

Auckland City Operative District Plan (Isthmus 1999)

Plan modification no. 219: plan change

under section 73 of the Resource Management Act 1991


Decision date: 23 April 2009

Consent order date: 17 August 2010

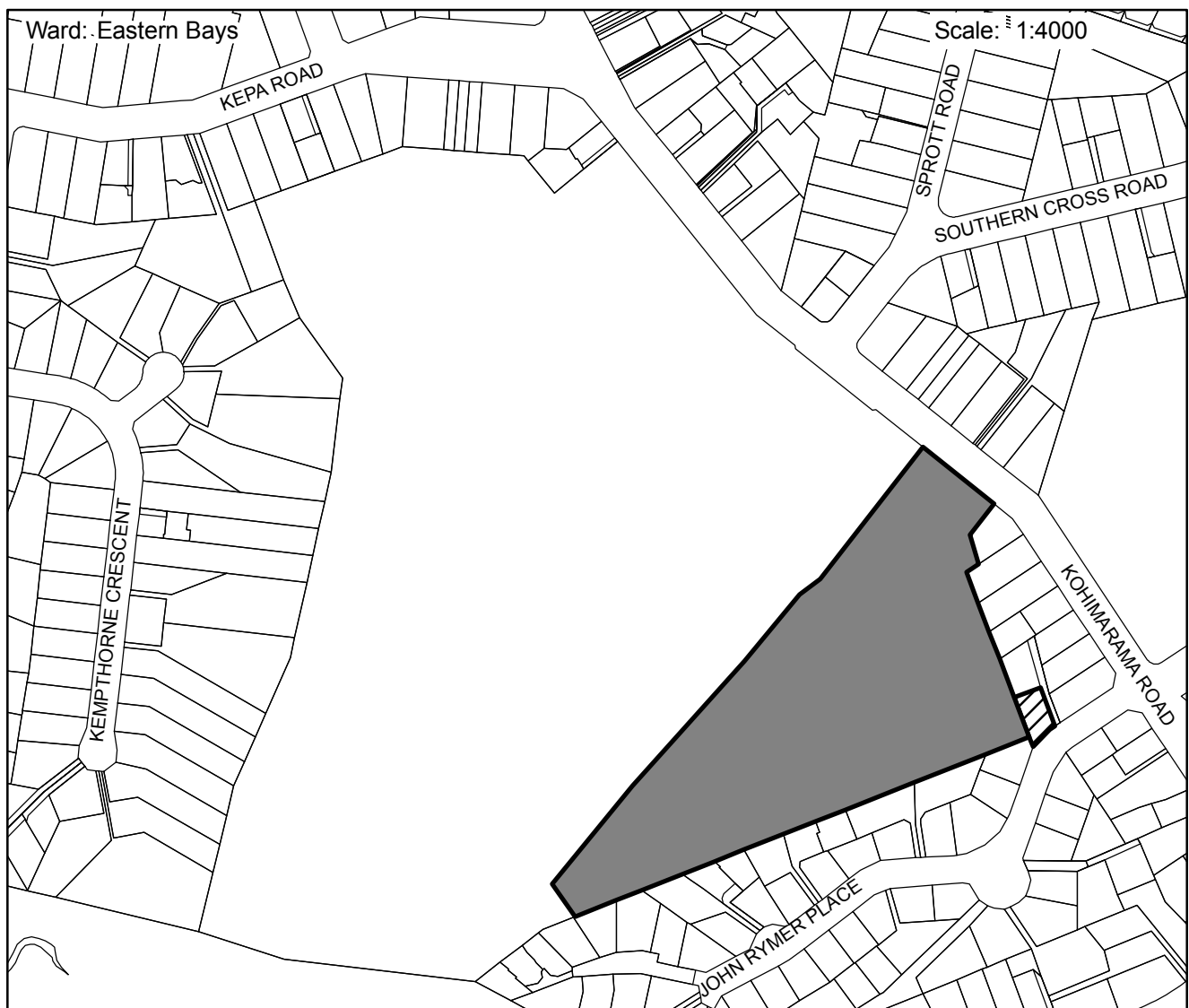
Operative date: 15 October 2010

