Sub-precinct A is designed to provide vehicle access from Ōrākei Road to the upper levels within Sub-precinct A, as shown in I328.10.5 Ōrākei Point - Precinct plan 5, while minimising adverse impacts on any tree.

(e) A Tree Protection Plan to assist in the design stages to avoid or minimise adverse effects on the trees in the Special Tree Protection Area must be prepared by a suitably qualified arborist for approval by Council and will be assessed on whether it includes:

- (i) a pruning schedule including all pruning maintenance;
- (ii) details on the proposed irrigation system including timing and monitoring;
- (iii) details on the arboricultural monitoring including timing, frequency and memos; and
- (iv) specific controls for works under tree crowns and in close proximity.

(f) For site specific tree protection a supervising works arborist must monitor and supervise the site and ensure the conditions of consent are complied with and provide to Council written confirmation on:

- (i) whether the irrigation system has been commissioned and correct monitoring is in place;
- (ii) the timing of the pre-commencement meeting and implementation of protection fencing;
- (iii) all approved pruning, supervision of pruning and the completion of the pruning;
- (iv) the preliminary excavations and proposed inspection adjacent to retained trees to ascertain appropriate protection methods are utilised and roots are pruned correctly;
- (v) monthly updates of weekly inspections; and
- (vi) a final report being provided that documents compliance and any issues of non-compliance along with any remedial works required.

(g) Works within the Special Tree Protection Area shall be assessed on whether:

- (i) hazard fencing to be placed around the edges of trees is as specified by the supervising arborist;
- (ii) preliminary excavations and exploratory inspections will be undertaken adjacent to the trees to determine root activity and ensure roots are pruned correctly;
- (iii) confirmation is provided that an arborist will supervise the works within root zones of trees;
- (iv) confirmation is provided that if roots are uncovered during works, the roots will be covered with Geotextile fabric and the ground and surface roots will be kept moist;

- (v) confirmation is provided that all roots exposed during excavations that require removal will be cleanly cut back to the excavation surface using a handsaw or secateurs in accordance with modern arboricultural practices;
  - (vi) confirmation is provided that when concrete is to be poured in excavations that all exposed roots will be covered with polythene to prevent any contaminants contacting the exposed roots;
  - (vii) confirmation is provided that no machinery will be stored or operated within the root zone of any protected tree unless it is supported on an existing concrete or asphalt surface;
  - (viii) confirmation is provided that no materials, spoil, fill, soil or equipment will be stored or temporarily placed within the root zone of any protected tree unless it is approved by the works arborist and is on an existing hard surface;
  - (ix) confirmation is provided that people or machinery will not use the area of the root zone of any protected tree on the site for temporary or permanent access unless specifically mentioned in the consent application and conditions of consent;
  - (x) confirmation is provided that tree protection work will be completed prior to the main construction starting to ensure the tree protection methods are in place before multiple contractors are on site;
  - (xi) confirmation is provided that all site access will be formed away from the street trees and all services including drainage will be located outside the root zone of the protected trees unless specifically mentioned in the arboricultural report; and
  - (xii) confirmation is provided that pruning will be carried out in accordance with ANSI A300 Pruning Standards and be approved by the supervising arborist.
- (6) Construction of public open space, public accessways, overpasses, plazas and accessory buildings (excluding roads): The construction of public open space, public accessways, overpasses, plazas and accessory buildings (excluding roads) will be assessed on the extent to which they meet:
- (a) the assessment criteria for building design and external appearance in I328.8.2(1)(a)(i) to (xv);
  - (b) the assessment criteria for public safety in I328.8.2(1)(b)(i) to (iii);
  - (c) the assessment criteria for creating a positive frontage in in I328.8.2(1)(c)(i) to (xv);
  - (d) the assessment criteria for an activity's relationship to public open spaces in I328.8.2(1)(e)(i)
  - (e) to (vii);
  - (f) the assessment criteria for centre vitality in I328.8.2(1)(f)(i);
  - (g) the assessment criteria for design of parking, access and servicing in I328.8.2(1)(g)(i) to (xxi);
  - (h) the assessment criteria for accommodation in I328.8.2(1)(h)(i) to (iv);

