

**REQUEST FOR A CHANGE
TO THE OPERATIVE AUCKLAND CITY DISTRICT PLAN
(ISTHMUS SECTION) 1999 UNDER SCHEDULE 1
OF THE RESOURCE MANAGEMENT ACT 1991**

TO: The Auckland City Council

WESTFIELD NEW ZEALAND LIMITED ("**Westfield**"), requests a change to the Auckland City District Plan (Isthmus Section) 1999 ("**Isthmus Plan**") as described below:

1. Plan Change Requested:

- 1.1 Westfield requests a change to the Isthmus Plan in respect of all the land shown in **Schedule 1** to this plan change application to expand the Business 8 zoned land occupied by Westfield St Lukes shopping centre to incorporate additional properties and other land.
- 1.2 The proposed provisions for the expanded Business 8 Zone include a Concept Plan. The Business 8 Concept Plan is attached at **Schedule 2**.
- 1.3 The proposed zone would include the property titles which are listed in **Schedule 3** and attached as a separate volume. Westfield owns all of these properties. It is proposed that the expanded Business 8 zone will also incorporate the southern leg of Exeter Road currently owned by Auckland City Council. This part is proposed to be stopped and closed as it is surrounded by Westfield properties and only used to access them.

2. The Purpose of the Plan Change Requested:

- 2.1 The purpose of the proposed Plan Change is to enable the future expansion of Westfield St Lukes in a planned and coordinated manner and to provide certainty to the surrounding neighbours as to the anticipated extent of the expansion.
- 2.2 The Plan Change enables new controls for the Business 8 zone through a Concept Plan to ensure a better design outcome for future development than is possible under the existing shopping centre provisions, and in accordance with current initiatives on good urban design principles.

3. The Reasons for the Plan Change Requested:

- 3.1 The reasons for this Plan Change are set out in the supporting documents.
- 3.2 The Isthmus Plan indicates that the Business 8 zone is the preferred zoning classification for large comprehensively designed commercial centres. Therefore the application has adopted this zoning for the expanded shopping centre.
- 3.3 The main component of the Business 8 zone is a Concept Plan. This is a unique comprehensive planning code for the site, comprising a diagram and planning rules and assessment criteria drafted specifically for the site.

3.4 The principal focus of the Concept Plan is to allow flexibility for the configuration of the centre's expansion and enable a range of permitted activities, while including a set of provisions to suitably manage potential external effects. It is intended that, when fully developed in accordance with the Plan Change provisions, St Lukes will function as a town centre to a greater extent than it does at present, with a community focus at its northern extremity.

4. Section 32 Analysis:

4.1 A Section 32 analysis has been prepared with respect to the proposed Concept Plan.

4.2 The proposed provisions are consistent with the requirements of s32 of the Act, in that each of the new provisions is considered an efficient and effective method of achieving the purpose of the Act, and the proposed objectives, policies and methods will achieve integrated management of the effects of the use, development or protection of the land within and around the zone and the associated natural and physical resources of the District.

4.3 Details of the effects arising as a result of this request, and other matters required to be addressed pursuant to the Fourth Schedule of the Resource Management Act 1991 and the relevant provisions of the Isthmus Plan and the Auckland Regional Policy Statement and applicable Plans, are fully described in the Assessment of Environmental Effects accompanying this application.

4.4 A full list of documents supporting the Plan Change application is attached at **Schedule 4**.

Signature:

Westfield New Zealand Limited

By its solicitors and authorised agents Russell McVeagh



Derek Nolan

Date:

1 December 2008

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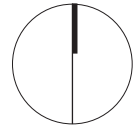
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




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SCHEDULE 1: Re-zoning Plan



-  Existing Business 8
-  Rezone Residential 6A to Business 8
-  Rezone Business 4 to Business 8
-  Rezone Road (to be closed) to Business 8
-  Rezone Residential 7B to Business 8

SCHEDULE 2: Business 8 Concept Plan

EXPLANATION

Westfield St Lukes is one of Auckland's premier shopping destinations and performs the role of anchor for the wider St Lukes centre. It is strategically located within the western part of the Auckland Isthmus and is well connected to the surrounding road network. Several bus routes serve the centre and the Morningside Railway Station is within walking distance.

The Concept Plan enables the future expansion and redevelopment of Westfield St Lukes. The principal focus of the Concept Plan is to allow flexibility for the configuration of the centre's expansion and enable a range of permitted activities, while including a set of provisions to suitably manage potential external effects.

The Concept Plan facilitates an extension to Exeter Road (as a private road linking Exeter Road and Aroha Avenue) that will provide safe, pleasant and convenient pedestrian access to the shopping centre from the residential areas to the east as well as promoting a pedestrian oriented focus for the expanded centre. Rules and assessment criteria are included to ensure a high level of pedestrian amenity and lower priority for motor vehicles along this road.

Overall and specific floor area limitations reflect the level of development considered appropriate and sustainable, particularly in terms of traffic effects. In addition to the lateral expansion of the centre enabled by the Concept Plan, the height limits allow the opportunity for flexibility in the configuration of floor area, including higher buildings on two prime corners of the site, and a mixture of uses. Around the entire perimeter of the site, a system of interface controls apply in order to ensure that adverse effects of new development on adjoining properties are avoided or mitigated.

PART A ACTIVITIES

Part A is to be read in conjunction with Part B – Development Controls

AREA A

Dominant Activities

Retail, entertainment, restaurants, cafes and other eating places.

Permitted Activities

- Bus transfer stations
- Care centres
- Carparking ancillary to permitted or approved activities
- Community welfare facilities

- Educational facilities
- Entertainment facilities[#]
- Garden centres
- Healthcare services
- Laboratories
- Offices*
- Places of assembly
- Premises for cultural activity and/ or natural display
- Residential units
- Restaurants, cafes and other eating places[#]
- Retail premises[#]
- Taverns[#]
- Visitor accommodation
- Warehousing & storage
- Workrooms
- Accessory buildings or ancillary activities for any of the permitted activities listed in this table
- Internal alterations to existing buildings
- The construction of, or any addition to, building(s) which:
 - are not within 30m of a site boundary; and
 - which increase the gross floor area on the site by less than 500m²

Restricted Discretionary Activities

- Drive-through facilities.