File no. 314/209219

Part A: Amendment to planning map no. 1 sheet no. C13, C14, D13

The land shown  to be rezoned from Special purpose 2 to Special purpose 1

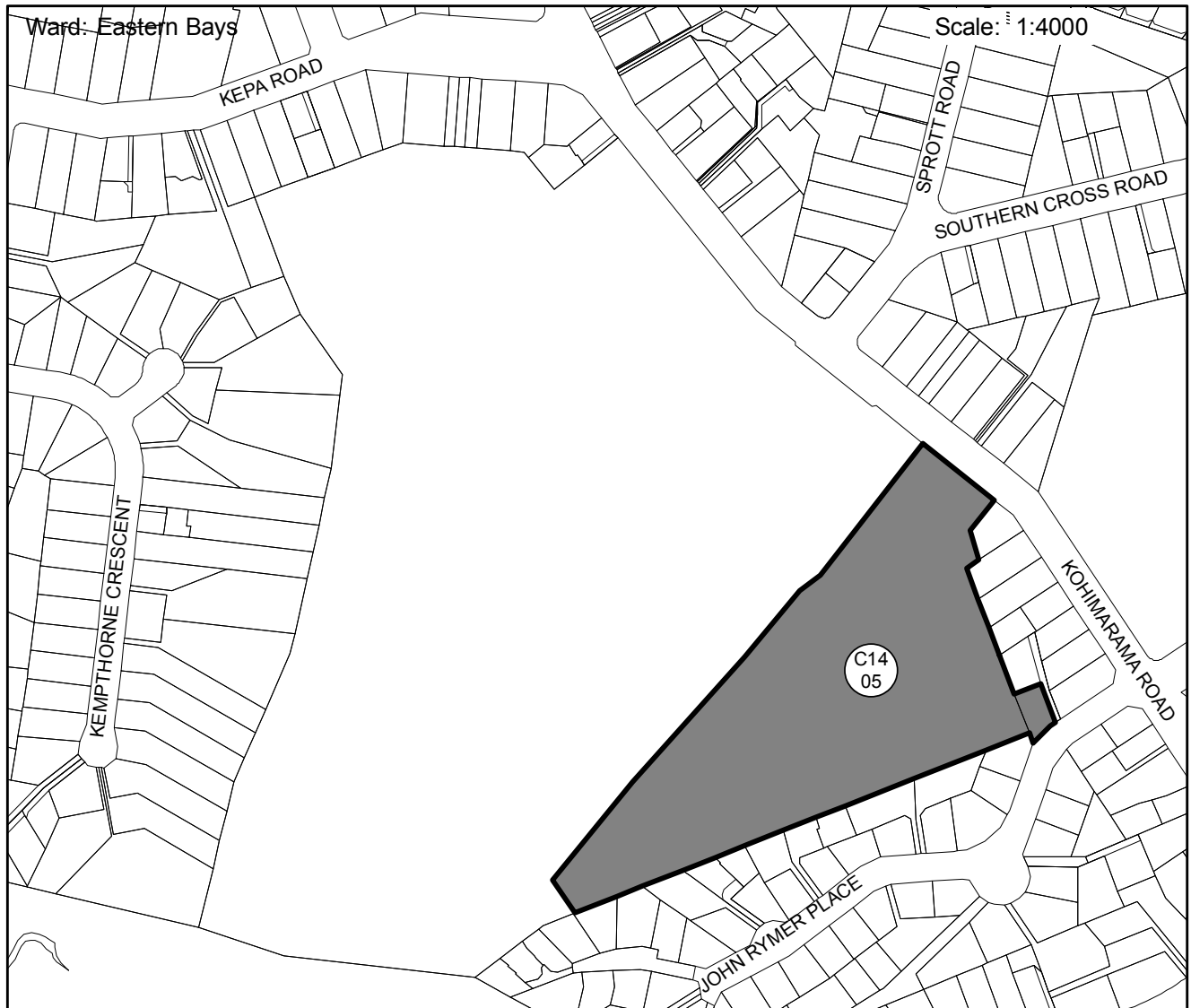
The land shown  to be rezoned from Residential 6a to Special purpose 1



