

B12-02 CONCEPT PLAN - KELLY TARLTON'S UNDERWATER WORLD

PERMITTED ACTIVITIES

- Display of animal life and objects of interest in relation to primarily maritime activity.
- Facilities essential to the accommodation, care, maintenance and/or display of animal life.
- Administration (including ticketing facilities and administrative offices).
- Facilities designed to cater for the needs of visitors to the facility (including toilets, souvenir sales and teaching stations).

DISCRETIONARY ACTIVITIES

- Restaurants, cafes and other eating places in the area within the Auckland City Council's jurisdiction.

DEVELOPMENT CONTROLS

1. Building Platform

Above ground development is limited to existing buildings.

2. Tree Protection

Trees are protected in terms of Rule 5C.7.3.3C GENERAL TREE PROTECTION.

See also Concept Plan Diagram B12-02.

SPECIAL CONSIDERATIONS

The Open Space 5 zone is applied only to the underground area leased by Kelly Tarlton's and to the buildings used for entry/exit to the facility.

The dominant activity provided for on this site is a visitor/tourist attraction featuring the display of animal life. The bulk of activity on the site is located underground within disused drainage tanks. The extent of the tanks is indicated on the Concept Plan.

Particular concerns in respect to the site relate to its location on Tamaki Drive. Because Tamaki Drive is a major traffic route, activities located along it have the potential to create traffic and pedestrian problems. Kelly Tarlton's lease the existing carpark located on land zoned Open Space 4. The carpark is not limited to visitors to Kelly Tarlton's. The parking needs of the public using Orakei Wharf and Tamaki Drive must also be catered for.

Tamaki Drive is also a major scenic attraction, therefore the impact of the activity in an area of high visual amenity is also a consideration. For this reason, activities are limited to the below ground area leased by the attraction and to the existing buildings above the ground.

No increase in the size or extent of buildings above the ground will be considered as part of the Concept Plan.

Criteria for Assessing Applications for Resource Consent

In addition to the matters set out in Clause [9.7.2.2 DISCRETIONARY ACTIVITIES IN OPEN SPACE 5 ZONE](#), the following matters must be considered:

- Regard will be had to the Tamaki Drive Guidelines;
- The need to protect the existing cliffs, and vegetation.

A major concern in respect to this site is the scale of the activities and the potential for the activities to affect the natural environment, the amenity values of the area through visual impacts and the physical resources of the area, because of the limited availability of off-street parking. Therefore any proposals to establish or extend existing facilities will be carefully assessed, by way of a Plan Change.

B12-03 CONCEPT PLAN - OKAHU HARDSTAND

PERMITTED ACTIVITIES

- Carparking areas (including trailer parking).
- Clubrooms located within the building platforms identified on the plan.
- Facilities associated withre boating (including boat launching ramps and other boat launching facilities, boat locker facilities, administration offices storage and servicing, maintenance, repair and refuelling of pleasure boats).
- Public utilities and amenities (toilets, showers).

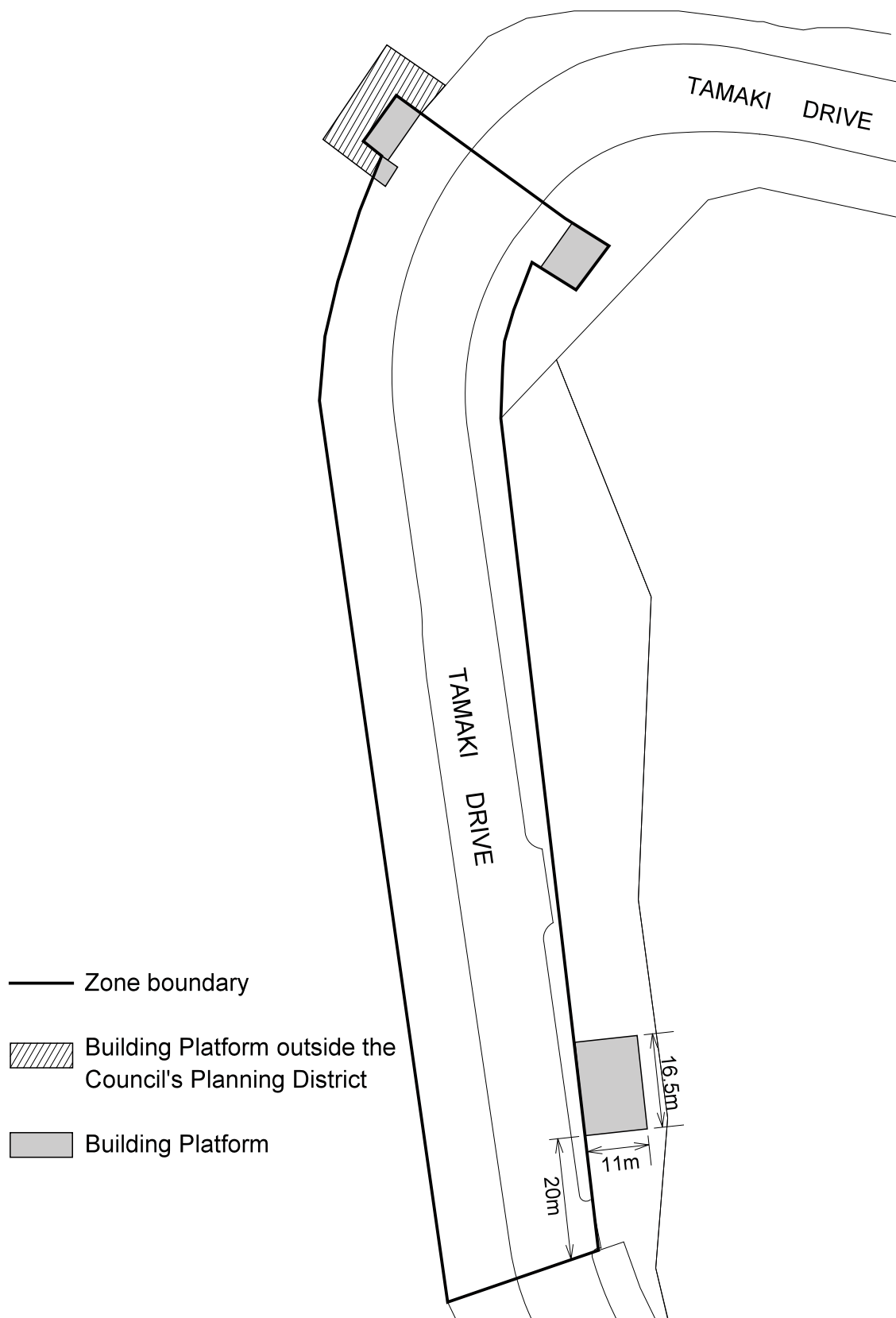
Note: for earthworks refer to rules in Clause [4A.2 RULES FOR GENERAL ACTIVITIES](#)

DISCRETIONARY ACTIVITIES

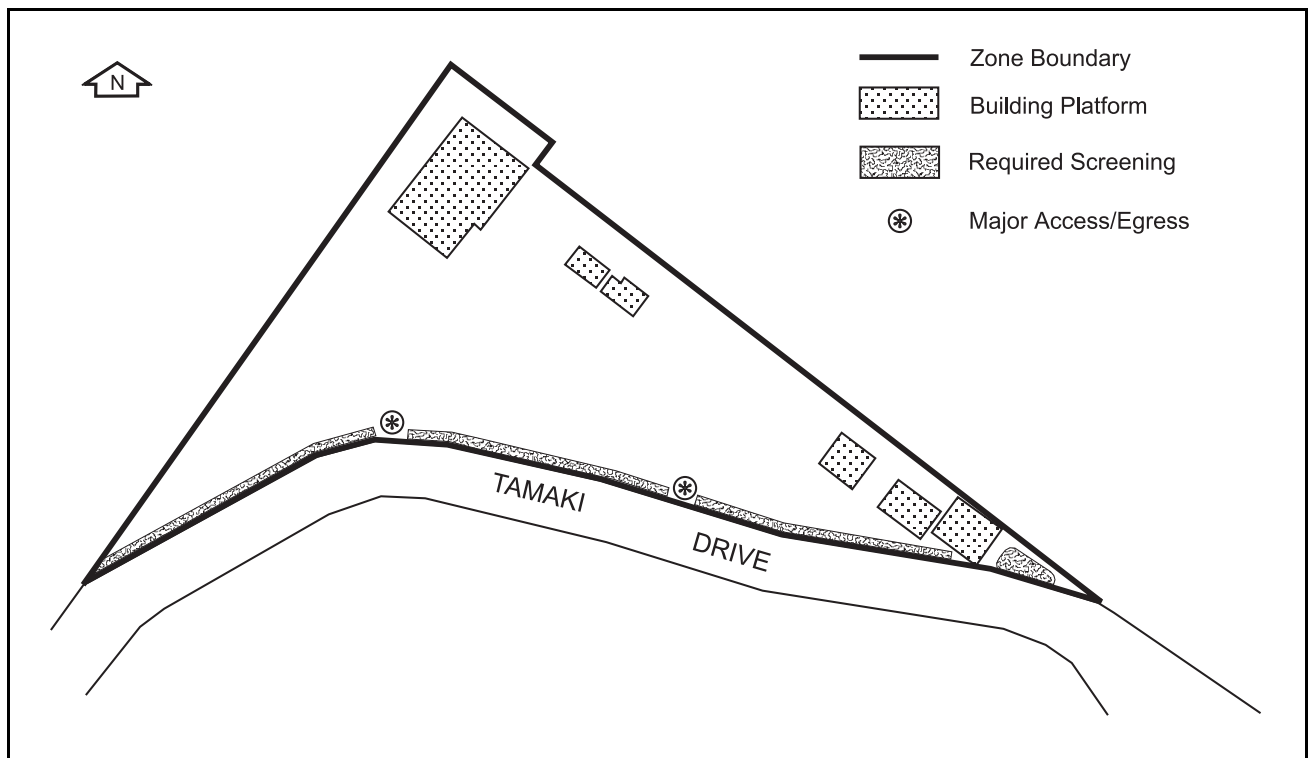
- Open-air fairs and markets.
- Restaurants, cafes and other eating places.
- Retail premises with a maximum gross floor area of 60m² used for the sale, lease or hire of goods or services which are associated with pleasure boating and marine activities.
- Permitted activities listed in the Concept Plan which seek to modify one or more of the development controls for the site (refer to Clause 4.3.1.2B DEVELOPMENT CONTROL MODIFICATION).



B12-02 Concept Plan - Open Space 5 Zone - Kelly Tarlton's Underwater World



B12-03 Concept Plan - Open Space 5 Zone - Okahu Hardstand

**DEVELOPMENT CONTROLS**1. **Building Platform**

Building development is limited to building platform illustrated on the Concept Plan.

2. **Maximum Permitted Height**

8 m

3. **Tree Protection**

Trees are protected in terms of Rule 5C.7.3.3C GENERAL TREE PROTECTION.

4. **Hazardous Facility Controls**

Rules [5E.8.1 SITE DESIGN AND MANAGEMENT](#), [5E.8.2 WASTE MANAGEMENT](#) and [5E.8.3 SIGNAGE](#) shall apply to all facilities associated with the storage, servicing, refuelling, maintenance and repair of pleasure boats on the site.

5. **Screening**

The site is not subject to the rules for screening in Clause 9.8.2.4B SCREENING. Screening is required in the areas illustrated on the Concept Plan, in the form of hedging or other vegetation to a minimum of 800mm in height.

SPECIFIC CONSIDERATIONS

The dominant activity on this site is the provision of land based facilities associated with pleasure boating. An aspect of potential concern in respect to servicing of pleasure yachts is the risk of facilities and activities involving hazardous substances impacting on the marine environment. For this reason assessment in accordance with the rules of [PART 5E - HAZARDOUS FACILITIES](#) may be required.

Provision is made on the hardstand for carparking as a permitted activity. This provision is necessary, as one of the activities that generates parking on the hardstand, the moorings, is located out of the district. It is not the Council's intention to encourage the use of the hardstand for carparking other than that associated with the activities provided for in this Concept Plan.

Unlike other Concept Plans, the only permitted and discretionary activities provided for on this site, are those listed in this Concept Plan. Any other activity (even those listed in [Clauses 9.7.2.1 PERMITTED ACTIVITIES](#) and [9.7.2.2 DISCRETIONARY ACTIVITIES IN OPEN SPACE 5 ZONE](#)) must obtain consent as non-complying activities, apart from permitted activities listed in the Concept Plan which seek to modify one or more of the development controls for the site (refer to Clause 4.3.1.2B DEVELOPMENT CONTROL MODIFICATION).