AREA B

Dominant Activities

Retail, offices and community facilities

Permitted Activities

- Care centres
- Carparking ancillary to permitted or approved activities
- Community welfare facilities
- Educational facilities
- Garden centres
- Gymnasiums, sauna or figure control clinics
- Healthcare services
- Laboratories
- Offices*
- Places of assembly
- Premises for cultural activity and/ or natural display
- Residential units
- Restaurants, cafes and other eating places[#]
- Retail premises[#]

- Visitor accommodation
- Accessory buildings or ancillary activities for any of the permitted activities listed in this table
- Internal alterations to existing buildings
- The construction of or any addition to building(s) which:
 - are not within 30m of a site boundary; and
 - which increase the gross floor area on the site by less than 500m²

AREAS A and B

Note: Those activities marked # and * are subject to the Specific Floor Area Limitations in Part B3 of this Concept Plan.

Restricted Controlled Activities

- Any activity providing parking for more than 100 vehicles
- The construction and use of the proposed private link road from Exeter Road to Aroha Avenue

Restricted Discretionary Activities

- The construction of or any addition to building(s) not provided for as a permitted activity.
- The location of vehicle or pedestrian access not meeting the requirements of Part B6 of this Concept Plan.
- Parking, loading or access provisions not meeting the requirements of Part B7 of this Concept Plan.
- Subdivision.
- The use of artificial lighting, on a site, producing an 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.
- Exterior signs which are part of an activity or development requiring resource consent.
- Alteration or removal of trees, or work within the dripline of trees, not otherwise exempt by Part B8 of this Concept Plan from the tree protection measures of Clause 5C.7.3.3C.

Discretionary Activities

- Any activity not listed as a permitted, controlled or restricted discretionary activity and which complies with the development controls for the site
- Except where otherwise specified, any permitted, controlled or restricted discretionary activity not complying with a development control in Part B shall be assessed as a discretionary activity under Clause 4.3.1.2B Development Control Modification.

PART B DEVELOPMENT CONTROLS

B1. Building Location

Building development may take place anywhere on the site, subject to the Interface Controls set out in Part B4 of this Concept Plan.

B2. Maximum Height

2.1 The maximum height of any new building shall be in accordance with the following table provided that individual building elements above a height of 20m in Height Areas 2 and 3 shall not have a floor plate that exceeds 1,500m² in area.

Height Area	Height above Datum	Datum	Datum RL
1	20m	Morningside	36.35
2	40m	Morningside	36.35
3	30m	Aroha	41.01
4	15m	Aroha	41.01
5	12.5m	Aroha	41.01

Refer to diagram E06-05(2) attached for Datum locations.

2.2 For the purpose of assessing compliance with the maximum height rule, no account shall be taken of any radio, television or communications aerials, ancillary plant or machinery room structures, which may collectively occupy up to 10% of the roof area of any building, provided such structures do not exceed the maximum height limit by more than 6m.

B3. Site Intensity

3.1 Overall Gross Floor Area Limitation

- The maximum Gross Floor Area on the site is 92,500m².

3.2 Specific Gross Floor Area Limitations:

- The maximum Gross Floor Area for a combination of retail, entertainment facilities, taverns and cafes, restaurants and other eating places, is 77,500m².
- The maximum Gross Floor Area for Offices is 15,000m².

B4. Interface Controls

The following interface controls shall apply to any new building, or addition to an existing building, which is not provided for as a permitted activity. For clarity, these controls do not apply to existing buildings.

4.1 Type A – Street Interface

- (a) New development shall incorporate a 3m landscaped strip along the road boundary (except where occupied by vehicle or pedestrian access) and shall comply with a building in relation to boundary control of 12 metres plus the shortest horizontal distance between that part of the building and the road boundary. The landscape strip shall be densely planted with trees and shrubs. Planting shall include specimen trees

at a minimum of one every 6.5 metres. The specimen trees shall be of a species which will achieve a minimum height of 8 metres or more at maturity and shall be of a planting grade of 160 litres or larger.

4.2 Type B - Open Space 4 Interface

- (a) New development shall comply with a building in relation to boundary control of 2 metres plus the shortest horizontal distance between that part of the building and the site boundary, excluding any covered walkway or pedestrian link that provides 'pedestrian circulation' between the site and the Open Space 4 zone.

4.3 Type C - Street Interface

- (a) New development shall incorporate a landscaped area not less than 50% of that part of the site between the road boundary and a parallel line 3m therefrom. The landscaped strip shall be densely planted with trees and shrubs and, where provided, shall include specimen trees at a minimum of one every 6.5 metres. The specimen trees shall be of a species which will achieve a minimum height of 8 metres or more at maturity, and shall be of a planting grade of 160 litres or larger.

4.4 Type D - Street Interface

- (a) Continuous pedestrian shelter shall be provided along the site frontage except for that area of frontage occupied by vehicle crossings. The shelter shall have a minimum height of 3m and a maximum of 4.5m above the footpath immediately below. The shelter shall be located no closer than 600 millimetres from the kerblines of the road and, where practicable, shall have a minimum width of 2.5 metres.
- (b) 50% of the façade of buildings at ground level shall comprise glazing and pedestrian entries.
- (c) Glazing and balconies shall comprise no less than 30% of the surface area of the upper level façade of any building.
- (d) The minimum height of building facades shall be 6 metres.
- (e) No parking shall be located in front of a building at ground level. Parking at or above street level within a building shall be located more than 10m from the site boundary.

4.5 Type E - Street Interface

- (a) Continuous pedestrian shelter shall be provided along the site frontage except for that area of frontage occupied by vehicle crossings. The shelter shall have a minimum height of 3m and a maximum of 4.5m above the footpath immediately below. The shelter shall be located no closer than 600 millimetres from the kerblines of the road and, where practicable, shall have a minimum width of 2.5 metres.