- (i) the assessment criteria for site amenity in I328.8.2(1)(i)(i) to (iv);
  - (j) the assessment criteria for sustainability in I328.8.2(1)(j)(i) to(xiv);
  - (k) the assessment criteria for Travel Demand Management Plan in I328.8.2(1)(l)(i) to (v);
  - (l) the assessment criteria for construction management in I328.8.2(1)(m)(i) to (v);
  - (m) the assessment criteria for traffic impact on roads and intersections in I328.8.2(1)(n)(i);
  - (n) the assessment criteria for fencing in I328.8.2(1)(o)(i) to (iii); and
  - (o) the assessment criteria for reverse sensitivity effects associated with the operation of the rail line and roads in I328.8.2(1)(p) (i) to (iv).
- (p) The construction of public open space, public accessways, overpasses, plazas and accessory buildings (excluding roads) will be assessed on the extent to which the location and design is generally consistent with I328.10.5 Ōrākei Point - Precinct plan 5 and whether:
- (i) public access linkages, bus stops, at-grade parking, drop-off points, pedestrian spaces, footpaths, roads; linkages to coastal boardwalks and other connections shown on I328.10.5 Ōrākei Point - Precinct plan 5 are provided for;
  - (ii) the proposed finished levels across the land area allow for public access linkages through and around the site, where these are envisaged by I328.10.5 Ōrākei Point - Precinct plan 5;
  - (iii) the methods to legally secure such linkages, including in the interim period before Ōrākei Point: Precinct plan 5 is fully given effect are provided;
  - (iv) the methods to secure access to other properties within the precinct are provided;
  - (v) consideration is given to site amenity and safety considerations in the interim period before I328.10.5 Ōrākei Point - Precinct plan 5 is fully given effect to; and
  - (vi) safe public pedestrian and service access will be maintained to the Ōrākei rail station and the methods provided to secure such access.
- (q) Public open spaces, accessways, streets, parks and plazas will be assessed on the extent to which;
- (i) they are designed to comply with safety guidelines; including the guidelines on informal surveillance, clear visibility of building entrances and public spaces, lighting, clear definition of space, and entrapment spots;
  - (ii) buildings and parking areas are designed to provide for disabled access, including the extent to which they comply with NZS 4121:2001 Design for access and mobility: buildings and associated facilities;
  - (iii) they are open and accessible to the public from a public place at all times, except where required to be closed for operational, safety or security reasons;

- (iv) methods to legally secure public access at all times to the public places and the linkages are provided, including in the interim period before Ōrākei Point: Precinct plan 5 is given effect to and including prior to the vesting of public roads (such methods may include the registration of legal instruments on the land title(s));
- (v) they are designed to attract people and have high quality and appropriate landscaping;
- (vi) public open spaces are integrated across the peninsula as a whole and with the design of buildings;
- (vii) public open spaces have a sense of order and proportion and regard to the human scale;
- (viii) public open spaces are orientated and designed to provide pedestrians with adequate access to sunlight, in particular, public spaces should be designed to maximise sunlight access between 10am and 2pm on the shortest day;
- (ix) public open space within or under a building provides adequate access to daylight and/or sunlight for public amenity;
- (x) for plant health for plants within or under buildings there is appropriate soil depth, drainage, watering and plant species;
- (xi) shade and shelter is provided for pedestrians, in conjunction with colonnades or verandas on adjoining buildings;
- (xii) attractive seating and landscaping is provided in appropriate locations and the landscaping comprises trees and shrubs which do not visually obscure the seating from public viewing;
- (xiii) robust, durable surfaces and materials are used;
- (xiv) soft and hard landscaping follows a consistent palette of materials and colours throughout Ōrākei Point, that give a distinctive sense of place, with reference to the cultural, geological and ecological values of the peninsula and its surrounds;
- (xv) provision is made for large specimen trees in tree pits within the plaza area;
- (xvi) adequate provision is made for access and use of the public space by the disabled, including visually impaired;
- (xvii) vegetation species used promote habitats and bird feeding;
- (xviii) they are designed to encourage public use and provide surveillance at night and whether a lighting strategy is submitted for construction of public open space, accessways and plazas;
- (xix) provision is made for activities to locate within the amenity areas or spill out into them from adjacent private space; and
- (xx) buildings adjoining public open space are designed, and provide for, activities which attract people, especially at night (for example upper level residential accommodation with windows or balconies overlooking the public open space and adjoining cafes, restaurants or small shops.)