Part B: Amendment to planning map no. 2 sheet no. C13, C14, D13

The land shown  to be identified as C14-05 Concept Plan: Kohimarama Retirement Village

File no. 314/209219



Part C: Amendments to Appendix A Schedule to the planning maps

Insert the following entry into Schedule A:

MAP REF	CAT	DESCRIPTION	AUTHORITY
C14-05	B	Concept Plan - Kohimarama Retirement Village (Refer to Appendix B)	

Part D: Amendments to Appendix B Additional limitations, controls and diagrams

Insert the following text and diagram into Appendix B:

C14-05 Concept Plan - Kohimarama Retirement Village, Kohimarama Road

DOMINANT ACTIVITY: HOUSING DEVELOPMENT FOR THE ELDERLY OR DISABLED / RETIREMENT VILLAGE

Explanation:

The 3ha site is located on Kohimarama Road and was formerly part of the adjoining Selwyn College school land. The Ministry of Education deemed the land to be surplus to requirements and in 2005 the education designation was lifted.

The property represents a valuable land resource; however, there are some constraints limiting the range of activities for which the site can be used. These include the topography of the land, its adjacency to a school and residential activities, and the capacity of the surrounding road network. A retirement village, being residential in nature, is considered to be an appropriate use for the site when taking into account these constraints and the changing demographics of Auckland City.

The purpose of the rules and assessment criteria set out in this concept plan is to ensure that development is carried out in a comprehensive and integrated manner such that the site can be developed to an appropriate intensity whilst maintaining on-site amenity and avoiding or adequately mitigating adverse effects on surrounding properties.

PERMITTED ACTIVITIES

The following are permitted activities:

- Healthcare services ancillary to the dominant use of the site.
- Car parking areas and/or buildings.
- Residential units associated with the dominant activity on the site.

- Activities ancillary to the dominant use of the site including, but not limited to, offices, retail activities, libraries, personal services and restaurants provided that the use of ancillary facilities and services shall be restricted to staff and residents and their visitors.
- Alterations to existing buildings that do not increase gross floor area.

RESTRICTED DISCRETIONARY ACTIVITIES

The following are restricted discretionary activities:

- Housing development for the elderly or disabled.
- Retirement village.
- Additions to existing buildings resulting in additional gross floor area.
- Construction of new buildings.
- Internal access roads located within the Vehicle Access Area as shown on the Concept Plan diagram.
- Removal of the English Oak adjacent to Kohimarama Road or any pohutukawa trees over 6m in height or with a girth measurement exceeding 600mm (measured at 1.4m above the ground).

Clause 4.3.2.6 of the District Plan applies to restricted discretionary activities.

DISCRETIONARY ACTIVITIES

- Vehicular access/egress from Kohimarama Road

DEVELOPMENT CONTROLS

All development is subject to the development controls contained in Clause 10.8.1 ALL SITES SUBJECT TO CONCEPT PLANS IN THE SPECIAL PURPOSE 1 AND 2 ZONES of the Plan, except where otherwise specified below.

Where a permitted or restricted discretionary activity seeks to modify one or more of the development controls for the site it shall be considered under Clause

4.3.1.2B DEVELOPMENT CONTROL MODIFICATION as a discretionary activity.

1. BUILDING LOCATION

Building development is limited to those areas illustrated on Concept Plan Diagram C14-05.

Explanation

With the exception of the yard setback areas around the perimeter of the site and the three building platform height areas, no further restrictions have been placed on building locations. Subject to the assessment criteria for restricted discretionary activities, it is considered that new buildings can be established anywhere on the site (outside the yard areas) whilst avoiding or mitigating potential adverse effects on surrounding properties.

2. MAXIMUM HEIGHT AND BUILDING BULK

Height Area 1

- Subject to the height in relation to boundary restrictions set out in Rule 10.8.1.3, the maximum height of buildings shall be 15m and a maximum of 4 storeys¹.
- No building or part of building exceeding three storeys in height and located within Height Area 1 shall have a width along its short axis exceeding 26m. Except that this control shall not apply to any building wholly or partly located within 50m of Kohimarama Road and which is the primary location for communal facilities.
- With the exception of covered walkways, no building exceeding two storeys in height shall be attached to any other building located within Height Area 2.