- (b) Buildings shall directly abut street frontages for not less than 50% of their length with no part of the building façade located further than 5 metres from the street frontage at ground level. Where the building façade is set back at ground level, the area between the building and the street frontage shall be occupied by activities or amenities such as outdoor seating, display, landscaping or pedestrian amenities.
- (c) Above a height of 20m a 5m setback shall apply for at least 90% of the length of the building façade at the road boundary.
- (d) 70% of the façade of buildings at ground level shall comprise glazing and pedestrian entries.
- (e) Glazing and balconies shall comprise no less than 30% of the façade of the upper levels of any building.
- (f) The minimum height of building facades at the boundary shall be 6 metres.
- (g) No parking shall be located in front of a building at ground level. Parking at or above street level within a building shall be located more than 10m from the site boundary.

4.6 Type F - Residential Interface

- (a) A 3m wide landscape strip shall be provided along each boundary which shall be densely planted with trees and shrubs. Planting shall include specimen trees at a minimum of one every 6.5 metres. The specimen trees shall be of an evergreen species which will achieve a minimum height of 6 metres or more at maturity and shall be of a planting grade of 160 litres or larger.
- (b) New development shall comply with Figure 7.6 in Clause 7.8.2.4. No other parts of Clause 7.8.2.4 shall apply.

4.7 Type G - Street Interface

- (a) A 5m landscape strip shall be provided along the road boundary which shall consist of a 1.8m high solid wall 5m from the boundary and the intervening area shall be densely planted with trees and shrubs. Planting shall include specimen trees at a minimum of one every 6.5 metres along the full length of the strip. The specimen trees shall be of a species which will achieve a minimum height of 8 metres or more at maturity and shall be of a planting grade of 160 litres or larger.

B5. Exeter Road Extension

- 5.1 The Exeter Road Extension shall be a pedestrian and vehicle link between Exeter Road and Aroha Avenue, located generally as shown on the Concept Plan Diagram E06-05(1).
- 5.2 Continuous pedestrian shelter shall be provided along each side of the street except for that area occupied by vehicle access. The shelter shall have a minimum height of 3m and a maximum of 4.5m above the footpath immediately below. The shelter shall be located

- no closer than 600 millimetres from the kerbline of the road and, where practicable, shall have a minimum width of 2.5 metres.
- 5.3 Buildings shall directly abut the street frontage for not less than 50% of their length with no part of the building façade located further than 5 metres from the street frontage at ground level. Where the building façade is set back at ground level, the area between the building and the street frontage shall be not less than 7.5m in length and occupied by activities or amenities such as outdoor seating, display, landscaping or pedestrian amenities.
 - 5.4 70% of the street façade of buildings at ground level shall comprise glazing and pedestrian entries.
 - 5.5 Glazing and balconies shall comprise no less than 30% of the street façade of the upper levels of any building.
 - 5.6 The minimum height of building facades at the street frontage shall be 8 metres.
 - 5.7 No parking shall be located in front of a building at the level of the Exeter Road Extension, except where it is located on the street. Parking at that level within a building shall be located more than 10m from the edge of the road.

B6. Location of Site Access

Vehicle access to the site and primary pedestrian access to buildings (notwithstanding additional access into individual tenancies) shall be located generally in accordance with the Concept Plan Diagram E06-05(1).

B7. Parking, Loading and Access

- 7.1 For the first 45,473m² of Gross Floor Area (GFA) a minimum of 2,018 parking spaces are to be provided and maintained to the satisfaction of the Council.
- 7.2 For GFA in excess of 45,473m², parking spaces are to be provided on site in accordance with the following rates as a minimum:
 - For Retail premises, Restaurants, Cafes and other eating places, Community welfare facilities and Healthcare services: one space for every 22 m² of GFA.
 - For Cinemas: one space for every 11 seats.
 - For Residential units: the rates set out in the table in Clause 8.8.10 Development Controls for Mixed Use Zone - 10. Parking and Access.
 - For other activities: the rates set out in Clause 12.8.1.1.
- 7.3 Loading spaces shall be provided in accordance with the requirements of Clause 12.8.1.2 Loading Standards, provided that surplus loading spaces existing prior to development of additional floor space can be used to satisfy this requirement.
- 7.4 Parking and loading areas shall be dimensioned and formed in accordance with the requirements of Clause 12.8.1.3 Assessment and Formation of Parking and Loading Areas.

7.5 Sufficient space shall be provided on the site so that no reverse manoeuvring on or off public roads is necessary by vehicles using parking or loading spaces.

B8. Tree Protection

Trees identified in the schedule to Concept Plan Diagram E06-05(3) are exempt from the tree protection provisions of Clause 5C.7.3.3C. Those identified trees located on the site where development is proposed, or that will otherwise be impacted by such development, may be removed within one year of building consent approval for that development.

B9. Clause 8.8.3 Development Controls for the Business 8 Zone

In addition to the controls listed in Parts B1 to B8 in this Concept Plan, all development is subject to the following controls for the Business 8 Zone.

- 8.8.3.8 Noise
- 8.8.3.9 Vibration

No other development controls in Clause 8.8.3 shall apply.

B10. Other Parts of the Plan

Reference should also be made to the following other parts of the Plan:

Part 4a General Rules

Part 5c Heritage

Part 5d Natural Hazards

Part 5e Hazardous Facilities

Part 11 Subdivision

Part 13 Interpretations and Definitions

PART C REQUIRED WORKS AND FINANCIAL CONTRIBUTIONS

C1. Off-site Road Works

Unless determined by the Council to be unnecessary, the following physical alterations to the road network may be required as conditions of consent:

- (a) When an additional 11,000m² GFA is constructed on the site:
 - The installation of new traffic signals, including pedestrian crossings, at the intersection of Morningside Drive and Exeter Road; and
 - The provision of an additional left turn lane from Morningside Drive into St Lukes Road, generally as shown on Diagram E06-05(4).
- (b) When a cumulative additional 19,250m² GFA is constructed on the site:
 - The construction of the Exeter Road Extension.

C2. Financial Contributions/Development Contributions

The terms of a Private Development Agreement in relation to the proportional contribution towards the cost of off-site works and other Financial Contributions/Development Contributions will be negotiated with Auckland City Council and the final version of the Concept Plan will record the outcome of those negotiations.