(7) Parking (non-accessory) in Sub-precinct F: Parking (non-accessory) in Sub-precinct F will be assessed against the following:

(a) The extent to which it meets the assessment criteria for design of parking, access and servicing in I328.8.2(1)(g)(i) to (xxi).

(b) Parking (non- accessory) in Sub-precinct F will be assessed on whether;

(i) the parking, in addition to 1750 parking spaces will have adverse impacts on the safety and flow of traffic on the road network;

(ii) the parking, in addition to 1750 parking spaces will provide for the traffic and parking demands of the development in the event that the required public transport improvements have not occurred, with the threshold for sufficient provision of public transport improvements being determined with regard to thresholds of; a train headway of at least 10 minutes in each direction during weekday commuter peak travel periods (i.e. train services to Ōrākei Station must be at least at 10 minute intervals) and bus connections to Ōrākei Station at least at 30 minute intervals;

(iii) in the use and staging of the parking, the parking in addition to the 1750 limit will only be provided after disestablishment of the 200 park and ride spaces within the precinct, and is only used ancillary to other activities within the precinct;

(iv) the parking will only be provided as a temporary use of unallocated spaces within a parking building and prior to the completion of development within sub- precinct F; and

(v) the hours of operation of the parking take into account the operating hours and pricing incentives for associated traffic movements to avoid peak traffic flows.

(c) The Ōrākei Road parking building will be assessed as to the extent it meets the following:

(i) the assessment criteria for the Ōrākei Road parking building in I328.8.2(1)(k);

(ii) the assessment criteria for site amenity in I328.8.2(1)(i)(i) to (iv);

(iii) the assessment criteria for sustainability in I328.8.2(1)(j)(i) to(xiv);

(iv) the assessment criteria for Travel Demand Management Plan in I328.8.2(1)(l)(i) to (iv);

(v) the assessment criteria for construction management in I328.8.2(1)(m)(i) to (v);

(8) Parking for between 1750 and 1950 spaces: Applications for parking for between 1750 and 1950 spaces will be assessed as to the extent they meet the following:

(a) the assessment criteria for design of parking, access and servicing in I328.8.2(1)(g)(i) to (xxi);

(b) the assessment criteria for public safety in I328.8.2(1)(b)(i) to (iii);

(c) the assessment criteria for the Ōrākei Road parking building in I328.8.2(1)(k);

(d) the assessment criteria for site amenity in I328.8.2(1)(i)(i) to (iv);

(e) the assessment criteria for sustainability in I328.8.2(1)(j)(i) to(xiv);

(f) the assessment criteria for Travel Demand Management Plan in I328.8.2(1)(l)(i) to (iv); and

(g) the assessment criteria for construction management in I328.8.2(1)(m)(i) to (v).

### **I328.9. Special information requirements**

(1) An application for a new building must be accompanied by:

(a) Drawings showing the location and design of the proposed building relative to existing and proposed public spaces, streets and open spaces, and any approved buildings.

(b) Where changes are intended, the relationship of site contours to existing and proposed streets, any adjacent coastal environment or public open space.

(c) The location and layout of open space areas (within the control of the landowner or leaseholder).

(d) The location of public and private linkages to, through and around the site.

(e) The location of vehicle access, parking areas and loading areas.

(f) Cross-sections showing the relationship of the building to adjoining public open space and streets.

(g) Building elevations and profiles viewed from locations within and outside of Ōrākei Point showing the building relative to its neighbours, including any approved buildings and allowable building envelopes on as yet undeveloped sites.

(h) Demonstration of the individual building's compliance with the cumulative activity, building gross floor area, parking, traffic generation threshold and mix of residential units controls, including the totals of both existing and consented development within the precinct.

(i) An urban design and universal access statement.

(j) A description of legal instruments that will be entered into to secure and maintain appropriate public access across the site in accordance with the requirements of Ōrākei Point: Precinct plan 5.

(2) An application for construction and/or relocation of new buildings and new accessory buildings, including external additions to existing buildings, and accessory buildings within the special tree protection area must be accompanied by an arboricultural assessment, and a tree protection plan.

(3) The arboricultural assessment must identify the potentially affected trees and all proposed building works within the Special Tree Protection Area. This assessment must be based on best practice methods and must be within the guidelines as set out in "Trees and Development: A Technical Guide to Preservation of Trees During Land Development".



(Champaign IL: International Society of Arboricultural. Matheny, N., & Clark J.R, (1998)).