The Council cannot support any further increase in the number of moorings in the vicinity of Okahu Landing nor



APPENDIX B (PLANNING MAPS)

does it support the introduction of marina berths. The Council is concerned that these activities may have a significant adverse effect on both the marine environment and the surrounding land. The Council does not in general support any further reclamation.

Criteria for Assessing Applications for Resource Consent

In addition to the matters set out in Clause 9.7.2.2 **DISCRETIONARY ACTIVITIES IN OPEN SPACE 5 ZONE** the following matters must be considered.

Applications for resource consent to establish retail premises must be able to clearly establish that they are associated with pleasure boating and marine activities.

In considering any application the Council will seek to ensure that the total gross floor area of retail premises on the whole site does not exceed 200m².

Any buildings on this very public and visually sensitive location have the potential to impede views to the Hauraki Gulf from Tamaki Drive. Building development is limited to the building platforms identified on the Concept Plan. Therefore any extensions to the building platform set out in the Concept Plan due to a new building or substantial alteration to an existing building, other than those where the adverse effect on the environment of such modification is minor or of little significance, must be the subject of public scrutiny through the Plan Change procedures.

The adequacy of parking provided on the site is a concern, in that at peak times the spaces are under considerable pressure from pleasure boat users. The impact of other activities locating on the site and their need for parking must be assessed in this regard.

In terms of the impact on Tamaki Drive, it should be noted that congestion is at its highest during the summer, particularly at weekends. The impact of traffic, driving into the site (and exiting) and the impact of traffic at sensitive intersections such as Ngapipi Road/Tamaki Drive may be a factor of concern in respect to any discretionary activity.

An issue of concern in respect to Okahu Landing is any future development that involves reclamation. Future reclamation has the potential to impact adversely on ecosystems in the vicinity, water quality, marine and bird habitats, and on Okahu Bay and other adjacent foreshores.

Maintenance of public access to the site is critical. Sensitive treatment of the site is important, and exclusive use of scarce land used for public coastal recreation shall be discouraged. Sensitive treatment of the road frontage is required. This is achieved through the requirement for the road frontage to be screened in terms of development controls. Any refuse disposal

areas, and storage areas associated with any activity on the site must be screened from the road.

In respect to space devoted to restaurants, cafes and other eating places, a major concern is the scale of the activities and the potential for the activities individually or collectively to affect the natural environment and the amenity values of the area.

B12-04 COUNCIL CARPARK AND PROPOSED RESERVE, TAMAKI DRIVE, VICINITY OF ORAKEI JETTY

Development to be in accordance with the following -

1. All activities, works and buildings not fully described in the notice of requirement shall be the subject of either:
 - (a) a new notice of requirements, which shall be publicly notified, pursuant to Section 168A of the Resource Management Act; or
 - (b) a notice to alter the designation, pursuant to Section 181 of the Resource Management Act, which notice shall be publicly notified unless the alternation is minor and the affected persons agree in accordance with the provisions of Section 191(3) of the Act.
2. Unless lapsed prior to 15 June 2010, the expiry date of this designation was extended to 1 November 2015, by S78 of the Local Government (Auckland Transitional Provisions) Act 2010.

B12-05 CONCEPT PLAN - PAPA KAINGA, WHENUA RANGATIRA AND ASSOCIATED ACTIVITY AND DEVELOPMENT RULES

PERMITTED ACTIVITIES

Papakainga 1

- Church and urupa and associated ancillary buildings and activities

Papakainga 2

- Marae
- Wharekarakia
- Papakainga and Kaumatua Housing
- Education facility - including Kohanga Reo, Kura Kaupapa and Kura Maori
- Healthcare services
- Kokiri centre



- Home occupations
- Earthworks not exceeding 25m³ and/or not deeper than 1.5m
- Offices for Ngati Whatua o Orakei Trust Board's activities
- Buildings and structures ancillary to a permitted activity

Papakainga 3 and 4

- Any permitted activity in the Residential 6a zone

CONTROLLED ACTIVITIES

Papakainga 2

- Dairy
- Boarding House/ Hostel
- Visitor Accommodation

Papakainga 4

- Offices with access only from Kupe Street

DISCRETIONARY ACTIVITIES

Papakainga 2

- Subdivision
- Any activity not otherwise nominated, that complies with all of the special controls of the zone and is in keeping with the objectives and policies of the zone.

Papakainga 3 and 4

- Subdivision
- Any discretionary activity in the Residential 6a zone.

DEVELOPMENT CONTROLS

1. Maximum Height - all areas

8m, except that a special height limit of 10m will apply in Papakainga 2 for the following:

- wharehau (meeting house)
- taumaihi (watch tower)
- tekoteko (ancestral finial figure)
- pataka (food storage house)
- whata (storehouse)

2. Building in Relation to Boundary

The requirements of Clause 7.8.1.3(b) of the residential activity zones shall apply on any common boundary with any road or any residential zoned site.

3. Coverage: Buildings and Structures (including any paved surfaces)

Maximum coverage

| | |
|------------------|--------------------------------------|
| Papakainga 2 | 40% |
| Papakainga 3 & 4 | Refer to Residential 6a requirements |

Note: No coverage control applies to the Papakainga 1 area. Maximum Paved Impermeable Surface

| | |
|-------------------|-----------------------------------|
| Papakainga 2: | 25% |
| Papakainga 3 & 4: | Refer Residential 6a requirements |

Minimum Landscaped Permeable Surface

| | |
|-------------------|-----------------------------------|
| Papakainga 2: | 15% |
| Papakainga 3 & 4: | Refer Residential 6a requirements |

Parking

Refer [PART 12 - TRANSPORTATION](#) except that where it can be shown that carparking areas can be used for more than one activity and still comply with the parking requirements for each activity, separate provision of carparking for each activity may not be required.

Parking spaces need not be covered. However, parking areas shall be formed, drained, delineated, landscaped and screened to the satisfaction of the Council.

5. Noise

| | |
|--------------------------|--------------|
| Papakainga 1, 2, 3 and 4 | Refer Part 7 |
|--------------------------|--------------|

6. Artificial Lighting, and Signs

See Clauses [4.5](#) and [4.6](#) and relevant Bylaw.

7. Papakainga 1

No development controls are applied to this area as it functions only to identify the existing church and urupa.

8. Subdivision

Papakainga 2, 3 & 4

Part 11 of the Plan applies to all subdivisions in these areas as if the land was zoned Residential 6a.



SPECIFIC CONSIDERATIONS

Activity provided for in this zone relates to enabling Ngati Whatua o Orakei to re-establish on their ancestral land. The four broad categories of landuse, shown on the Concept Plan, are papakainga 1, 2, 3 and 4. Outlined in Clause 10.6.4 of the Plan are the objectives, policies and strategy for the zone. This strategy backgrounds the issues and way in which the Concept Plan has been developed.

The permitted and controlled activities nominated for each area of the zones are required to comply with the special controls for the zone. In addition, the following matters are of particular concern in respect to all activities (other than permitted activities) undertaken within the zone. Conditions may be imposed on particular proposals in relation to the matters listed.

(a) Carparking Areas and Vehicular Access

- (i) Carparking areas and vehicular access should be compatible with the natural and physical landscape and with activities on both the papakainga land and neighbouring residential properties.
- (ii) The location of access and egress points should ensure vehicular and pedestrian safety.

(b) Building Design and Site Layout

- (i) The scale, design, appearance and location of any buildings and/or structures may reflect Maori cultural expectations and be compatible with the natural and physical landscape and with neighbouring residential properties.
- (ii) Visual amenity and urban design matters must be considered; in particular that landscaping is compatible with the surrounding natural and physical environment.

(c) Activities located within the Papakainga 3 & 4 areas

- (i) Any activities located within the Papakainga 3 and 4 areas shall be required to conform with the requirements of the Residential 6a zone and in respect to any discretionary or non-complying activity seeking to locate in Papakainga 3 and 4 areas, these activities will be assessed against the objectives and policies of the Special Purpose Activity 4a zone.

(d) Minor Adverse Effect on the Environment

- (i) The hours of operation of any proposal should be compatible with activities undertaken in the surrounding residential areas.
- (ii) In respect to earthworks, any potential adverse impacts should be avoided or minimised; in particular that:

- The design of retaining walls should ensure land stability;
- Earthworks should not interfere with the natural drainage patterns, to the detriment of neighbouring properties;
- Fill material must be suitable for its purpose and be adequately compacted.

(iii) Any artificial lighting requiring a resource consent shall be assessed against the relevant criteria contained in Clause 7.7.4.3 of the Plan.

(iv) Okahu Park's susceptibility to flooding shall be considered in respect to any activity and/or development proposals undertaken on or abutting it.

Explanation of the Papakainga

Papakainga 1 serves to identify and provide for the existing Okahu urupa (that is all that remains of the former communal village) and church (built in 1976) that are important for their historical cultural and spiritual associations. No development controls are applied to this area for this reason.

The Papakainga 2 area is considered the most appropriate in which to accommodate the range of activities anticipated to become part of village life. The permitted activities are those considered to be integral to the needs of the Ngati Whatua community and are seen to be in keeping with the character of the neighbouring residential environment.

Earthworks have been restricted due to the potential they have to cause adverse effects both on land stability and the natural drainage patterns of the area. The volume of earthworks allowed as a permitted activity is expected to enable the development of individual house sites.

The controlled activities nominated for the Papakainga 2 area are expected to contribute to developing a self-sustaining and self-sufficient lifestyle. It is expected that a dairy will also serve the wider community and that visitor accommodation and Boarding House/ Hostel will provide the opportunity for income earning. However there may be circumstances arising from these activities that will require conditions to be included to ensure protection for the amenities of the neighbouring properties from effects such as vehicle movements and noise etc.

As the Orakei Act 1991 provides limited opportunity for land to be subdivided by way of leasehold for housing purposes, subdivision has been provided as a discretionary activity.

The Papakainga 3 area is physically separate from the development land that adjoins the marae. Three of the properties are quite distinct in that they are located in



Watene Crescent. The other areas are to the east of Kupe Street and have road access independent of Kupe Street. All areas of Papakainga 3 adjoin residentially zoned land. The controls of the Residential 6a zone are considered flexible enough to accommodate and provide scope for activities that might be proposed on this land. At the same time they ensure activities will be compatible with adjoining land uses.

The Ngati Whatua o Orakei Trust Board would like the opportunity to establish a commercial building on Kupe Street building that could be sublet for office use. This is to provide the opportunity to generate income. The Papakainga 4 area has been identified as the most

appropriate location for such a building. Access is limited to Kupe Street to ensure that any impacts of increased traffic generation are not felt elsewhere.