Height Area 2

Subject to the height in relation to boundary restrictions set out in Rule 10.8.1.3, the maximum height of buildings shall be 11m and a maximum of two storeys.

Calculation of height in Height Areas 1 and 2

For the purpose of calculating compliance with the maximum height control (but not the calculation of height for the building in relation to boundary control) account shall be taken of parapets but not of:

- (a) radio or television aerials, chimneys, lift towers, machinery rooms, or finials where:
 - (i) the maximum height of 15m permitted in Height Area 1 or 11m in Height Area 2 is exceeded by not more than 2.5m, and
 - (ii) the cumulative area of the projections does not exceed a floor area equal to 10% of the area of the roof to the storey immediately below such structures.
- (b) In Height Area 1 only, roofs provided that the maximum height permitted by the concept plan is exceeded by not more than 2m and the area of roofs exceeding 15m in height does not exceed 25% of all the area of all the buildings in Height Area 1.

¹The definition of a 'storey' can be found at the end of the development controls applying to this concept plan.

Height Area 3

- Subject to the height in relation to boundary restrictions set out in Rule 10.8.1.3, the maximum height shall be 6m and a maximum of one storey.
- No building shall contain more than two self-contained units.
- No building shall contain a basement.

For the purpose of calculating compliance with the maximum height control (but not the calculation of height for the building in relation to boundary control) 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 6m maximum height normally permitted 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).

Explanation

Height Area 1 relates to the part of the site adjacent to the Selwyn College boundary. As well as a maximum height limit, there is also a control on the number of storeys. This is to limit building dominance when viewed from adjacent properties. A 2m roof bonus is applied in this area to encourage innovative roof treatments, which contribute to façade articulation. Additional controls relating to building width and connections with buildings in Height Area 2 are designed to minimise the appearance of bulk from adjoining residential properties. The location of the four storey area will be subject to the assessment criteria relating to building bulk and location, which are intended to ensure a transition of building volumes so that the taller parts of the building are embedded within the site. This will allow for sufficient flexibility to achieve an efficient layout of the taller buildings on the site whilst the setback will ensure that dominance and shadowing effects of larger buildings on surrounding properties can be avoided or mitigated to an acceptable degree.

Height Area 2 provides a transition between the taller and bulkier building mass envisaged within the least sensitive portion of the site (Height Area 1) and the most sensitive area of the site identified as Height Area 3, which is adjacent to an established area of mainly single family dwellings zoned Residential 6a. It is expected that the application of this height will occur in conjunction with the assessment criteria relating to building bulk and location.

Height Area 3 relates to a 12m wide building area that is closest to neighbouring residential properties. Whilst some buildings may be appropriate in this area an appropriate transition must be achieved between development within the site and established housing in the adjacent Residential 6a zone. For this reason, height in this area is restricted to 6m and a maximum of one storey and additional controls with respect to basements and the number of self-contained units that can be contained within a single building also apply.

Controlling the height of buildings, in relation to their distance from common boundaries with residentially zoned sites mitigates the effects of building bulk and visual dominance at site boundaries.

3. COVERAGE CONTROLS

The following coverage controls shall apply:

- Building coverage: maximum 35% of site area. For the purposes of determining compliance with this control those parts of a basement or parking podium not exceeding 1m above finished ground level shall be excluded from building coverage.
- Paved impermeable surface area: maximum 25% of site area.
- Landscaped permeable surface area: minimum 40% of site area. For the purposes of determining compliance with this control, landscaping may include ornamental and approved stormwater detention ponds, provided that the total area of landscaped permeable surface is at least 30% .

Explanation

The building coverage control is designed to ensure that buildings are located on only a relatively small proportion of the site, to avoid an overcrowded appearance.

The paved impermeable control is designed to ensure that stormwater run-off is minimised and that adequate areas are available for landscaping.

The landscaped permeable control is designed to reduce stormwater run-off by ensuring that there are adequate opportunities for on-site soakage, and for landscaping that is required to enhance the overall amenity of the site. It is recognised that stormwater ponds can contribute to the amenity of a site and allowance is therefore made for this, as well as ornamental ponds, to make up a portion of the landscaping requirement.