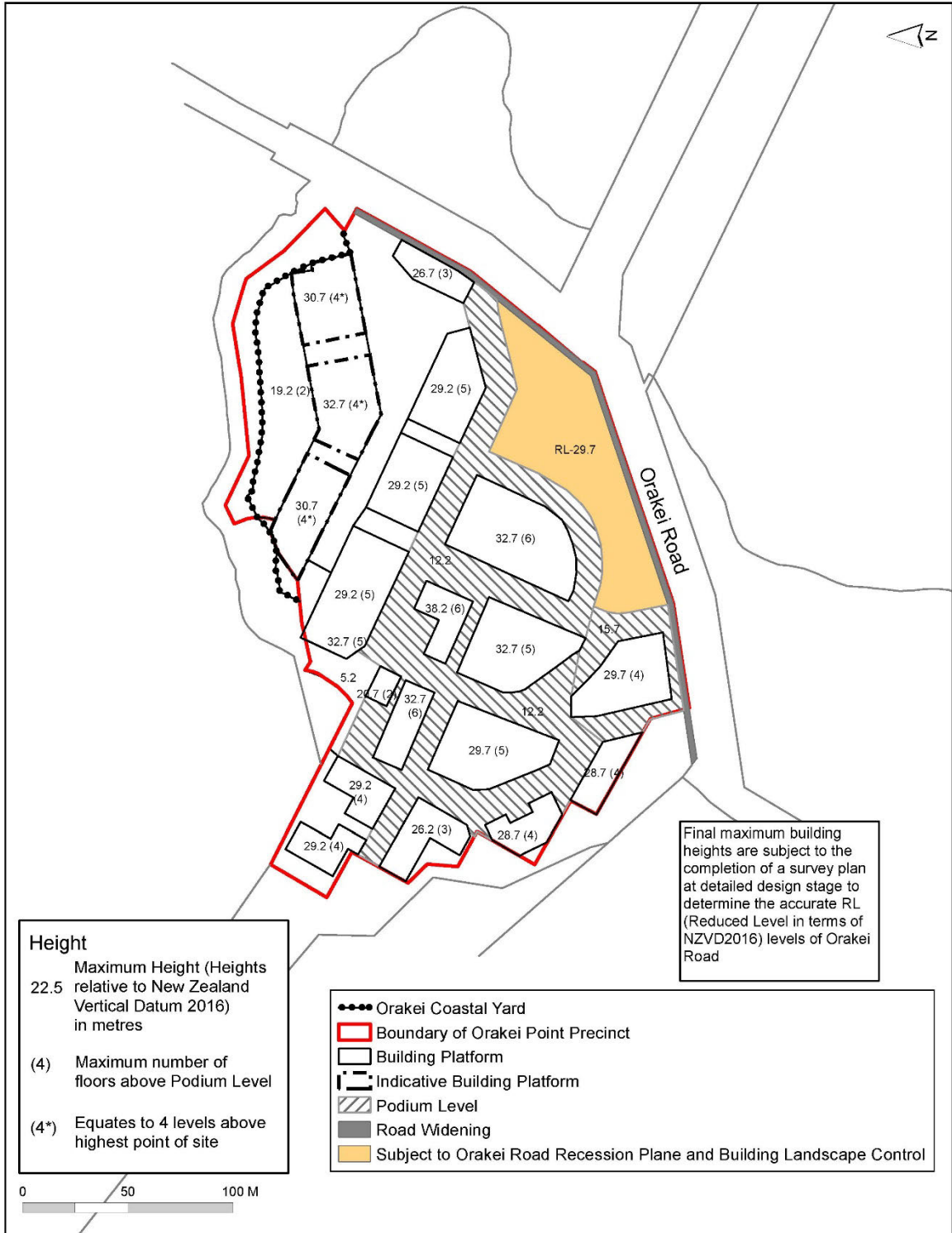
The assessment must include the following:

- (a) an assessment of any modifications proposed to the tree crown and/or branches on the health of the tree;
- (b) the extent of injury to tree roots and potential effects on the health of the tree;
- (c) the effects of any earthworks on the tree;
- (d) the effects of changes to hydrology, soil science, and ground levels on the tree;
- (e) the effects of buildings on daylight to the tree canopy;
- (f) measures to avoid clearing native trees and shrubs that are known habitats during the breeding season for indigenous forest birds (October to February inclusive); and
- (g) specifications to minimise impacts and protect trees, both during the construction process and ongoing.