SPECIAL PURPOSE 4b ZONE

RULES: ACTIVITY CONTROLS

Note: Refer to the Concept Plan B12-05 to see Whenua Rangatira Activity Areas 1-6

Activities in the Special Purpose 4b Zone by Activity Area

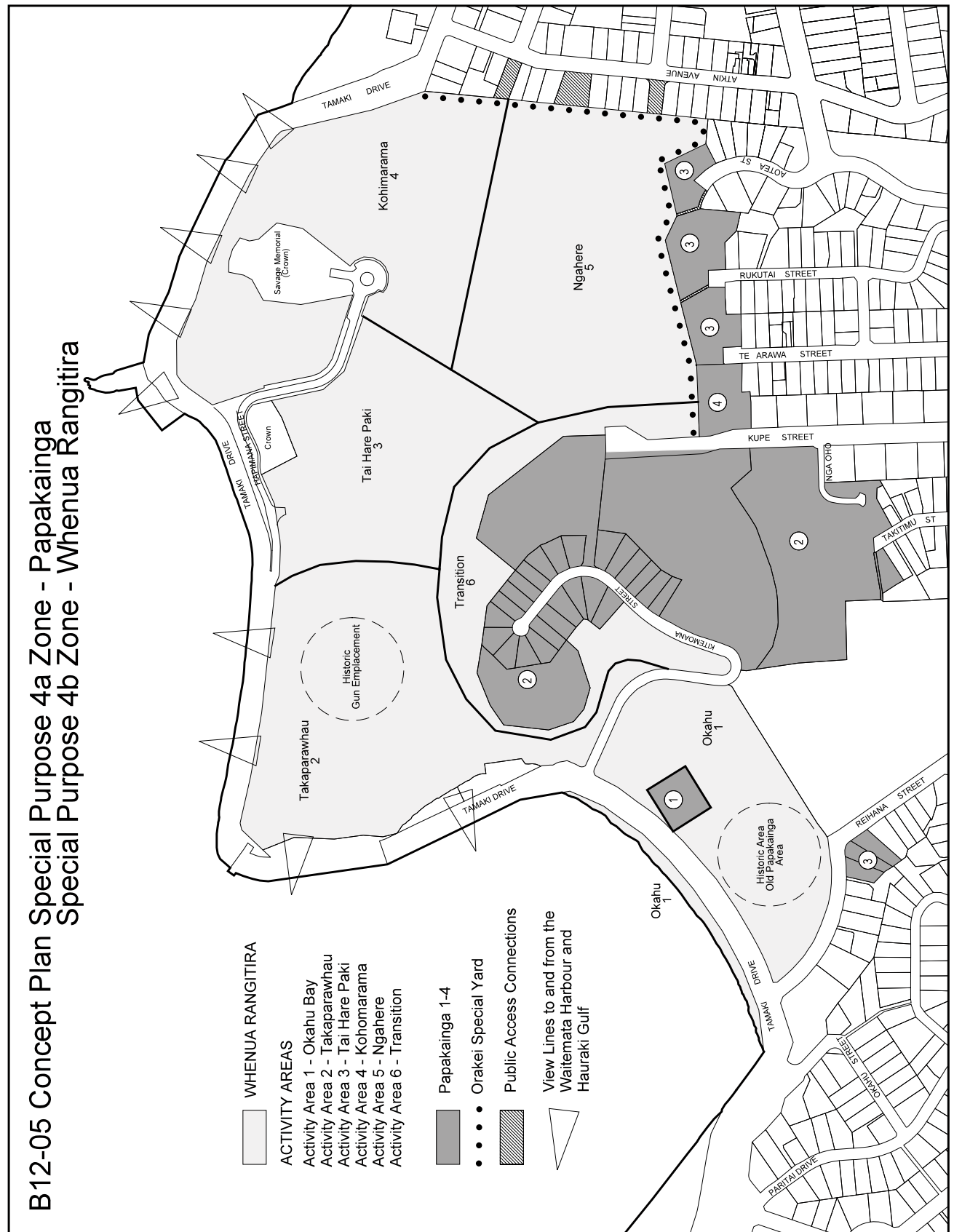
| ACTIVITIES | ACTIVITY AREA | | | | | |
|---|---------------|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| Accessory buildings for any activity | C | C | C | C | C | C |
| Waka (canoe) launching ramps | D | | | | | |
| Buildings and parts of buildings used for recreation or community purposes | D | | | | D | D |
| Buildings and structures used for water related activities including the storage, repair and maintenance of waka (canoe) and sailing boats. | D | D | | | | |
| Buildings predominantly used for changing rooms, first-aid rooms, public toilets | RD | C | C | C | C | D |
| Car parking areas less than 7 spaces | P | P | P | P | P | P |
| Car parking areas over 7 spaces including bus parking | RD | D | C | C | C | C |
| Urupa (burial grounds) | C | | | | | |
| Clearing or removal of exotic trees or other vegetation | P | P | P | P | P | P |
| Clearing or removal of native trees or other indigenous vegetation subject to the General Tree Protection Rule 5C.7.3.3C | C | C | C | C | C | P |
| Cultural Learning and Manakitanga centres | D | D | D | D | D | D |
| Diversion and modification of natural watercourses and coastal margins | D | D | D | D | D | D |
| Earthworks not exceeding 5m ³ (1) | C | P | P | P | P | P |
| Earthworks not otherwise provided for (1) | D | D | D | D | D | D |
| Excavation as defined in Part 13 (refer to clause 4A.2 for criteria) | C | C | C | C | C | C |
| Farming as provided by S23 of the Orakei Act 1991 | C | P | P | P | P | P |



APPENDIX B (PLANNING MAPS)

| ACTIVITIES | ACTIVITY AREA | | | | | |
|---|---------------|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| Foreshore protection works, including walls | D | - | - | - | - | - |
| Kiosks and refreshment facilities | D | D | D | D | D | |
| Lighting | C | C | C | C | C | C |
| Monuments, sculptures and other ornamental and viewing structures | D | C | C | C | C | D |
| Monuments, sculptures and other ornamental and viewing structures up to 15 metres in height | - | D | D | D | D | - |
| Observation areas, viewing platforms and related structures | C | C | C | C | C | D |
| Ornamental gardens | P | P | P | P | P | C |
| Park depots including nursery facilities | - | D | D | D | C | C |
| Park Furniture | C | P | P | P | P | C |
| Picnic Facilities | C | C | C | C | C | - |
| Planting of trees and shrubs | P | P | P | P | P | C |
| Playgrounds – including playground apparatus | C | C | C | C | C | D |
| Recreational transport systems | D | D | D | D | D | D |
| Restaurants and reception facilities | D | | | | | |
| Signs exceeding the bylaw provision | D | D | D | D | D | D |
| Storage and maintenance sheds not exceeding 50m ² | D | C | C | C | C | D |
| Stormwater Systems and retention ponds | C | C | C | C | C | C |
| Structures for the seating of spectators | - | - | C | D | - | - |
| Tribal, Community and Cultural activities as provided by Section 23 of the Orakei Act 1991 | P | P | P | P | P | D |
| Vehicular Access | D | D | D | C | C | C |
| Walking, jogging and fitness trails (2) | C | C | C | C | C | C |





APPENDIX B (PLANNING MAPS)

Definition of Cultural Learning and Manakitanga Centre Activity is as follows:

"Cultural Learning and Manakitanga Centre, means a facility or facilities where the history, cultural views and practices of Ngati Whatua o Orakei, Tamaki Makarau and interpretation of the Whenua Rangatira can be recorded, displayed, practiced or taught and where Manakitanga can be offered to the citizens of Auckland and other tauwiwi (visitors). As ancillary uses to these activities the sale of cultural products and food and refreshments are provided for. The principal activities may be provided together, separately or in combination."

(1) These provisions do not apply to earthworks which are carried out as part of:

- A subdivision which has been granted a resource consent; or
- The excavations and filling necessary to construct a building which is otherwise a permitted activity and which has been granted a building consent (including any associated access driveway and vehicle manoeuvring area); or
- A network utility service of the type where specific provision has been made for earthworks in Clause 4A.4.6.B.

Provided however, that the works are outside the dripline of any scheduled or protected trees and will not affect any scheduled archaeological or geological feature.

Note:

- (a) The above rule does not obviate the need to obtain the written consent of Council to excavate or otherwise interfere with any land in the vicinity of a public work of the Council if the excavation or interference is likely to produce, directly or indirectly, a subsidence onto that work or a subsidence of that or of the soil under it (refer to Section 237 Public Works Act 1981).
- (b) Refer to Clause 4A.2.A(i) for provisions relating to the maintenance and resurfacing of sports grounds.

The permitted activities listed in Clause 9.7.1 are allowed without a resource consent where they apply in all respects with the relevant development controls and other relevant rules in this Plan.

- (2) The establishment of walking, jogging and fitness trails includes associated earthworks not exceeding 150mm in depth.
- (3) Temporary Activities will be assessed in terms of Part 4A.1.C of the Plan.

ACTIVITY CONTROL: CONDITIONS AND ASSESSMENT CRITERIA

The Special Purpose 4b zoning provides levels of control in the following ways:

PERMITTED ACTIVITIES

Permitted Activities need to meet the Development Controls of Special Purpose 4b zone, the General Plan rules of Part 4A and the specific plan rules of Part 5A – Natural Resources, Part 5B – Coastal, Part 5C – Heritage, Part 5D – Natural Hazards, Part 5E – Hazardous Facilities, Part 12 – Transportation and Part 13 – Interpretations and Definitions.

CONTROLLED ACTIVITIES

Controlled Activities need to meet all the above and the following general assessment criteria which may result in the imposition of conditions on any resource consent granted.

1. Cultural

- The need for the proposed activity or facility and the manner in which it respects the cultural and historical heritage that exists on this portion of the reserve.

2. Natural

- Any effect that the development on activity may have on the natural elements that gives the Whenua Rangatira its landscape character and quality. Regard will be had to:
 - How the development will add to a consistent theme of design or appearance
 - That the integrity of the natural landforms are maintained with the establishment of any landscaping, walkways, roadways or earthworks.
 - That erosion or siltation effects are mitigated or prevented.
 - That any buildings on the Whenua Rangatira are compatible in scale, design and appearance and are also located so as to have the least effect and be compatible with the natural and physical landscape and neighbouring land.

3. Activities

- That controlled activities provided for within the Whenua Rangatira are of a scale and intensity commensurate with the function of the Whenua Rangatira provisions or the Reserves Act 1977, and in terms of the Reserves Management Plan current for the land.
- That measures be taken in the establishment and operation of activities, and particularly walkways, to ensure the privacy of the hapu on the Papakainga from public activities on the Whenua Rangatira.



Explanation

The activities nominated as controlled activities are generally small scale works or activities, which form a network of facilities across the Whenua Rangatira and which in certain circumstances, may cause adverse impacts on the Whenua Rangatira by virtue of their location size, establishment or operation. Particular emphasis should be given to the integrated provision of these activities or works and any cumulative effects that otherwise may arise.

RESTRICTED DISCRETIONARY ACTIVITIES

Specific criteria for assessing opportunities for restricted discretionary activities.

Restricted Discretionary activities need to meet the rules and criteria applicable to permitted, and controlled activities and the discretionary criteria applicable to Activity Area 1 Okahu Bay and the following specific criteria:

- That the activity be coordinated and where possible integrated with other activities on Okahu Bay and elsewhere on the Whenua Rangatira.
- The need or not to restrict the hours of operation of the activity.
- The control of adverse effects from noise and lighting upon the qualities of the Whenua Rangatira and any affected sites nearby.

DISCRETIONARY ACTIVITIES

Specific criteria for assessing opportunities for Discretionary Activities:

Discretionary Activities need to meet the rules and criteria's applicable to permitted and controlled activities and the following specific assessment criteria applicable to the six activity areas as defined on the Concept Plan B12-05 and in terms of the Reserves Management Plan current for the land.

This may result in the imposition of conditions on any resource consent granted.

ACTIVITY AREA 1 – OKAHU BAY**Explanation**

At the western end of the Whenua Rangatira, Okahu Bay is the most readily accessible portion of the reserve for the public by both land and sea. It nestles in to the valley floor and is overlooked by surrounding residential development.

The general public values this part of the reserve as an adjunct to beachfront activities and as an ideal area for group activities.

It has, from time to time hosted large-scale entertainment such as circuses, music groups, Waka arrivals, and the like.

It is bisected by Tamaki Drive, which separates it from the beachfront portion of the Whenua Rangatira at Okahu Bay.

The road physically separated the beachfront from the balance of the Reserve and inhibits any interaction between the two areas.

The Urupa and Church are not part of the Whenua Rangatira but are, nevertheless, the most significant elements within this identity area. They are a reminder of the Marae and Papakainga that once occupied the land. The historical and cultural value of this area will be an important component of the management of this part of the reserve.

The strong Ngati Whatua identity, within this identity area, could set the parameters for future use of the whole of the Whenua Rangatira.

It is possible to sight the Wharenuui from parts of this area, reinforcing the strong cultural connection between Okahu Bay and the Marae. There is, then, a strong visual and axial link from the Marae, through this particular piece of the Whenua Rangatira, to the seashore of Okahu Bay and on to the Waitemata.

Assessment Criteria**Cultural**

The need for the proposed activity or facility and the manner, in which it respects the cultural and historical heritage that exists on this portion of the Reserve. Regard will be had to:

- The need to respect the mana and privacy of the Urupa and church and have regard to the cultural significance of the earlier Papakainga and Marae sites.
- The strong cultural connection between the land and sea by enhancing connections and removing barriers in this part of the Whenua Rangatira.
- The need to maintain and enhance the strong visual and physical connections between the Urupa and the Wharenuui/Marae.
- The need for new buildings and structures to demonstrate regard for the scale and form of existing buildings
- The need for historic features to be recognised and catered for in any development and maintenance of the Whenua Rangatira.



APPENDIX B (PLANNING MAPS)

Natural

Any effects the development may have on the natural elements that give Okahu Bay its landscape character and quality. Regard will be had to:

- Prevention of adverse effects and promotion of beneficial effects on the beach and waters of Okahu Bay.
- Protection, preservation and enhancement of the native trees in the area, together with those exotic trees worthy of protection.
- Conservation of the open space qualities that exist.