4. ACTIVITY BUFFERS

Activity buffers shall be as set out in Rule 10.8.1.5A and 10.8.1.5B, except where specified differently on the concept plan diagram.

Explanation

Imposing a separation of activities by distance is designed to avoid, remedy or mitigate any perceived adverse effects that a facility operating in a Special Purpose Zone may have on residential and open space zoned land. Such effects may include dust, dirt, litter, lights, signs, unsightly buildings or activities, parking areas and service areas. Physical separation is an appropriate method of addressing these potential effects. Landscaping of separation buffers assists in reducing the hard-edged impact of paved surfaces, used for parking, internal circulation or storage. Landscaping is important to maintain visual amenity in a residential neighbourhood, not only when viewed from adjacent sites but when viewed from the road.

5. BOUNDARY FENCES

The following controls apply to boundary fences:

- North-western boundary (with Selwyn College): any fence or wall shall not exceed 1.2m in height if solid or up to 2m in height if at least 50% transparent.
- Southern boundary (with John Rymer Place residential properties): up to 1.2m in height within 4m of the boundary or up to 1.8m in height if greater than 4m from boundary.
- Eastern boundary (with Kohimarama Road): up to 1.2m in height, provided that no fencing shall adversely affect the Pohutukawa trees located in the activity buffer area.
- Eastern boundary (with Kohimarama Road residential properties): up to 1.8m in height.

Explanation

Fences and boundary treatments are often desirable in order to provide a demarcation between properties and between "public" and "private" places. Inappropriate fences, however, can have a significant impact on the safety, amenity, and privacy for adjoining properties and public places.

Fences of up to 2.0m in height are provided on the Selwyn College boundary in order to provide a physical separation between the retirement village and school. For CPTED reasons, such fences are required to be substantially open structures.

The southern boundary of the site features a relatively sharp drop of 1m or more to the adjoining residential properties. Many of these properties have outdoor living areas to the north of their dwellings and, for this reason, fence heights are limited to 1.2m so as not to overshadow and over dominate these areas. In the event that higher fences are required (e.g. for additional privacy or screening), these should be set back from the boundary by at least 4m.

The site features a relatively short boundary to Kohimarama Road and a maximum fence height of 1.2m on this boundary is specified in order to maintain streetscape amenity.

The residential properties to the east of the site are generally at a higher level than the subject site. This means up to 1.8m high solid fences can be erected to provide screening from the access road and privacy to the residential properties, whilst not overshadowing or over dominating the residential properties.

6. PARKING AND ACCESS

- Parking and access shall be provided in accordance with the standards set out in Rule 12.8.1 and 12.8.2. As indicated on the concept plan, vehicular access to the site is to be from John Rymer Place. Vehicular access/egress from Kohimarama Road is a discretionary activity.
- All internal access roads shall be located within Height Area 1 and Height Area 2 except that this control shall not apply to:
 - Any part of an access road located within the *Vehicle Access Area* shown on the Concept Plan Diagram.
 - Driveways off access roads serving individual buildings.

Explanation

The District Plan sets out minimum parking and access requirements for activities to ensure that the access and parking demand generated by individual activities can be accommodated without undermining the safe and efficient operation of the roading network

Note

The Vehicle Access Area notation as shown on the Concept Plan diagram shall not preclude the establishment of any other activities that are otherwise provided for under the Concept Plan.

7. MAXIMUM NUMBER OF UNITS

Where the site is developed for as a *Housing Development for the Elderly*, The maximum number of self-contained units shall not exceed 200.

Explanation

It is considered that potential adverse traffic and amenity effects can be appropriately managed for a development for up to 200 units. Beyond this amount, specific assessment will be required to ensure any additional adverse effects can be appropriately avoided, mitigated, or remedied.

8. EXCEPTIONS

- (a) Clause 12.9.1.1A RULE: Controlled Activities shall not apply.
- (b) Clause 5D.6.1 Land Subject to Flooding or Instability shall not apply.