PART D CRITERIA FOR ASSESSING APPLICATIONS FOR RESOURCE CONSENT

Restricted Controlled Activities

D1. Activities Providing Parking for more than 100 Vehicles

In assessing applications, control is reserved over the following matters:

- (a) The suitability of Parking Management Strategy which:
 - (i) Mitigates against the effects of spillover of parking onto neighbouring streets;
 - (ii) Provides for efficient use of on-site parking;
- (b) The extent to which a Site Traffic Management Strategy provides for:
 - (i) Vehicular access to and from the site in a manner which ensures adequate sight distances and prevents off-site congestion;
 - (ii) Safe and efficient servicing of tenants operating within the site;
 - (iii) Circulation of traffic within the site;
 - (iv) Pedestrian safety including the separation of pedestrian and vehicle access and circulation and, where appropriate, the provision of circulation spaces specifically designed for shared use;
 - (v) Security measures to ensure that any nuisance resulting from the inappropriate use of parking areas is controlled;
 - (vi) Bicycle parking in a convenient location.
- (c) The sufficiency of a Travel Demand Management Plan which details measures that will be undertaken to encourage the use of public transport and other modes of transport as alternatives to the use of the private motor vehicle.
- (d) The design of vehicle access such that it:
 - Provides for a high level of pedestrian amenity;
 - Provides and enhances pedestrian and vehicular safety;
 - Minimises pedestrian crossing distances;
 - Provides adequate signage;
 - Maintains the intended pedestrian focused environments at Interface Type D and Exeter Road Extension; and
 - Provides for or enhances access for a range of users, e.g. cars, motorcycles and bicycles.

D2. Construction of the proposed Exeter Road Extension linking Exeter Road with Aroha Avenue

In assessing applications, control is reserved over the following matters:

- (a) The extent to which Exeter Road Extension is designed as a pedestrian oriented, at-grade street, encouraging slow movement of vehicles and providing a high level of pedestrian priority and amenity;
- (b) The extent to which a high quality, high amenity, pedestrian environment is achieved on both sides of the street by the use of such design elements as wide footpaths, underground services, and the coordinated use of high quality materials, street furniture, signage and lighting;
- (c) The extent to which traffic calming measures to encourage the slow movement of vehicular traffic and enhance pedestrian safety are implemented, including narrower than usual traffic lanes, tight tracking curves, textured road surfaces or other accepted traffic engineering mechanisms;
- (d) The extent to which traffic engineering measures are implemented to discourage vehicles from using the Exeter Road Extension as a shortcut between Exeter Road and Aroha Avenue, including a road layout that gives priority to vehicles accessing the site; and
- (e) The extent to which measures to discourage heavy motor vehicles from using Exeter Road Extension to access Aroha Avenue are implemented, including signage and road geometry.

Restricted Discretionary Activities

D3. New Buildings and additions and alterations to existing buildings

3.1 General Criteria for Building Design

Discretion is restricted to, and applications will be assessed in terms of, the extent to which:

- (a) The design of those parts of any building visible from, and within 30m of, a road or Residential or Open Space zone, is of high quality and, where appropriate, responds to and enhances the positive characteristics of the local context.
- (b) The scale, proportion and rhythm of architectural features, fenestration, materials, finishes and colours, as appropriate, acknowledge the characteristics of the streetscape condition and provide street frontages with architectural design richness, interest and depth.
- (c) Flat planes or blank facades devoid of modulation, relief or surface detail can be avoided.
- (d) Any otherwise unavoidable blank walls are enlivened by display cases, artwork, articulation, modulation and cladding choice to provide architectural relief.
- (e) Long building frontages are visually broken up by variations in height, form and other design means such as variations in façade design, recesses, awnings, upper level balconies and other projections, materials and colours.

- (f) Servicing elements are concealed where possible and not placed on facades unless integrated into the facade design.
- (g) Exterior lighting is integrated with architectural and landscape design to minimise glare and light overspill onto adjacent properties and streets.
- (h) Exterior signage and signage zones are integrated with the design of buildings.
- (i) Any rooftop mechanical plant or other equipment is screened or integrated with the building design.
- (j) New buildings are designed to contribute to the prevention of crime through their design and configuration, with reference to the CPTED criteria set out in Clause 6.2.10.5 of the Plan.

3.2 Additional Criteria for Buildings on the Exeter Road/Morningside Drive and St Lukes Road/Morningside Drive Corners

Discretion is restricted to, and applications will be assessed in terms of, the extent to which:

- (b) Building mass at the corner of Morningside Drive and Exeter Road is fragmented to provide a generous pedestrian entry and level of amenity, and to visually, spatially and physically integrate the interior of the building with the street.
- (c) Building mass at the corner of St Lukes Road and Morningside Drive architecturally reinforces, 'punctuates' and emphasises this prominent corner location by increased height, building mass, and/or the deployment of traditional urban design techniques such as providing a major pedestrian entrance or architecturally distinctive and vertically proportioned forms.

3.3 Additional Criteria Where Interface Controls Apply

Discretion is restricted to, and applications will be assessed in terms of, the extent to which:

- (a) Planting within the required landscaping strips along the street frontages for Interface Type A, Type C, Type F and Type G contributes to a high level of visual amenity for the frontage.
- (b) Building facades at Interface Type D include a relatively strong expression of building mass, predominantly vertical proportions and emphases, architectural modulation, articulation or relief along the street frontage at all levels, pedestrian entrances, windows or balconies, and changes in surface texture or detail.
- (c) Any service lane proximate to Interface Type D is designed as a pedestrian oriented, at-grade lane providing a high level of pedestrian amenity while allowing for occasional use by small service vehicles.
- (d) Building facades at Interface Type E contribute at street level to pedestrian vitality, interest and public safety, relative to a variety of architectural detail, and maximising visibility and access between buildings and adjacent pedestrian areas.

- (e) The design of building facades at Interface Type F provides a good level of visual amenity when viewed from adjoining properties, ensures privacy for residential neighbours, and avoids adverse effects on adjoining properties from ambient lighting and the headlights of motor vehicles.
- (f) The design of the solid wall required within the area of site frontage identified as Interface Type G provides a good level of visual amenity and incorporates materials relevant to the local context such as basalt, or other materials of similar quality.