Activities

The need to ensure public access to all parts of the reserve. Regard will be had to:

- Safe and easy access to the beachfront, Papakainga and Takaparawhau.
- Support for waka culture and complementary activities.
- Maintaining the ability to host other cultural events of public interest that are considered appropriate in the setting of Okahu Bay.
- The safety of the public using Okahu Bay.

The need to provide for vehicle access and parking while ensuring safe access and movement for pedestrians and cyclists. Regard will be had to:

- Clear separation of motor vehicles, cyclists and pedestrians.
- The provision of an appropriate number of carparks at strategic locations around the edge of the reserve. The number and location of the carparks will be determined in conjunction with development proposals, with reference to Part 12 of the District Plan.

ACTIVITY AREA 2 – TAKAPARAWHAU

Explanation

This elevated platform, edged with dramatic tree lined cliffs, comprises the bulk of the Whenua Rangatira. Although divided by several gullies it is spacious enough to accommodate a wide range of recreation pursuits. The area forms a natural gateway in conjunction with 'Takapuna' (North Head) to the inner harbour.

There is little vegetation on the more gentle slopes, a legacy of the earlier grazing regime which would have ensured the failure of any natural revegetation processes. A mown grassland now graces the hill tops and the gullies remain in a weed covered and eroded state.

There is little public activity on the land except on those special occasions when thousands of citizens flock to the

Whenua Rangatira to watch events on the harbour. There is ready and obvious access to some of the land, via Hapimana Street, but no promotion of the Reserve as a facility for public use and enjoyment, as yet.

On the other hand, the land provides for its owners, the Ngati Whatua, an amenity of significant physical, social and cultural value.

It is part of the parcel of land returned to them and is viewed as a major part of the turangawaewae (place to stand with mana) of Ngati Whatua o Orakei.

The adjacent Marae and Papakainga, together with cultural artefacts within the site, give Takaparawhau a character of a special kind, which can be utilised in future management and development of the land.

Assessment Criteria

Cultural

The need for the proposed activity or facility and the manner in which it respects the cultural and historical heritage that exists on this portion of the Reserve. Regard will be had to:

- The importance of Takaparawhau as a highly visible landmark together with the underlying cultural attributes providing a focal point at the entry to the Waitemata Harbour.
- Conservation of heritage elements, including:
 - Sites of pre-European occupation
 - Fortifications
 - The visual and cultural connection between the Marae and Takaparawhau Point
- The need to recognise the archaeological features and cater for any development and maintenance of the Whenua Rangatira.

Natural

The need to preserve and enhance the natural qualities of Takaparawhau. Regard will be had to:

- The need for structures to respect and enhance the prominence of this part of the Whenua Rangatira and maintain the open and natural existing character.
- The visual importance of the tree covered cliffs and the need to conserve, as far as possible, the natural character of this part of the reserve.
- The effect any drainage work may have on the existing flora and proposed revegetation projects.
- The effects any earthworks may have on the integrity of the existing landforms.
- Maintaining the existing clear open space on the hilltops to:



- Preserve the character and visual qualities of Takaparawhau.
- Accommodate the large gatherings that occur from time to time.
- Maintain the integrity of the promontory as a major vantage point.
- Maintain view lines to the harbour.

Activities

The need to maintain appropriate public access to this part of the Whenua Rangatira. Regard will be had to:

- The need to improve access both to, and within, Takaparawhau to enable better public access to heritage sites and natural features on the periphery of the Whenua Rangatira.
- The importance of Takaparawhau as a passive recreation area.
- The need for monuments, sculptures and other ornamental and viewing structures to be limited to 75% of the height of the adjacent cliff to enable appropriate scale to be maintained.

ACTIVITY AREA 3 – TAI HARA PAKI

Explanation

Adjacent to, and surrounding, the Michael Joseph Savage Memorial, this identity area hosts a variety of public activities. It is the arrival point for visitors to the Savage Memorial and the upper Whenua Rangatira and, because of the vehicular access, is visited by many families seeking open space for picnicking, kite flying and the like.

Hapimana Street also provides an alternate access to the front of the Marae. The toilet/workshop building whilst functional, is poorly sited in a visual sense, standing out against the scenery from almost all viewpoints on the upper levels of the Whenua Rangatira.

Vegetation is a mix of indigenous and exotic plant material, on both the cliff face and in the valley, with a relatively dominant row of Phoenix Palms along Hapimana Street. Views from the area are outstanding and view lines need to be maintained or enhanced.

Assessment Criteria

Cultural

The need for the proposed activity or facility and the manner, in which it respects the cultural and historical heritage that exists on this part of the reserve. Regard will be had to:

- The importance of Tai Hara Paki as a cultural gateway to the upper Whenua Rangatira.
- Opportunities to provide facilities for Manakitanga, including:

- Support facilities at the entrance to the Marae
- Low key facilities to enable the conduct of tribal, community or cultural activities (Orakei Act 1991 Section 23).
- The design of any building structure shall recognise and reflect the architecture and style of the adjoining Wharenui and Wharekai. Buildings and structures should be low key and of a scale that does not impinge on or dominate the adjoining buildings on the Marae.
- The need to recognise and cater for archaeological features in any development and maintenance of the Whenua Rangatira.

Natural

The need to preserve and enhance the natural qualities of Tai Hara Paki. Regard will be had to:

- The need for buildings to be located within the landscape and away from the visually dominant ridgelines.
- The visual importance of this area of land fronting the Marae and the need to preserve the natural qualities and character of this part of the reserve.
- The environmentally sensitive nature of the northern gully system, and the need to manage any effects from development.

Activities

The need to maintain appropriate public access to this part of the Whenua Rangatira. Regard will be had to:

- The need to improve access both to and within Tai Hara Paki to enable better public access to heritage site and natural features on the periphery of the Whenua Rangatira.
- The importance of Tai Hara Paki as a passive recreation area.
- The cultural significance of this area, especially its relationship to the adjoining Marae.

ACTIVITY AREA 4 – KOHIMARAMARA

Explanation

An area of the Whenua Rangatira to the east of Savage Memorial and facing more directly towards Mission Bay.

Visually, it is more strongly connected to the Mission Bay beach reserve and the Moehau Channel than it is Takaparawhau although there is some visual rapport with the Marae, especially from the upper slopes. There is pedestrian access from Mission Bay, leading directly to the Savage Memorial, but little other activity of note on this part of the site.



APPENDIX B (PLANNING MAPS)

Vegetation is confined mainly to the cliff edge fronting Tamaki Drive with some exotic weed species along the eastern boundary.

Assessment Criteria

Cultural

The need for the proposed activity or facility and the manner, in which it respects the cultural and historical heritage that exists on this part of the reserve. Regard will be had to:

- The manner in which this land relates to the Marae, Papakainga and other Ngati Whatua land in the area.
- This land as a backdrop to residential development in Mission Bay
- This land as the principle vantage point for the outer gulf.
- The archaeological features need to be recognised and catered for in any development and maintenance of the Whenua Rangatira.

Natural

The need to preserve and enhance the natural qualities of Kohimaramara. Regard will be had to:

- The need for any building to be complementary to the character and scale of the existing structures/buildings and surrounding environment.
- The visual importance of the tree covered cliffs and the need to conserve, as far as possible, the natural character of this part of the reserve.
- The effect any drainage work may have on exiting flora and proposed revegetation.
- The effects of earthworks on the natural character of the Whenua Rangatira.
- The opportunity for remedial planting in the gullies to establish a substantial natural ecosystem on this part of the reserve.

Activities

The need to maintain appropriate public access to this part of the Whenua Rangatira. Regard will be had to:

- The need to improve access within the Kohimaramara activity area and to and from adjacent residential areas.
- The nearby Michael Joseph Savage Memorial and its relationship with the Whenua Rangatira.
- The need for any development to be sympathetic to the existing form and character of the Savage Memorial.

ACTIVITY AREA 5 – TE NGAHERE

Explanation

Although significant, as open space adjoining urban development, this area is without the attributes ascribed to other parts of the Whenua Rangatira. The steeper lower slopes and broken ground render it less attractive for the kinds of passive recreation occurring on other parts of land.

The higher portion lies at the end of Kupe Street and adjacent to the Marae and Papakainga. The landform here is quite gentle and, in general, there are no prominent physical features. This is a good vantage point for distant views of the Haruaki Gulf, but does not offer the superb views to be had from Takaparawhau. The crest does not figure prominently in views from distant vantage points, on the surrounding volcanic cones, or from the harbour, since it tends to be buried within the urban fabric that surrounds it.

There are two memorials on this site, reflecting events that occurred during the land protests in 1977, giving the site a special cultural significance. Vegetation consists of small areas of exotic species along the eastern boundary.

Assessment Criteria

Cultural

The need for the proposed activity or facility and the manner, in which it respects the cultural and historical heritage that exists on this part of the reserve. Regard will be had to:

- The importance of Te Ngahere as a backdrop to the Mission Bay residential area and as an outlook for the adjacent residential land to the South.
- The cultural significance of the memorials located within this area.
- The need for archaeological features to be recognised and catered for in any development and maintenance of the Whenua Rangatira.

Natural

Any effect the development may have on the natural elements that give Te Ngahere its landscape character and quality. Regard will be had to:

- The need to protect views from the adjacent residential development and Papakainga.
- The visual importance of this part of the reserve and the need to preserve, as far as possible, the natural character that exists.
- The effects any roading or earthworks may have on the integrity of the existing landforms.
- The sensitive nature of the existing landforms and the need to protect the land from further erosion.



- The need to encourage a significant revegetation of the gullies.

Activities

The need to maintain appropriate public access to this part of the Whenua Rangatira. Regard will be had to:

- The need to improve access both to and within Te Ngahere, especially from the surrounding residential areas.
- Provision of reasonable privacy for adjoining residential areas.
- The need to provide appropriate access to the Marae and Papakainga, for the hapu and visitors.

ACTIVITY AREA 6 – TRANSITION ZONE

Explanation

The Transition Zone enables an orderly and integrated approach to the development of the marae and surrounding environs.

It is designed to provide a buffer between the Hapu and the Whenua Rangatira while still enabling access from the Papakainga to the Whenua Rangatira.

The development within this zone while supporting the Marae activities needs to complement the natural environment of the Whenua Rangatira.

Assessment Criteria

Cultural

The need for the proposed activity or facility and the manner, in which it respects the cultural and historical heritage that exists on this part of the reserve. Regard will be had to:

- Respecting the privacy of the Hapu
- The rationalisation of development around the Marae with its supporting buildings, being used for cultural activities.
- Opportunities to provide Manakitanga, including:
- Support and amenity facilities at the entrance to the Marae.
- The design of any building or structure shall recognise and reflect the architecture and style of the adjoining Wharenuui and Wharekai.
- Building and structures must be low key and of a scale that does not impinge on or dominate the adjoining buildings on the Marae.

Natural

The need to preserve and enhance the natural qualities of the area surrounding the Marae and Papakainga. Regard will be had to:

- The need for buildings to be located so as to ensure

that they visually complement the Marae complex.

- The effects any roading or earthworks may have on the integrity of the existing landforms.

Activities

The need to maintain appropriate pedestrian access to this part of the Whenua Rangatira. Regard will be had to:

- Formal welcoming on to the Marae.
- The ability of the Hapu to undertake its activities in an orderly and integrated manner.
- The need for supporting activities and amenities.

General

The following shall be the development controls for all activities provided for in the Special Purpose 4b zone.

An application to modify one or more of the Development Control Rules may be considered under Clause 4.3.1.2B as a discretionary activity. Where the criteria of Clause 4.3.1.2B are not met, an application for a non-complying activity will be required (refer to Clauses 4.2.1.4 and 4.3.1.3).

DEVELOPMENT CONTROLS IN THE SPECIAL PURPOSE 4b ZONE

1. Maximum Height

8 metres, except that a special height limit will apply to any monuments, sculptures and other ornamental and viewing structures on Activity Areas 2, 3, 4 and 5 up to but not exceeding 15 metres, as a discretionary use.

2. Building in Relation to Boundaries and Roads

The requirements of 7.8.1.3(b) of the residential zones shall apply on any common boundary with any road, any residential zoned site and the Special Purpose 4a zoning.

3. Coverage

Buildings and structures circulating any paved surfaces,

Maximum coverage

| | |
|--|-----|
| Whenua Rangatira Activity Area 1 | 10% |
| Whenua Rangatira Activity Areas 2, 3, 4, 5 | 5% |
| Whenua Rangatira Activity Area 6 | 15% |

4. Landscaping

All Whenua Rangatira areas shall be landscaped and planted to visually screen and blend any buildings and structures (including carparking areas) with the surrounding visual environment. The landscaping and planting should be consistent with any development plan and ensure vehicle and pedestrian safety, and



APPENDIX B (PLANNING MAPS)

view lines to and from the land (see Concept Plan B12-05).