Explanation

It is expected that the site will provide in excess of 100 car parking spaces and assessment criteria, particular to the subject site, have been formulated to address potential adverse effects associated with parking. As all new buildings require restricted discretionary activity consent, it is not considered necessary to also require an assessment as a controlled activity under Clauses 12.9.1.1A and 12.9.1.2A.

There are known issues with respect to stormwater and stability on the subject site and, for this reason, consent notices have been placed on the certificates of title setting out the engineering matters required to be assessed as part of any development. These matters have been included as assessment criteria for any new buildings on the site. It is therefore not considered necessary for these matters to also be subject to an assessment under Rule 5D.6.1 of the District Plan.

Definition of a storey**“Storey” means**

That part of a building from the upper surface of any floor to the upper surface of the floor above, measured from finished floor level. The topmost storey shall be from the upper surface of the topmost floor to the upper surface of the ceiling joists above, or where no ceiling exists, to the upper surface of the roof cladding. For the purpose of calculating the height of a building, where this is fixed by the number of storeys:

- The maximum height of a storey shall be 4 metres;
- A basement or any other space under the ground floor shall be counted as a storey, when the distance from ground level to the upper surface of the floor above exceeds 2.5 metres over 50% of the area of the floor above;
- An attic, or any space between ceiling joists and a roof shall be counted as a storey when the distance from the upper surface of the ceiling joists, or floor, to the mean height of the upper surface of the roof, is 3 metres or more over 5m² or more of the area of the ceiling joists or floor below.

CRITERIA FOR ASSESSING RESTRICTED DISCRETIONARY ACTIVITIES

In relation to any activity nominated as a restricted discretionary activity on the Concept Plan, and in addition to the matters listed in the first four bullet points under clause 10.7.1.3 of the district plan, Council reserves its discretion over, and may impose conditions in respect of, the following matters:

1. Building Bulk and Location

- (a) In the context of the development controls, the extent to which buildings are designed to avoid the appearance of bulk when viewed from surrounding residential properties.
- (b) The extent to which the taller parts of the building(s) are massed away from residential boundaries.
- (c) The extent to which buildings on the Selwyn College boundary are designed to provide a visually interesting interface to the school.
- (d) The extent to which buildings are designed to provide a variation in height across the site, to avoid the monotony of a single height.
- (e) In the context of the development controls, the extent to which the form of development is articulated in order to achieve a character that is sympathetic to the surrounding area.
- (f) The adequacy of separation between multi-storied buildings, to avoid the appearance of continuous blocks of buildings, particularly as viewed from beyond the site boundaries.
- (g) The extent to which buildings on the site have a coherent relationship to one another forming an overall well-designed composition for the site.
- (h) The extent to which buildings take into account and appropriately respond to the scale, location and orientation of buildings on the adjoining residential sites.
- (i) The extent to which a differentiation in the building profile and roof silhouette has been achieved.

2. Building Detail and Design

- (a) The extent to which the detailed design assists in breaking up the apparent mass of individual buildings.
- (b) The extent to which buildings are designed and articulated to provide visually interesting facades that avoid blank walls.
- (c) The extent to which colours and materials assist in providing visually interesting buildings whilst

responding appropriately to their surrounding context.

- (d) The extent to which fenestration is appropriately sized and proportioned in relation to the façade in which it is located.
- (e) The extent to which main entrances to buildings are clearly identifiable and, where appropriate, provide a focal point to the building.
- (f) The extent to which private open space is provided for individual units.
- (g) Where private open space is to be provided at ground level, the extent to which there is an appropriate transition between private and semi-public space by definition and/or enclosure.
- (h) The extent to which the roof profile design and composition is considered as part of, and contributes to the overall architectural form of the building.
- (i) The extent to which roof-top plant and other projections are appropriately screened or otherwise integrated into the building design.
- (j) The extent to which the design of buildings appropriately addresses the "Safety Assessment Criteria" as set out in Clause 6.2.10.5 of the District Plan.