3.4 Additional Criteria for Buildings Fronting Exeter Road Extension

Discretion is restricted to, and applications will be assessed in terms of, the extent to which:

- (a) Building facades fronting the road contribute at street level to pedestrian vitality, interest and public safety, relative to a variety of architectural detail, and maximising visibility and access between buildings and adjacent pedestrian areas.

3.5 Additional Criteria for Pedestrian Access to Buildings

Discretion is restricted to, and applications will be assessed in terms of, the extent to which:

- (a) Entrances are clearly visible and easily accessible from the street and incorporate pedestrian shelter and amenity.
- (b) Ease of movement, amenity, safety and legibility for pedestrians are provided and enhanced;
- (c) Opportunities for passive surveillance are provided for and enhanced;
- (d) Movement for a range of users, e.g. pedestrians, cyclists, people with disabilities, mobility scooters, is provided for or enhanced;
- (e) Where pedestrian entries into the centre cannot be lined by active uses, for example where through a car park or corridor, a good quality of design and lighting is achieved, and vehicular and pedestrian traffic are separated to the extent practicable in order to minimise conflict; and
- (f) Where pedestrian entrances are near public transport stops, they allow easy, direct and safe access into the centre and are lined by active uses.

D4. Vehicle or pedestrian access not meeting the locational requirements of Part B6.0 or the requirements of Part B7.5 of this Concept Plan

Discretion is restricted to and applications will be assessed in terms of:

- (a) Vehicle Access
 - The extent to which the matters listed in Part D1(d) of this Concept Plan are addressed and the extent to which vehicle access:
 - Provides an effective connection to the site;
 - Provides adequate sight distances;

- Prevents congestion caused by the ingress and egress of vehicles;
- (b) **Pedestrian Access**
 The extent to which the matters listed in Part D3.5 of this Concept Plan are addressed and the extent to which pedestrian access:
- Recognises pedestrian desire lines;
 - Enhances overall site circulation, access and legibility;
 - Gives consideration to connections to an extended pedestrian network linking adjacent sites and facilities (e.g. Warren Freer Park and the Megacentre).

D5. Parking not meeting the requirements of Part B7 of this Concept Plan

Discretion is restricted to and applications will be assessed in terms of:

- The criteria in Clause 12.9.1.2(b) (Parking Areas);
- The criteria in Clause 12.9.1.2(c) (Reduction in Parking Spaces);
- The criteria in Clause 12.9.1.2(d) (Stack Parking).

D6. Loading areas not meeting the requirements of Part B7 of this Concept Plan

Discretion is restricted to and applications will be assessed in terms of whether departing from the requirements of Clauses 12.8.1.2 Loading Standards and 12.8.1.3 Assessment and Formation of Parking and Loading Areas will cause adverse off-site effects or adverse effects on on-site safety.

D7. Subdivision

Discretion is restricted to and applications will be assessed in terms of the extent to which:

- The proposed use of any new site or sites created is in accordance with the Concept Plan's permitted activities or with an application for resource consent which has been granted or applied for concurrently;
- The extent to which the subdivision is consistent with the Concept Plan and will not adversely affect the operation and management of the dominant activity;
- The extent to which the subdivision provides for the required works, infrastructure, and financial contributions as set out in Part C of the Concept Plan

D8. The Use of Artificial Lighting Producing an Illuminance in Excess of 150 lux

Discretion is restricted to and applications will be assessed in terms of the assessment criteria listed in Clause 8.7.3.3.9.

D9. Exterior Signs

Discretion is restricted to and applications will be assessed in terms of the extent to which exterior signage is integrated with the exterior design of the buildings.

D10. Alteration or Removal of Trees, or Work Within the Dripline of Trees, not exempt by Part B8 of this Concept Plan

Discretion is restricted to and applications will be assessed in terms of the assessment criteria listed in Clause 5C.7.3.3C

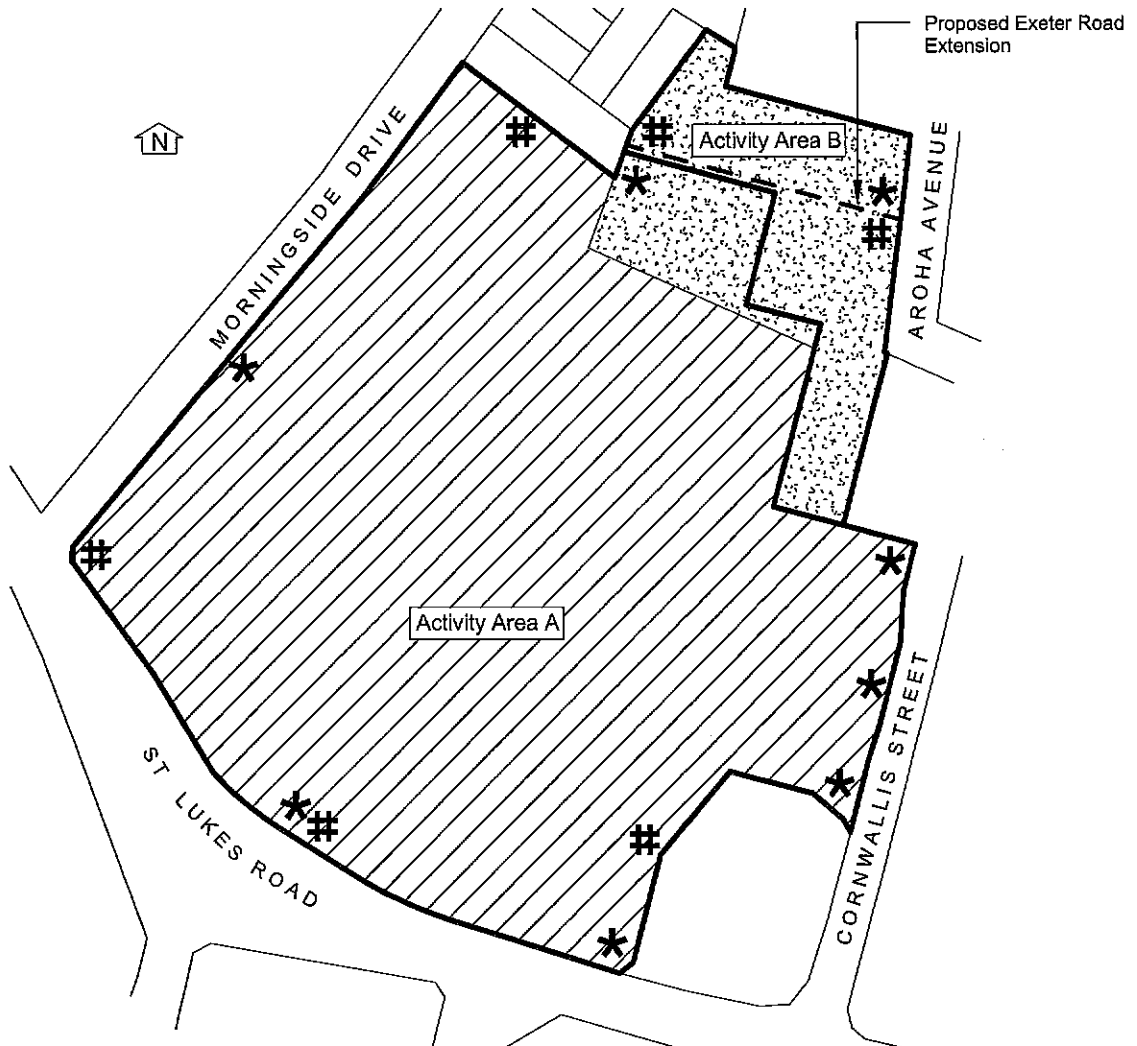
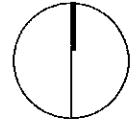
PART E RESOURCE CONSENT APPLICATION NOTIFICATION AND SERVICE