5. Parking

- Refer to Part 12 of the Isthmus District Plan
- Parking provision for the activity of Cultural Learning and Manakitanga Centre. The Activity combines a number of uses which are individually assessed for parking rates in 12.8.1.1.

These uses which are applicable to the composition of the Activity are as follows:

- Educational facility
- Entertainment facility
- Premises for Cultural Activity or natural display
- Restaurants, cafes and other eating places
- Retail
- Workrooms

6. Noise

Whenua Rangatira Activity Areas 1, 2, 3, 4, 5 and 6 refer to Part 9 of the Plan, clause 9.8.1.5.

7. Artificial Lighting and Signs

Whenua Rangatira Activity Areas 1, 2, 3, 4, 5 and 6 refer to Part 4 of the Plan, 4.5 and 4.6

8. Orakei Special Yard

A 20 metre wide special yard shall apply to Whenua Rangatira Activity Areas 4 and 5 as identified on the Concept Plan. No buildings and structures shall be located in the yard except for necessary walkway facilities, security lighting and directional signage.

9. An application to achieve a minor modification of the Development Control rules may be considered under clause 4.3.2.2B as a Discretionary Activity.

Explanation

As a passive open space reserve adjacent to a residential area and the Papakainga, control of the scale, location and extent of buildings and constructions is necessary to maintain and enhance the amenities and open space qualities of the land. Height restrictions are related to those permitted on adjacent land and any structures in cliff top locations are related proportionally to the height of those cliffs.

The control of landscaping is necessary to maintain the open nature of the reserve and conserve views to and from the land.

Reference should also be made to the following parts of the plan:

| | |
|---------|--|
| Part 4 | Refer Clause 4.5 – Signs |
| | Refer Clause 4.6 – Artificial Lighting |
| Part 4A | General Rules |
| Part 5A | Natural Resources |
| Part 5B | Coastal |
| Part 5C | Heritage |
| Part 5D | Natural Hazards |
| Part 5E | Hazardous Facilities |
| Part 11 | Subdivision |
| Part 13 | Interpretations and Definitions |

B13-09 CONCEPT PLAN - MISSION BAY EAST

DOMINANT ACTIVITIES: MIXED USE DEVELOPMENT INCLUDING RESTAURANTS, ENTERTAINMENT FACILITIES, RETAILING AND RESIDENTIAL ACTIVITIES

Explanation

Mission Bay has in recent years developed its own special character, featuring modern entertainment facilities and a variety of restaurants. It is envisaged that further development will enhance this existing character. The Business 8 Zone at Mission Bay East covers a relatively large area of land under single ownership, which contains a mix of commercial, entertainment and residential activities. On one hand, the Concept Plan broadens the range of permitted activities (by contrast with previous district plan provisions) in recognition of such existing activities. On the other, it restricts the maximum height to protect the amenities of the adjoining residential areas to the east and to the south. The inclusion of provisions within the Concept Plan for both business and residential activities will provide flexibility for the future whilst ensuring the retention of a residential interface with the established residential area to the south of Marau Crescent. Specific provision has been made for carparking so that parking demand can be met within the development.

For the purpose of the following table:

P=Permitted Activity

C=Controlled Activity

D=Discretionary Activity

Any permitted activity marked # is subject to gross floor area limitations indicated in Clause 8.7.1.1 as they apply to the Business 2 Zone (Threshold Effect).



Those activities marked * are restricted controlled activities and applications may be considered without need for notification. (Refer Clause 4.3.2.5).

Those activities marked with a ** are restricted discretionary activities and applications may be considered without need for notification. (Refer Clause 4.3.2.6).

| ACTIVITIES | AREAS | | |
|--|-------|---|-----|
| | A | B | C |
| Access in the location shown in the Concept Plan diagram | C | C | |
| Ancillary activities | P | P | P |
| Boarding house/ hostel # | P | D | |
| Care centre | P | D | |
| Carparking and parking buildings, including parking required under Clause 12.8.1 for which a charge may be made, provided that no parking shall be permitted within 15 metres of the Tamaki Drive frontage | C | C | C |
| Cinemas | P | P | |
| Community welfare facility | P | D | |
| Construction of buildings and/or external alterations to buildings | C | C | D** |
| Dairy | | D | |
| Drive through facility | D | D | |
| Educational facility # | P | D | |
| Entertainment facilities other than cinemas | D | D | |
| Excavation as defined in Part 13 (refer to Clause 4A.2 for criteria and to Annexure 14 for silt and sediment control methods) | C | C | C |
| Earthworks over 25m ³ (refer Annexure 14 for silt and sediment control methods) | D | D | D |
| Healthcare services | P | D | |

| ACTIVITIES | AREAS | | |
|---|-------|----|---|
| | A | B | C |
| Home occupations | P | P | P |
| Laboratories | P | | |
| Offices | P | | |
| Outdoor eating areas | C | D | |
| Premises for cultural activity and/or natural display # | P | | |
| Public toilets | C* | C* | |
| Use of residential units for residential purposes | P | P | P |
| Residential units in an existing building | P | | |
| Restaurants, cafes and other eating places with a gross floor area of more than 100m ² # | P | | |
| Restaurants, cafes and other eating places provided that the gross floor area shall not exceed 100m ² | P | | |
| Retail premises # | P | | |
| Taverns, provided that the maximum gross floor area shall be 150m ² per premise, with a maximum aggregate gross floor area (within Area A) of 450m ² | C | | |
| Tourist complex # | C | D | |
| Use of artificial lighting, on a site, producing illuminance in excess of 150 lux, measured at any point on the site containing the light source, in a horizontal or vertical plane at ground level | D | D | |
| Visitor accommodation # | P | D | |
| Workrooms | P | | |
| Accessory buildings for any Permitted Activity | P | P | P |



STAGING OF DEVELOPMENT

Construction of buildings may not commence in Area B prior to the commencement of residential development throughout Area C. The use of buildings within Area B shall not be permitted until such time as buildings in Area C are substantially completed.

DEVELOPMENT CONTROLS

All development is subject to the development controls of Clause 8.8.3 except where otherwise specified in the Concept Plan.

1. Carparking and Access

The number of carparking spaces for new activities shall comply with Rule 12.8.1.1.

Access/egress within Areas A and B shall be limited to the locations indicated on the Concept Plan Diagram and as approved from time to time as part of a consent for activities on the site.

Within Area C, vehicle crossings on to Marau Crescent shall be limited to the equivalent number and width as existing accesses along the Marau Crescent frontage as of the date that the Concept Plan becomes operative, and shall only serve residential development within Area C.

2. Maximum Height

Area A - 10m

Area B

- (a) 10m for activities other than unenclosed decks of carparking buildings
- (b) 8m for unenclosed decks of carparking buildings within 20m of the Marau Crescent frontage of the zone
- (c) 9m for unenclosed decks of carparking buildings more than 20m from the Marau Crescent frontage of the zone

Area C - 10m

Note: For the purpose of calculating maximum height in Areas A, B and C account shall be taken of parapets but not of:

- (a) radio or television aerials; or
- (b) chimneys (not exceeding 1.1m in any horizontal direction); or
- (c) finials;

where the minimum height of 10m is exceeded by not more than 2.5m by structures in (a) and by not more than 1.5m by structures in (b) and (c).

3. Activity Buffer

Rule 8.8.3.6 shall not apply

- (a) **Area C** - Front yard - 1.5m over no less than 50% of the frontage to Marau Crescent.

- (b) Landscaping

Refer to Concept Plan Diagram.

4. Building in Relation to Boundary Control

Rule 8.8.3.5 shall apply and in addition all buildings adjoining a residential zone boundary shall comply with the minimum landscaping setbacks shown on the Concept Plan.

5. Pedestrian amenity and access

On that part of the frontage identified on the Concept Plan, a verandah shall be provided in accordance with the provisions of Clause 8.8.3.3 and in addition a pedestrian link shall be provided between Area B and Tamaki Drive, extending through Area A.

6. Retail frontage control

On all frontages identified on the Concept Plan, 75% of the site frontage at road level shall be devoted to display areas or windows. For the purpose of this control Automatic Dispensing Facilities (ADF's) shall be considered to be part of a display area. The identified frontage shall be fully occupied by buildings where a building is erected or altered in any manner which substantially changes the appearance of its facade.

7. Noise

- (i) Noise received on residentially zoned land

The noise from activities within or from the use of the site shall not exceed the following levels when measured at the boundary of any residentially zoned land:

| | L10 | LMax |
|---|------------|---|
| Mon to Sat 0700 to 2200 hrs | 50dBA | - |
| Sunday & Public holidays 0900 to 1800 hrs | 50dBA | - |
| At all other times | 50dBA | 75dBA or background (L95) plus 30dBA, which ever is the lower |



In addition to the above, noise from music associated with use of the site shall not exceed a level of PNC (*Preferred Noise Criterion*) 40 between 11pm and 9am when measured within any residentially zoned land.

- (ii) Noise received in residences in the Business 8 zoned site

Residential dwellings on the site shall achieve the following internal noise performance standards:

- Bedrooms: 35dBA Leq
- All other habitable rooms 40dBA Leq

- (iii) Noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound"

- (iv) Construction Noise

Noise from construction activities shall not exceed the limits recommended in, and shall be measured and any assessed in accordance with NZS 6803:1984 "The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work".

Assessment Criteria - Controlled Activities

In addition to the objectives and policies for the Business 8 zone, the following matters shall be taken into consideration in determining any conditions to be imposed:

- i) The contribution made by buildings to the maintenance or enhancement of visual amenity as viewed from public places.
- ii) The extent to which adverse effects of development are mitigated by such methods as the provision of screening, and the location and design of decks or balconies to provide reasonable standards of visual privacy for residential sites opposite or adjacent to the proposed development.
- iii) Whether the roof design of buildings presents an uncluttered and tidy appearance when viewed from residential properties overlooking the site and whether roof structures are in scale with the building(s).
- iv) The extent to which the utilitarian appearance of parking buildings and any related roof structures is mitigated by the use of cladding materials, glazing, roof and facade modulation, planter boxes or other landscaping, screening structures, building setbacks or other methods.
- v) In the event that the top deck of the carpark structure is unenclosed, the extent to which the roof treatment of the structure has been developed to prevent glare

from car windshields and from lighting and vehicle headlights during night time hours from affecting people in residential zones.

- vi) In the event that the top deck of the carpark structure is enclosed, the extent to which the treatment of its roof minimises effects on people in residential zones with particular reference to criteria (iii) and (iv) above.
- vii) The effectiveness of proposed landscaping in providing visual interest and screening from adjoining residential zones.
- viii) The extent to which any sources of illumination visible from residential zones are adequately diffused and designed to avoid glare.
- ix) Whether the activity will take place entirely within a building; whether there are aspects that have an outdoor component and any conditions that may be necessary to ensure mitigation or avoidance of adverse effects on the amenities of adjacent activities.
- x) The extent to which the facades of buildings used for residential activities are articulated by balcony fenestration, wall offsets and windows, proportion and spacings, building entrances and modulation.
- xi) The extent to which controls on the management of the premises, including any carparking building, are desirable to avoid, remedy or mitigate any potential effects on neighbouring residential amenity or traffic and parking conditions.