3. Landscaping and On-site Amenity

- (a) The extent to which appropriate communal facilities for the benefit of residents are provided on site.
- (b) The extent to which there are positively shaped communal open spaces that will support resident use and amenity.
- (c) The extent to which landscaping is used to soften the appearance of buildings when viewed from residential properties outside of the site.
- (d) The extent to which landscaping avoids adverse shading and dominance effects on adjoining sites.
- (e) The extent to which changes of level are managed to provide an appropriate standard of pedestrian circulation.
- (f) The extent to which any retaining structures are visually attractive and integrated into the overall landscape design for the site.
- (g) The extent to which any stormwater detention pond is designed to contribute positively to the amenity of the site.
- (h) The extent to which there is a legible and safe pedestrian footpath and open space network to support resident access and amenity.
- (i) The extent to which landscaping takes into account the adjacent ecologically sensitive area.

Note

It is expected that any application for major new development on the site will be accompanied by a landscape plan, the detail of which will be commensurate with the scale of development proposed.

4. Traffic, Parking and Access

- (a) The extent to which the surrounding road network is able to accommodate additional traffic generated by activities on the site.
- (b) The extent to which parking is screened from view from adjoining residential properties and at-grade

parking spaces are screened and / or softened through the use of soft landscaping.

- (c) The extent to which the location and design of accesses to the site minimises potential conflicts between vehicle traffic and pedestrians outside the site.
- (d) The extent to which the layout of the site minimises potential conflicts between pedestrians and vehicle traffic within the site.
- (e) The extent to which vehicle accesses and circulation routes are designed to avoid adverse effects on the amenity of neighbouring residential properties. This includes the alignment and finished carriageway level of the main access and internal roading system, with particular attention to the height of retaining walls and safety railings, and the potential for headlight glare.
- (f) The extent to which vehicle access routes located within Height Area 3 have been designed to avoid being within close proximity to neighbouring residential properties on the northern boundary of John Rymer Place or the extent to which they are screened by fences and/or intervening buildings.

Note

It is expected that any application for new buildings will be accompanied by a traffic engineering assessment commensurate with the scale of development proposed.

5. Site Servicing and Engineering

- (a) The extent to which new development can be accommodated in terms of existing, or where appropriate, the upgraded capacity of the stormwater, waste water and water supply systems.
- (b) The extent to which low-impact design principles are taken into account when designing the stormwater solution for the site.
- (c) The extent to which adequate provision is made for the storage of refuse and other service and loading areas and the extent to which these are screened from view both within the site and from outside the site.
- (d) The extent to which the design of the development avoids or mitigates natural hazards arising from stormwater and stability issues on the site.

Note

It is expected that any application for new buildings will be accompanied by an engineering assessment, and investigative evidence of the site which indicates that the site can be safely developed. The assessment will also be expected to indicate any measures to be taken to mitigate any adverse effects associated with the natural hazard created by the development.

6. Construction Activities

- (a) The extent to which a construction and traffic management plan demonstrates that potential adverse effects relating to noise, dust, vibration and construction traffic can be avoided or mitigated.

7. Tree Removal

- (a) The extent to which the tree removal is required in order to provide for new buildings or vehicle or pedestrian access to the site.
- (b) The extent to which any loss of amenity can be mitigated through replacement planting, other landscape features, or buildings.