Except as provided for by Section 94C(2) of the Act, controlled and restricted discretionary activities will be considered without public notice or the need to obtain the written approval of or serve notice on affected persons.

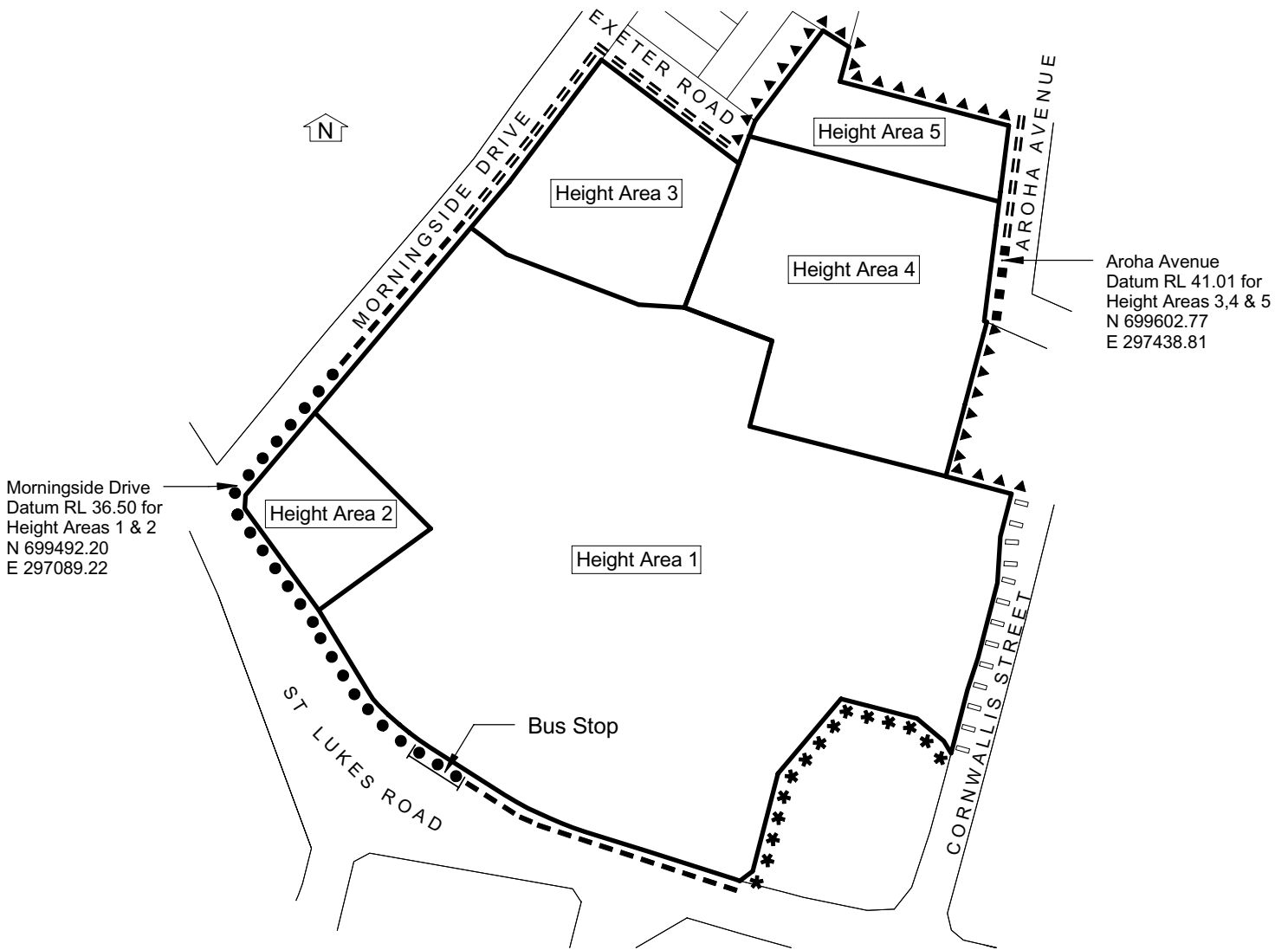
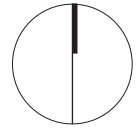
PART F DEFINITIONS

Site

Except where context requires otherwise, for the purpose of this Concept Plan and other provisions of the District Plan applying to the Concept Plan, site means the area covered by the Concept Plan as shown on diagram E06-05(1).