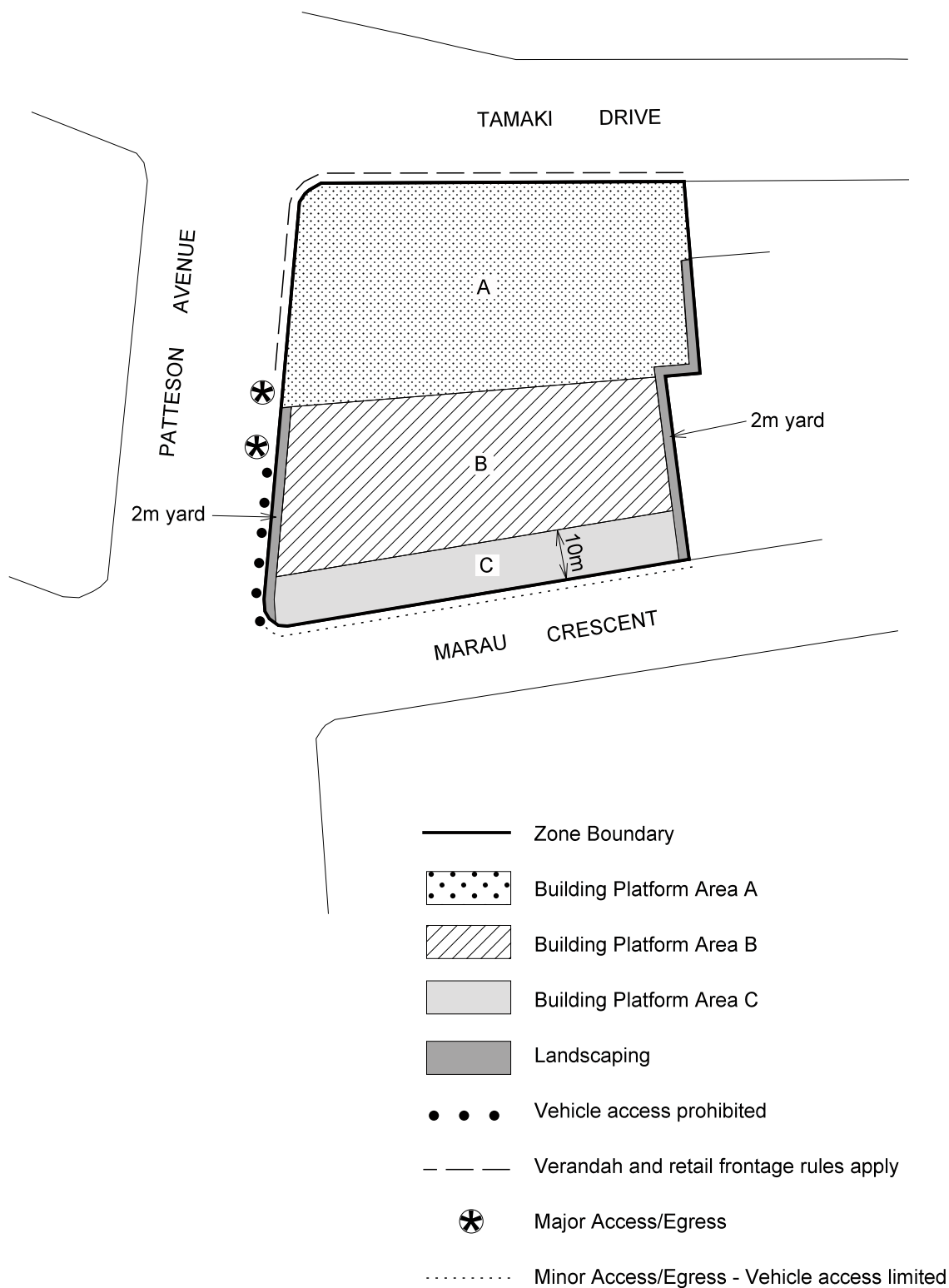
Assessment Criteria Restricted Discretionary Activities

In addition to the objectives and policies of the Business 8 zone, the Council's discretion in respect of restricted discretionary activities is limited to the matters raised in the assessment criteria for controlled activities set out above, together with the following:

- (i) the extent to which the design and size of proposed residential units provides an unacceptable degree of residential amenity for future inhabitants
- (ii) the extent to which the design and construction of the interface between the residential dwellings and any building immediately to the north contributes to and avoids unnecessary degradation of residential amenity for future inhabitants.

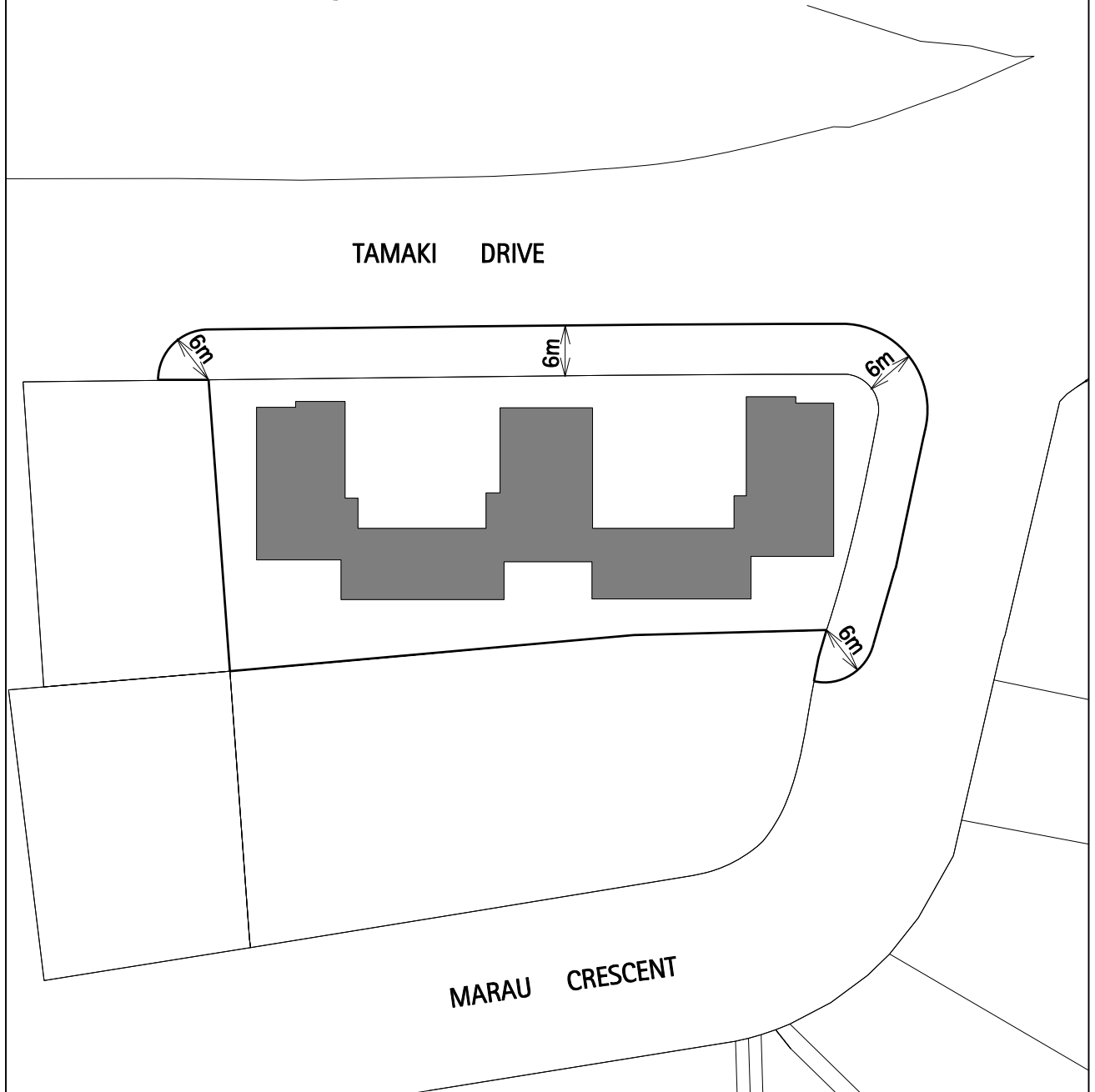


B13-09 Concept Plan · Business 8 Zone · Mission Bay East



**B13-11 SCHEDULED BUILDING - 105
TAMAKI DRIVE - GARDEN COURT
FLATS**

B13-11 Scheduled building - 105 Tamaki Drive - Garden Court Flats



B15-12 ST HELIERS CENTRE PLAN**A. INTRODUCTION****1. Background**

St Heliers is strongly defined by its relationship to the bay and beachfront, the Hauraki Gulf, Rangitoto Island and Tamaki Drive. These features have influenced the development of the commercial and residential activities. The St Heliers village (the commercial centre) is focused around St Heliers Bay Road and the waterfront. It has a significant number of buildings from the 1920's and 30's period, together with a very small number from 1860 to 1920, as well as a mix of more recently developed buildings. The character of St Heliers village is derived from a combination of this natural setting, the pattern of subdivision and roads, and the role these buildings play in defining the character and scale of the village.

The centre plan focuses on the existing commercial centre and recognises the particular factors that give it and its immediate environs its unique character. The centre plan contains measures that are designed to maintain and enhance the character of the St Heliers village and to promote its amenity values. The provisions recognise that while parts of St Heliers village have historic importance, its other intrinsic or character qualities are also worthy of retention and enhancement.

2. Character Definition

The character of a place is determined by a complex interplay between a range of factors including: topography; geology; climatic conditions; natural vegetation patterns; urban structure; mix and distribution of activities; pattern of built development; social and cultural associations with a place. Understanding the relationship between these different factors is complex but important in understanding the character values of a place.

The centre plan identifies the various elements which come together at St Heliers to create a distinctive place. By understanding how these elements contribute to form the physical environment, future development can be guided in a way that responds to and enhances the collective character of the centre. A description of the various elements that contribute to St Heliers' character follows:

- History;
- Landscape;
- Urban structure;
- Streetscape; and

- Built environment.

History

Te Pani-o-Horoiwi (Achilles Point) and Karaka Bay are of historic significance to the Auckland Region. The headland around the present Glover Park was fortified and formed part of a network of fortified pa that protected the navigable passages within the Hauraki Gulf. Karaka Bay was one of the locations around the country chosen for the signing of the Treaty of Waitangi.

The first auction of large blocks of land from the recently surveyed Ngati Paoa Tamaki Block took place in 1842 and St Heliers began as a number of settler farms. In the early 1880s farmland was subdivided in order to develop a 'model' seaside suburb of Auckland. With the completion of the wharf in 1882 St Heliers was initially popular as a holiday destination. Improved bus services affected the ferry services profitability and contributed to the wharf being demolished in 1930. With the opening of Tamaki Drive in 1931 the rate of growth accelerated further, and the village centre provided most services, supplies and entertainment for the surrounding community.

The urban structure and street pattern of St Heliers was based on a planned seaside settlement which has resulted in the existing grid with streets running perpendicular to Tamaki Drive and the waterfront and is a distinctive feature of this centre. The centre retains a range of building types from different periods which provide evidence of the historic development of the centre and how it has changed over time.

Landscape

St Heliers Bay is the eastern-most bay of a repeated pattern of small beaches separated by headlands and cliffs, forming a scalloped profile along Tamaki Drive. The bay lies between the prominent Waitemata Sandstone cliffs at Ladies Bay to the east, and the headland to the west at Kohimarama. The town centre forms the seafront focus of St Heliers Bay and is orientated towards its coastal setting. It is located on flat land set at the base of a small topographic amphitheatre, surrounded by residential development on the land sloping upwards to the south. The surrounding residential development has views of the village, the Waitemata Harbour and beyond. The large expanse of Vellenoweth Green, two large Moreton Bay Fig trees and the beach reserve along Tamaki Drive define the western entrance to the centre. Beyond Turua the land rises towards Achilles Point marking the eastern end of the centre.

Urban Structure

The urban structure of St Heliers is based on the intersection of Tamaki Drive and St Heliers Bay Road at the waterfront and the fact that only these two roads



connect continuously with the centre's hinterland. This explains the existing structure of primary and secondary commercial frontages and differentiation of character within St Heliers.

The grid street network in its amphitheatre setting, adjacent to a large open space and foreshore, defines the seaside village character of the town centre. The grid is modified and distorted inland as the topography becomes more elevated. Tamaki Drive stretches along the coastline, and the open space, harbour views form an important component of the character of the scenic entrance to the centre from the west. The retail precinct has a suburban character and is a compact, mixed use, pedestrian orientated centre. There is a wide variety of commercial, retail, restaurant/café premises as well as community facilities such as the St Heliers Community Library, the War Memorial Hall and police station. There is generally an integrated relationship between the village centre and the residential neighbourhood and the village has developed as an integral feature of the area.

Streetscape

The streetscape is the public realm from which we experience the character and amenity of a place. It is considered that there is generally a good relationship between the public and private realms on St Heliers Bay Road. With adequate sidewalks and continuous building frontages where windows, doors and verandahs are orientated towards the sidewalk forming a continuous street wall. The public realm on adjacent streets contrasts with the core area due to the lack of continuous frontage, set back of residential buildings and increased vehicle crossings for residential uses. The public realm along Tamaki Drive is defined by the relationship between the urban and coastal edges of the street. The distinctive Moreton Bay fig trees, Vellenoweth Green and residential and commercial development on the southern side of Tamaki Drive complement the seaside character along the water's edge. The point at which St Heliers Bay Road and Tamaki Drive intersect creates a focal point for the village.