**I328.10. Precinct plans**

I328.10.1 Ōrākei Point Precinct - Precinct plan 1

Qualifying matter as per s770(j) of the RMA



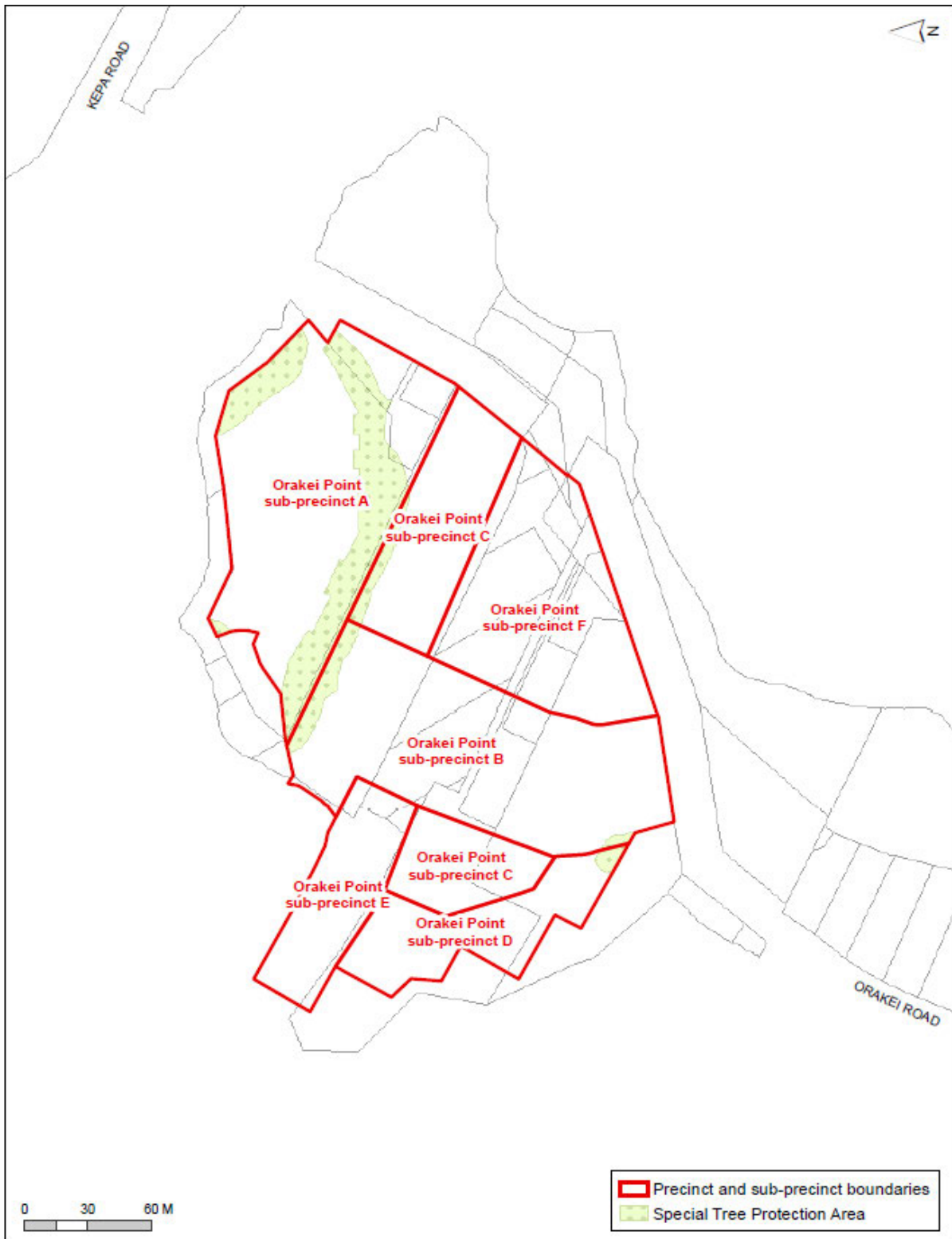
I328.10.2 Ōrākei Point Precinct - Precinct plan 2



I328.10.3 Ōrākei Point Precinct - Precinct plan 3



I328.10.4 Ōrākei Point Precinct - Precinct plan 4



I328.10.5 Ōrākei Point Precinct - Precinct plan 5