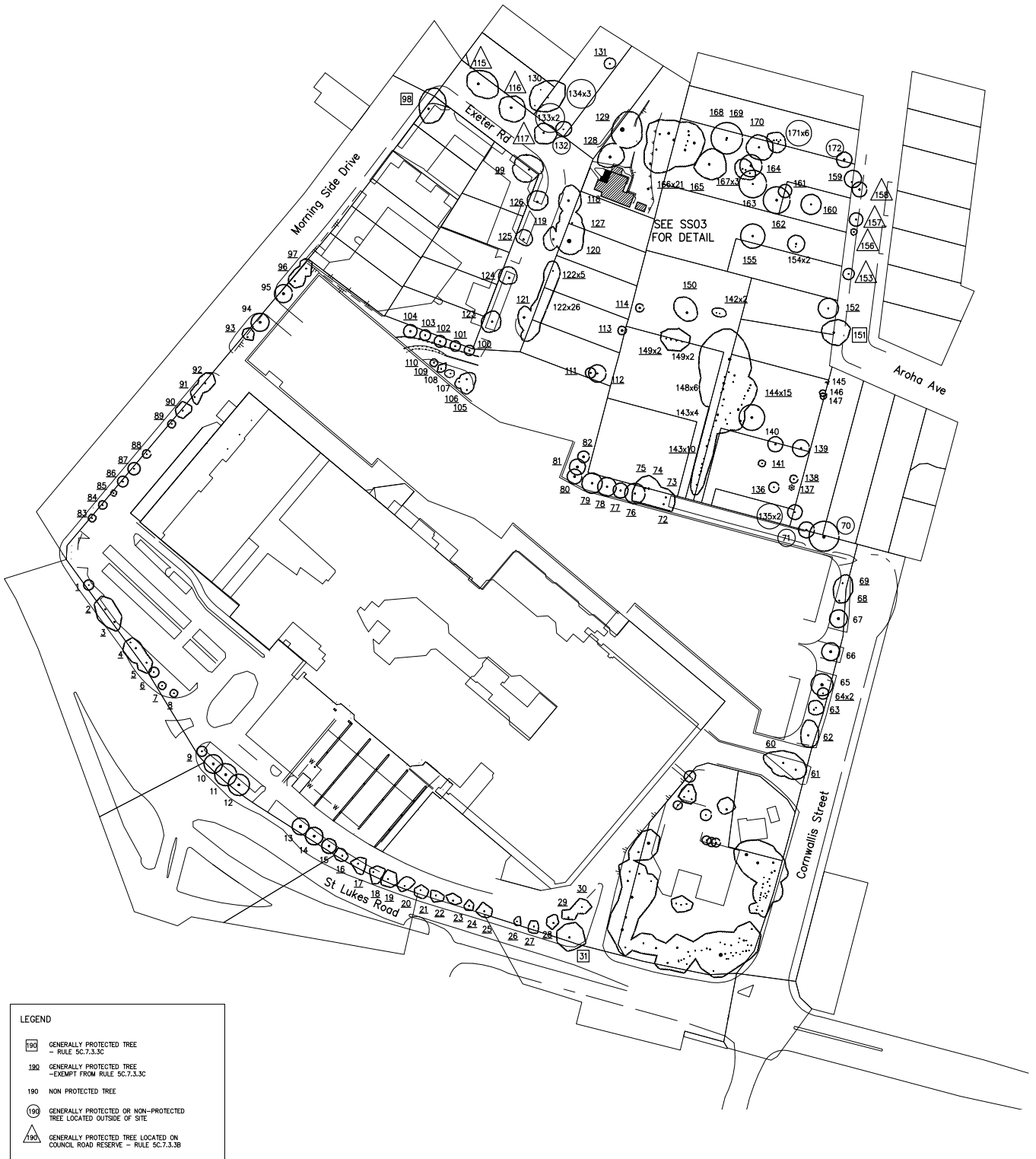
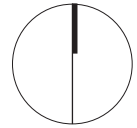
- * Vehicle Access
- # Pedestrian Access

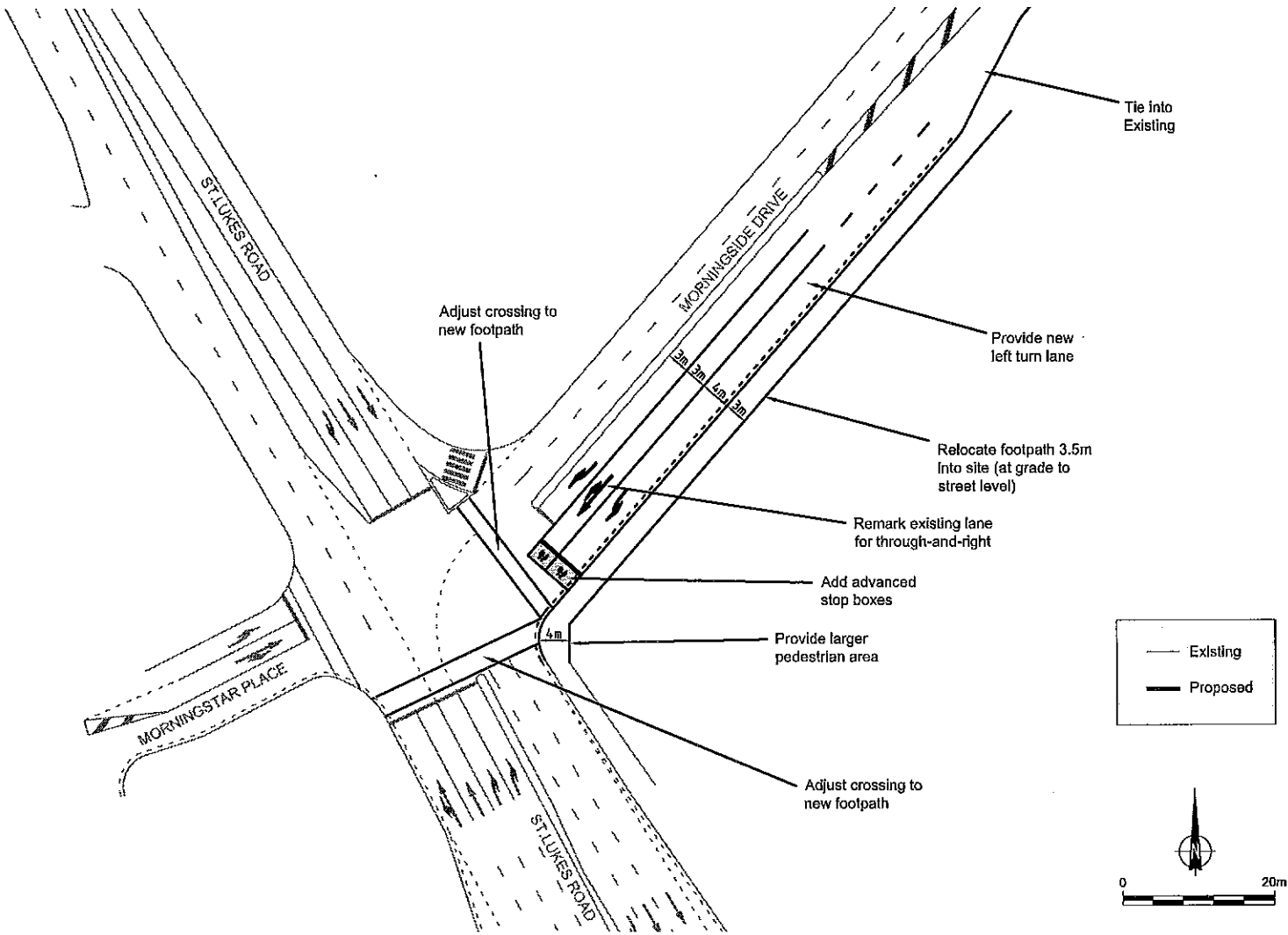
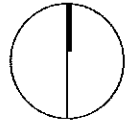