Built Environment

St Heliers Bay road and Tamaki Drive are streets characterised by continuity of retail frontages, while others are characterised by a greater mix of use and building typology. Both these areas combine to establish the overall character of the centre, while each has different and distinctive character elements.

The built environment at St Heliers is characterised by a diverse range of building types and styles. The pattern of commercial development has been strongly influenced by the transport patterns to and from the bay. Early buildings were of small-scale domestic type construction. The 1920's and 1930's established the pattern of development and architectural form and it is

this basic configuration that remains today, although some key buildings have been demolished and others altered. The scale of buildings is generally small, with one or two storeyed buildings on smaller lots. A few taller buildings exist, which are noticeably higher than the predominantly one and two storey buildings. Some of the single story buildings have feature parapets that strengthen the streets vertical element. Where larger development has occurred in the 1920's and 1930's the facades have been articulated to give the appearance of individual smaller scale buildings. The majority of older buildings have pitched roofs and this contributes to the character of the built environment, especially when viewed from the surrounding residential properties. The character and scale of the surviving early buildings establish a seaside character that is a primary asset of St Heliers.

The seaside location and lifestyle has resulted in an overall built pattern that connects the public and private realms. An important built feature is the way public streets and private development meet at the common boundary to create "in-between" spaces, such as porches, verandahs, terraces and courtyards that support the seaside lifestyle.

3. Centre Plan Approach

The centre plan utilises controls that seek to retain and enhance the character of St Heliers. Based on an understanding of the historic development and analysis of the urban character of St Heliers village, the elements which contribute to character of the different street environments have been identified.

Surviving early buildings in the centre are an important asset. Sympathetic development will provide a high quality, authentic identity by reinforcing the village's unique qualities in each of the character dimensions. The intention is not to 'freeze' the built environment. It is proposed that having defined the elements that give particular character to the area that change can be managed to protect the distinctive character of the village. Innovative and congruent development likely to add to the attributes of St Heliers village will be encouraged under such a regime.

Although centre plans are usually applied to business centres zoned Business 2 or 3, the District Plan provides for the inclusion of land with other zoning's where such land forms part of the identified business centre. The area covered by the St Heliers centre plan is set out on the attached map and includes land zoned Business 2 and Residential 6b. The inclusion of the residential zoned sites acknowledges the important part in St Heliers village's commercial area these buildings play. The residential zoned sites contribute to the mixed-use environment of the village.



APPENDIX B (PLANNING MAPS)

The Residential 6b zone is a medium intensity residential zone and has reasonable access to open space, leisure, transport and business areas. A wider range of activities is permitted than in lower density zones and greater height and bulk of building is envisaged. In St Heliers village there are several sites zoned Residential 6b located on Polygon Road. Currently, these sites are principally used for non-residential purposes.

4. Traffic and Parking

Tamaki Drive is part of the scenic route that extends eastwards from Auckland's central business district. It is a popular tourist route and is used extensively by cyclists, joggers, roller-bladers and other recreational users. The demand for parking generally falls into three broad categories: residential, commuter and visitor (comprising shoppers, tourists, visiting business people etc). Each group has unique parking requirements. Consequently, traffic and parking conditions vary considerably throughout the year depending on the season, the time of day and weather conditions.

As with other traditional commercial areas throughout Auckland, much of St Heliers was developed before cars were widely used, so many established commercial premises do not provide on-site car parking. This places pressure on the available on-street parking. Feedback from the community indicates that parking is considered a problem in St Heliers, because most of the available parking spaces in the commercial area are often occupied. This inconvenience may deter shoppers and others from visiting the area and prevent local businesses from achieving their full potential. At times there is difficulty when delivery vehicles double-park to deliver goods and prevent vehicles from travelling freely through the village area.

Pedestrian access to and around the village is currently functional with footpaths of reasonable width and condition. However, there is conflict between the location of pedestrian crossings on both Tamaki Drive and St Heliers Bay Road and vehicular traffic. Feedback from the community also raised concerns regarding the location of bus stops adjacent to café/restaurant establishments with outdoor dining.

To address these concerns a parking plan is being developed for St Heliers. This will develop short and long term strategies to address the traffic and carparking concerns for St Heliers.

The centre plan provides for an exemption from the required parking spaces in certain circumstances to retain and encourage the continuity of retail frontages.

5. Open Space

Open space is an important part of the fabric of St Heliers. It has many layers - parks, reserves, streets,

beaches and trees. While these controls seek to maintain and enhance the character of St Heliers village, it is acknowledged that the design and appearance of works within open space will affect its character. Therefore, the Council will promote works within the open space, both adjacent to and within the centre plan area, that are sympathetic to the aim of the St Heliers centre plan.

6. Activity Provisions and Development Controls

Unless specifically stated the provisions of the St Heliers centre plan are in addition to the existing District Plan controls for the sites within the centre plan. However, some controls, such as parking exemptions, supersede standard controls.

For those properties zoned Residential 6b the activity provisions contained in this centre plan are in addition to those contained within section 7 of the District Plan.

Sites fronting parts of St Heliers Bay Road, Tamaki Drive, Turua and Maheke Streets and Polygon Road are affected by both the Retail Frontage and Verandah controls under 8.8.1.3 A and B of the District Plan. Parts of the centre plan are also subject to Tamaki Drive Scenic Way provisions in section 5C.7.7 and the coastal management area provisions in section 5B.7 of the District Plan.

The District Plan denotes Tamaki Drive west of St Heliers Bay Road as a district arterial road. East of St Heliers Bay Road, Tamaki Drive is a collector road. St Heliers Bay Road is also a district arterial road. Maheke and Turua Streets and Polygon Road are local roads.

7. Designations

Existing designations within the centre plan area are detailed in Appendix A and B to the District Plan Planning Maps. The area of the centre plan contains a designated site on Polygon Road. This item is indicated on the District Plan planning maps and is detailed in Appendix B to the District Plan.

- Council reference: C15-07 - Council Carpark, Polygon Road.

8. Scheduled Items

The centre plan area contains one scheduled building, the St Heliers Community Library located on the corner of Polygon and St Heliers Bay Roads. This item is indicated on the District Plan Planning Maps and is detailed in Appendix A to the District Plan.

- Council reference: C15-11 - Building Scheduled for Protection

These items are subject to the rules contained in Part 5C - Heritage of the District Plan that override the provisions contained in the centre plan.



9. Signs

All signs shall comply with the Auckland City Council Signs Bylaw 2007. The area covered by the St Heliers centre plan is a 'special character area' for the purpose of administering the provisions relating to signs in the Bylaw.

Signs should be at a scale and design that does not visually dominate or detract from the visual amenity of the Centre. The design and placement of signage, particularly above verandah level, should not conceal architectural detail and should sensibly relate to the proportions and architectural style of the building façade. Signage should not be painted directly onto building façades, unless there is precedent on individual buildings for this. Signs should also be to a human scale and orientated to pedestrians, being visible at street level.

For the purpose of this centre plan, the use of the word 'alterations' does not include signs.

The Auckland City Council Billboards Bylaw 2007 currently does not provide for billboards in the Business 2, or Residential 6b zone.

For signs on scheduled buildings, the provisions in Part 5C of the District Plan should be referred to.

10. Antennas, aerials, mechanical and electrical devices attached to buildings

Section B Activities contains controls for attaching a transmitting or receiving antenna, aerial, mechanical or electrical device to a building within the centre plan to ensure that the visual effects of these devices are no more than minor, by avoiding, remedying or mitigating these effects.

B. ACTIVITIES

1. Activities

The following table outlines the activities provided for in the centre plan area.

| Activities | Activity status |
|---|-----------------|
| Demolition or removal of buildings where resource consent has been granted for a replacement building | C |
| Demolition or removal of buildings where resource consent for a replacement building has not been granted | D |
| Construction and/or relocation of new buildings | RD* |

| Activities | Activity status |
|--|-----------------|
| External alterations and additions to existing buildings (except for their redecoration, maintenance or repair) | RD* |
| Redecoration, maintenance, repair and internal alterations to existing buildings | P |
| Development of the site at Pt 24 & 25 BLK DP 410 CT NA623/103 (448m ²) and PT 24 & 25 BLK DP410 CT NA 624/111 (465m ²) which exceeds the Frontage Set Back Control C1 in the centre plan | RD* |
| External alterations and additions to existing buildings and new buildings zoned Business 2 which exceed the Frontage Set Back Control C1 in the centre plan. | RD** |

- Those activities marked with a * are restricted discretionary activities (refer to clause 4.3.2.6 RESTRICTED DISCRETIONARY ACTIVITIES for public notification and service requirements)
- Those activities marked with a ** are restricted discretionary activities but are subject to the normal requirements for notification in accordance with the relevant sections of the RMA.

2. Conditions for demolition of Buildings as Controlled Activities

Conditions will be imposed on resource consent for demolition of buildings:

- a) to link timing of demolition with commencement of replacement building on the site;
- b) to provide for the management of the condition of the site between demolition and commencement of the replacement building. This condition may include requirements with respect to prevention of dust nuisance, safety and visual amenity.

3. Criteria for assessing applications for resource consent and limits to discretion for restricted discretionary activities

In considering an application for a resource consent, the Council will have regard to Part 4 of the District Plan, General Provisions and Procedures, and assess the application against the following matters. The Council's discretion with respect to activities to which clauses 3.1, 3.3 and 3.4 refer is restricted in each case to the matters set out in those assessment criteria, and where development control modification is required the matters set out in clause 4.3.1.2B.



APPENDIX B (PLANNING MAPS)

3.1 Assessment criteria for alterations and additions to existing buildings

- a) The extent to which the additions and alterations maintain the integrity of existing buildings on the site. In particular, consideration should be given to the overall building footprint, form, mass, scale, proportions, its relationship to the street and its overall contribution to the St Heliers centre character;
- b) The extent to which detailed design features are compatible with key architectural features of the existing building;
- c) The extent to which materials and colours are compatible with the existing building;
- d) The extent to which the design of verandahs is compatible with the architectural form of existing or surrounding buildings.

3.2 Assessment criteria for the demolition or removal of buildings as Discretionary Activities

- a) The extent to which the particular attributes of the building contributes to the character of the village. (Refer to the character definition under section A.2. Character definition).
- b) The building's structural or physical condition and whether rehabilitation of it is economically feasible.

3.3 Assessment criteria for new development

- a) The extent to which the new building responds to the elements that contribute to the character of St Heliers having regard to:
 - The contribution any existing building on the site previously made to the character of St Heliers;
 - Where within the centre plan area the site is located.

In relation to the above, refer to the character definition (under section A.2. Character Definition).

- b) The extent to which site development responds to features of the surrounding context including: topography, streetscape character, scale and pattern of the public/private interface.
- c) On site parking and vehicle circulation areas should not visually dominate views of the site from the surrounding public realm;
- d) For development across two or more sites, whether the sites are amalgamated or not, the extent to which:
 - The clarity of the rectilinear grid structure is maintained or enhanced;

- The number, variety, scale and quality of public spaces (streets, lanes, alleys, squares and/or parks) are maintained or enhanced;
 - Pedestrian permeability and comfort is maintained or enhanced;
 - The configuration of development and building design has regard to the existing or original street subdivision pattern and the extent to which buildings are articulated to avoid potential adverse effects of scale and bulk.
 - The visual interest at street level is maintained in order to enhance the pedestrian amenity of the street environment. Buildings should be designed to front streets, concentrating main entrances and windows on frontages facing the street.
- e) The extent to which the development incorporates any recessed street frontages to create transitional open spaces for outdoor dining, seating, planting or other uses where appropriate;
 - f) The extent to which building elevations are modulated with vertical elements (such as structural bays and windows), and horizontal elements (such as verandahs, cornice and parapet lines). Blank walls visible from surrounding streets should be avoided where possible;
 - g) The extent to which the scale of proposed building elements is compatible with that of existing buildings in the vicinity. In particular, where a proposed building is higher than an existing adjoining building to reduce the dominance of upper levels, consideration shall be given to differentiating upper storeys from lower storeys. For example, this can be achieved by setback from the frontage, by change of building form, by change of building materials/colour or by other appropriate design variation.
 - h) The extent to which the roof design maintains or contributes to the varied roofscape of the centre as viewed from the surrounding residential area.
 - i) The extent to which rooftop projections including towers, chimneys, lift towers, machinery rooms, air conditioning equipment, ventilation ducts and equipment, or water towers are integrated in an architecturally attractive manner as part of the overall design of the building.
 - j) In addition to the above, the extent to which the building addresses the topographical difference between Polygon Street and Turua Street at the south eastern end where these streets intersect and Polygon Street sits at a higher level than the lower generally flat plane facing St Heliers Bay. The building could sit higher at the Polygon Street level and follow a reducing height towards the north.