Morningside Drive
Datum RL 36.50 for
Height Areas 1 & 2
N 699492.20
E 297089.22

Aroha Avenue
Datum RL 41.01 for
Height Areas 3,4 & 5
N 699602.77
E 297438.81

- □ □ Interface Type A- Street
- * * * Interface Type B- Open Space 4
- - - Interface Type C- Street
- ● ● Interface Type D- Street
- = = = Interface Type E- Street
- ▼ ▼ ▼ Interface Type F- Residential
- ■ ■ Interface Type G- Street





SCHEDULE 3: Property Titles

- NA103B/820 - Lot 1 Deposited Plan 169578
- NA103B/821 - Lot 2 Deposited Plan 169578
- NA104B/1000 - Lot 1 Deposited Plan 169578
- NA108D/385 - Lot 8 Deposited Plan 6716
- NA129A/29 - Lot 20 Deposited Plan 6716
- NA227/151 - Lot 21 Deposited Plan 6716
- NA263/13 - Lot 7 Deposited Plan 6716
- NA26A/905 - Lot 9 Deposited Plan 6716
- NA300/151 - Lot 13 Deposited Plan 6716
- NA360/110 - Lot 14 Deposited Pan 6716
- NA362/209 - Lot 15 Deposited Plan 6716
- NA46A/1183 - Lot 4-5 Deposited Plan 6716
- NA53A/334 - Unit A and Accessory Unit 1 Deposited Plan 97170
- NA56A/297 - Lot 6 Deposited Plan 6716
- NA57A/1037 - Flat 1, Lot 3 Deposited Plan 32072
- NA57A/1038 - Flat 2, Lot 3 Deposited Plan 32072
- NA57A/1039 - Flat 3, Lot 3 Deposited Plan 32072
- NA57A/1040 - Flat 4, Lot 3, Deposited Plan 32072
- NA57A/1041 - Flat 5, Lot 3, Deposited Plan 32072
- NA68C/919 - Lot 1 Deposited Plan 119455
- NA68C/920 - Lot 2 Deposited Plan 119455
- NA68D/675 - Lot 1 Deposited Plan 119772
- NA68D/676 - Lot 2 Deposited Plan 119772
- NA823/73 - Lot 1 Deposited Plan 32072
- NA848/279 - Lot 2 Deposited Plan 32072
- NA222/185 - Lot 25 Deposited Plan 6716
- NA224/70 - Lot 22 Deposited Plan 6716
- NA356/295 - Lot 24 Deposited Plan 6716
- NA373/197 - Lot 23 Deposited Plan 6716
- NA86B/666 - Lot 1 Deposited Plan 145632
- NA1035/118 - Lot 5 Deposited Plan 32072
- NA53A/336 - Unit C and Accessory Unit 2 Deposited Plan 97170
- NA882/93 - Lot 6 Deposited Plan 32072
- NA53A/335 - Unit B Deposited Plan 97170
- NA93C/164 - Lot 7-8 Deposited Plan 32072

SCHEDULE 4: Supporting Documents

- **Annexure 1:** Explanation, Assessment of Environment Effects and Section 32 Analysis prepared by Bentley & Co. Limited.
- **Annexure 2:** Urban Design Assessment prepared by Boffa Miskell Limited.
- **Annexure 3:** Assessment of Visual and Landscape Effects prepared by LA4 Landscape Architects.
- **Annexure 4:** Integrated Transport Assessment prepared by Traffic Design Group.
- **Annexure 5:** Public Transport: Westfield St Lukes Proposed Plan Change prepared by Booz & Co.
- **Annexure 6:** Assessment of Prospective Distributional Effects prepared by Marketplace New Zealand Limited.
- **Annexure 7:** Economic Effects Assessment prepared by Market Economics Limited.
- **Annexure 8:** Social Assessment of Plan Change prepared by Taylor Baines & Associates.
- **Annexure 9:** Assessment of Noise Effects prepared by Hegley Acoustic Consultant.
- **Annexure 10:** Infrastructure Services Report prepared by Tonkin and Taylor Limited.
- **Annexure 11:** Preliminary Geotechnical Assessment Report prepared by Tonkin & Taylor Limited.
- **Annexure 12:** Arboricultural Assessment Report prepared by Greenscene Limited.
- **Annexure 13:** Westfield St Lukes Mall Visitor Survey prepared by Gravitas Research and Strategy Limited.
- **Annexure 14:** Westfield St Lukes Staff Survey prepared by Gravitas Research and Strategy Limited.
- **Annexure 15:** St Lukes Community Survey prepared by Gravitas Research and Strategy Limited.
- **Annexure 16:** Volume of Diagrams.