3.4 Assessment criteria for new development (including additions and alterations to existing buildings) where the centre plan frontage setback control is exceeded

- a) Where the proposed development exceeds the frontage setback control the extent to which the upper levels of the proposed building are differentiated from the lower levels generally at the 8.5m frontage.
- b) The extent to which the building addresses the spatial relationship of the built form to the street and the location and context of the site and building within the centre plan.
- c) The extent to which the upper levels of the building are set back from the street frontage and articulated so as to avoid dominance of the upper levels and to maintain the characteristic open aspect ratio of built form to the street.
- d) The extent to which the building design offers a visually 'light' upper level structure.

Explanation

The various attributes of the buildings, their settings and respective land uses of St Heliers village are features that create lively, people-friendly streets. Buildings that have a human scale due to appropriate building bulk, mass, and scale enhance this attribute. Some buildings contribute to the Centre's character through their historical associations. It is important that developments respond to key features that contribute to the character of St Heliers (as described in Section A.2.) in a sympathetic manner and foster the existing sense of human, resulting in a cohesive and attractive streetscape and overall village character.

New buildings should be designed and finished in a way that contributes to the specifically identified character of the Centre while still allowing for innovation in design. It is acknowledged that innovative design can add to the uniqueness of town centres, with modern buildings co-existing with older architecture. New developments can be valued for their own contribution to the visual vitality of the town centre.

It is recognised that there is the possibility of amalgamation and comprehensive redevelopment of multiple sites within the centre plan area. Development of such larger sites requires wider urban design considerations, such as the provisions of open space and pedestrian permeability.

4. Installation, operation and maintenance of antennas, aerials, mechanical and electrical devices on buildings within the centre plan area/town centre area

Note: These provisions do not apply to the installation of any radio or television antenna for residential purposes.

A. The installation, operation and maintenance of any antenna, aerial, mechanical or electrical device on an existing building is a permitted activity, provided that:

- i) The antenna, aerial, mechanical or electrical device is not visible when viewed from street level from any part of any road which is located within the centre plan or character overlay, for example, the device is hidden from view behind a parapet or other architectural/building feature, is obscured from view by a neighbouring building, or is at the rear of the building; or

ii) The antenna, aerial, mechanical or electrical device meets the following standards:

- There shall be a maximum of three such devices on any one building; and
- The antenna, aerial, mechanical or electrical device shall have a maximum height (including mounts and supporting structures) of 1.95m; and
- The maximum area of any face of the antenna, aerial, mechanical or electrical device shall not exceed 0.5m²; and
- The antenna, aerial, mechanical or electrical device shall be attached to the building in such a way that it is no higher than that part of the building directly behind the device as observed from street level within the centre plan; and
- The antenna, aerial, mechanical or electrical device shall be colour matched to that part of the building to which it is attached; or

iii) Where an antenna, aerial, mechanical or electrical device is attached to the front facade of a building the following standards shall apply in addition to the requirements of 4.A(ii):

- the antenna, aerial, mechanical or electrical device shall have a maximum horizontal projection out from the front facade of the building of 450mm; and
- Notwithstanding the maximum area and height provisions of 4.A(ii), the maximum width and height of any antenna, aerial,



APPENDIX B (PLANNING MAPS)

mechanical or electrical device shall be 350mm; and

- The antenna, aerial, mechanical or electrical device shall be located above verandah height, or where there is no verandah, above the height of the main windows facing the street; and
- There shall be a maximum of three such devices on a building.

Notes:

- Electrical devices do not include lighting.
- For the avoidance of doubt, devices which fall within clause 4.A(i) are not subject to the requirements of clause 4.A(ii) and (iii).
- Where any antenna, aerial, mechanical or electrical device is covered for the purpose of complying with clause 4.A, the covers are not an external alteration or addition for the purposes of clause Rule 5C.7.10.3(2.0)(A).

- B. The installation operation and maintenance of any antenna, aerial, mechanical or electrical device on an existing building and that which does not meet the permitted standards set out in clauses 4. A(i), (ii) and (iii) above is a restricted discretionary activity.

In considering an application for a restricted discretionary activity under clause 4.B, the Council will have regard to the extent to which the application meets the permitted activity standards set out in clause 4.A(i), (ii), and (iii) above and the Telecommunications Design Guidelines (contained within Appendix 11 to the Plan).

C. DEVELOPMENT CONTROLS

1. Frontage setback control

No building shall exceed a height of 8.5m above ground level (measured at the front boundary of the site) for a distance of 2.5m in depth (measured from the front boundary of the site). Refer to Figure 1.

Exceptions to development control C.1.

The following are permitted activities:

- The construction of a balcony or parapet that penetrates the frontage setback control by no more than 1.5 metres.
- The construction of a sloping roof that penetrates the frontage setback control at an angle no greater than 45 degrees commencing no higher than 9.5m on the frontage.

Refer to Figure 2 for an explanation of the exceptions to development control C.1.

Figure 1

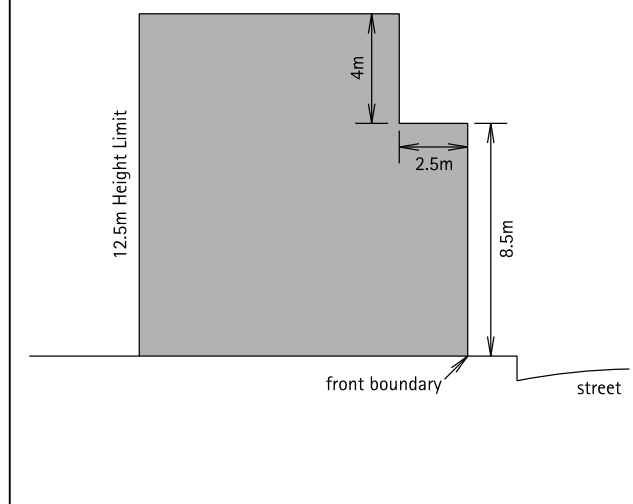
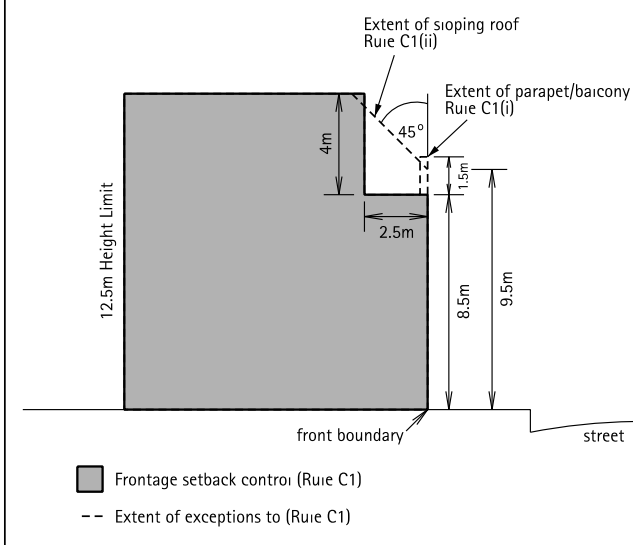


Figure 2



Provided that:

- In the case of the development of the sites at Pt 24 & 25 BLK DP410 CT NA623/103 (448m²) and PT 24 & 25 BLK DP 410 CT NA 624/111 (465m²), development which exceeds the above frontage setback control is provided for as a restricted discretionary activity (activity table B) and will be



assessed against the assessment criteria for new buildings and particularly criterion 3.3(j).

- b) Discretion is provided in certain circumstances to exceed the setback control as a restricted discretionary activity provided for in activity table B and the relevant assessment criteria.

2. Access and parking

2.1 Vehicle crossings

No new vehicle crossing shall be permitted to sites within the centre plan area zoned business 2 that front Tamaki Drive, St Heliers Bay Road and the north side of Polygon Road between Maheke Street and St Heliers Bay Road.

No new vehicle crossing shall be permitted to sites within the centre plan area zoned Business 2 that front Maheke Street, Turua Street and the north side of Polygon Road between St Heliers Bay Road and Lombard Street where vehicular access to such a site for parking and loading is available by other means, such as rear service lanes, right of ways or from side roads.

Explanation

Vehicle crossings may interfere with the movement of pedestrians and detract from the continuity of retail frontage. For sites zoned Business 2 that front Tamaki Drive, St Heliers bay Road and the north side of Polygon Road between Maheke Street and St Heliers Bay Road new vehicle crossings are not encouraged regardless of whether access is available by other means. For other sites new vehicle crossing are discouraged where vehicle access is available by other means.

2.2 Location of parking and loading areas/spaces

On all sites included in the Centre Plan, parking and loading spaces (including surface parking lots and carparking buildings) shall not front Tamaki Drive, St Heliers Bay Road, Turua Street, Polygon Road, or Maheke Street.

Explanation

On-site carparking that fronts the streets that form part of the centre plan area should be avoided so that it does not dominate views of the site from the public realm.

2.3 Parking exemption

All sites having frontage to Tamaki Drive, St Heliers Bay Road or the north side of Polygon Road between Maheke Street and St Heliers Bay Road, with an overall site area of less than 900m² are exempt from on-site parking requirements of the District Plan. This exemption does not apply to any residential component of the development.

For the avoidance of doubt this exemption does not apply to sites which have frontage to Polygon Road

other than between Maheke Street and St Heliers Bay Road, and between St Heliers Bay Road and Turua Street. It does apply to sites located on the corner of Tamaki Drive and St Heliers Bay Road.

When assessing the car parking requirements for the residential component of the development the following assessment criteria will apply in addition to those in Part 12:

- a) In lieu of providing the required parking on the subject site, consideration will be given to the ability of the applicant to provide the required car parks on another site within the vicinity of the subject site.

Explanation

Continuity of retail frontage to Tamaki Drive, St Heliers Bay Road and the north side of Polygon Road between Maheke Street and St Heliers Bay Road, is an important outcome that should not be compromised by the requirement to provide parking and access thereto on every site fronting these primary activity streets. However, it is acknowledged that there is potential for a comprehensive development to occur which may generate considerable parking demand. The benefits of providing an exemption for on-site parking, such as continuity of retail frontage, should be carefully considered against the impact of greater demand for off-site parking.



**B16-01 CHURCHILL PARK PRIMARY
SCHOOL, RIDDELL / ABBINGTON
PLACE**

Development to be in accordance with the following -

1. The following trees shall not be cut, damaged, altered, injured, destroyed or partly destroyed other than in accordance with an outline plan submitted and processed in terms of Section 176A of the Resource Management Act 1991:

- indigenous trees (including the roots) over 6m in height or with a girth (measured at 1.4m above the ground) greater than 600mm;
- exotic trees (including the roots) over 8m in height or with a girth (measured at 1.4m above the ground) greater than 800mm.

In the case of a tree with multiple trunks (such as pohutukawa) the girth measurement shall be the aggregate or collective measurement of all trunks which have a circumference of 250mm or more.

Provided that regular minor trimming or maintenance effected by hand operated secateurs or pruning shears, may be undertaken in accordance with accepted arboricultural practice, and that removal or trimming required to safeguard life and property is permitted without an outline plan.

2. No works shall be carried out within the dripline of the following trees other than in accordance with an outline plan submitted and processed in terms of Section 176A of the Resource Management Act 1991:

- indigenous trees (including the roots) over 6m in height or with a girth (measured at 1.4m above the ground) greater than 600mm;
- exotic trees (including the roots) over 8m in height or with a girth (measured at 1.4m above the ground) greater than 800mm.

In the case of a tree with multiple trunks (such as pohutukawa) the girth measurement shall be the aggregate or collective measurement of all trunks which have a circumference of 250mm or more.

B16-02 Land Subject to Archaeological Feature for Protection, The Rise, St Heliers



3. Carparking shall be provided at the rate of two carparks per classroom, except where the Council accepts, on the basis of a specifically commissioned parking study by an appropriately qualified engineer, that a lesser level is appropriate.
4. Unless lapsed prior to 15 June 2010, the expiry date of this designation was extended to 1 November 2015, by S78 of the Local Government (Auckland Transitional Provisions) Act 2010.

Plan change annotations - key



Indicates where content is affected by proposed plan modification x.
Refer to plan modification folder or website for details.



Indicates where the content is part of plan modification x, which is subject to appeal.

Underlined content to be inserted.

~~Struck through~~ content to be deleted.