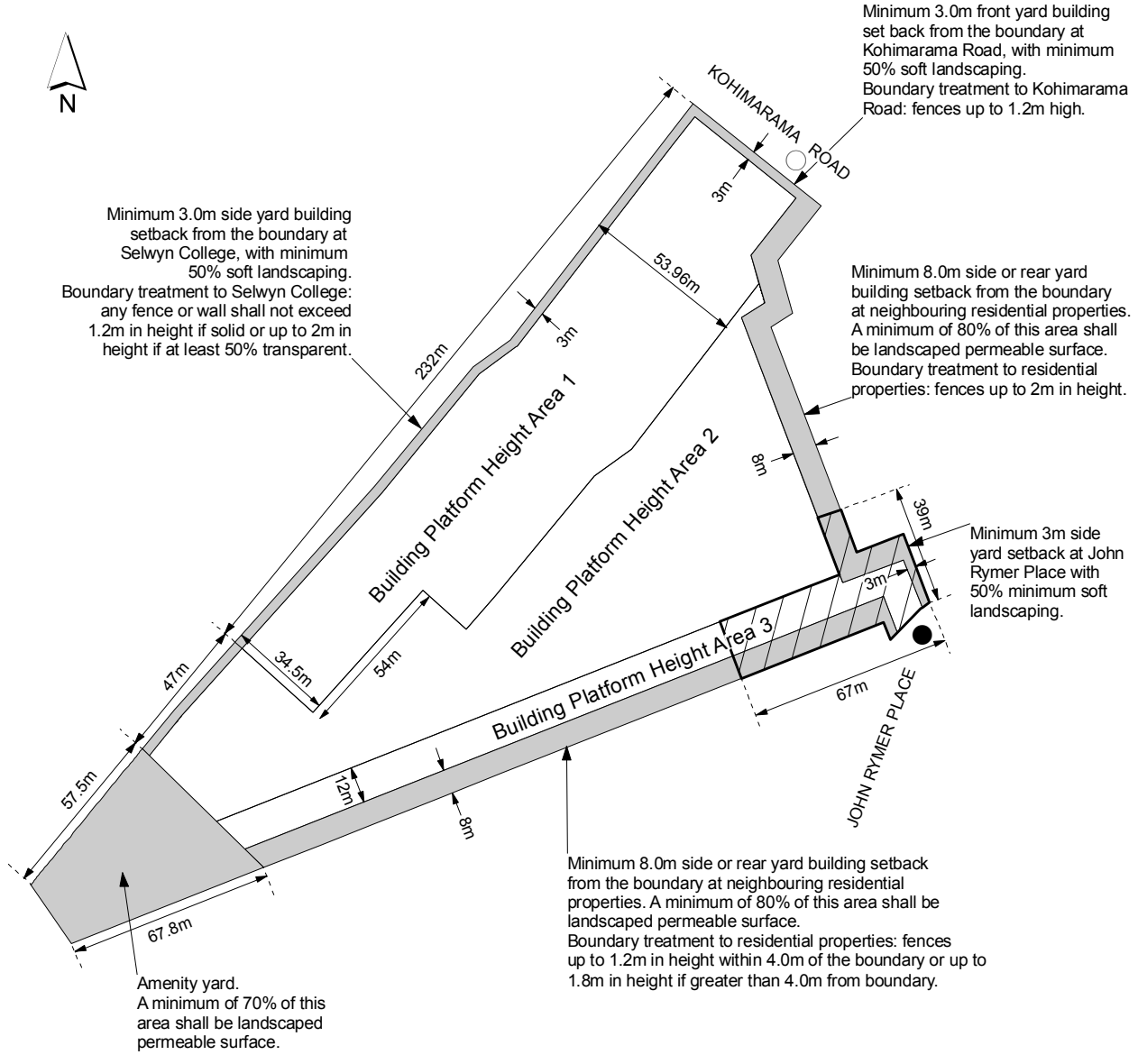
CRITERIA FOR ASSESSING DISCRETIONARY ACTIVITIES

An application for discretionary activity for vehicular access/egress from Kohimarama Road shall be accompanied by an assessment of the environmental effects of the proposed activity in terms of the relevant criteria contained in PART 4 - GENERAL PROVISIONS AND PROCEDURES and the following matters.








In assessing the discretionary activity application, the following particular matters will be considered:

- (a) Ability of the adjacent existing or planned roading systems to handle increased traffic and the feasibility of improving the roading system to handle increased traffic from the site and the particular access/egress point.
- (b) Accessibility of the site.
- (c) Current traffic problems in the area eg high accident location.
- (d) Existing and probable future traffic volumes on adjacent roads.
- (e) Traffic congestion and pedestrian/vehicle conflict likely to be caused by the proposal. Particular consideration shall be given to the location and number of vehicle crossings on the adjacent Selwyn College site and bus stop locations.
- (f) Vehicle access to and from the site must:
 - ensure adequate sight distances and prevent congestion caused by ingress and egress of vehicles;
 - be sufficiently separated from pedestrian access to ensure the safety of pedestrians.

C14-05 Kohimarama Retirement Village Concept Plan Diagram



LEGEND

-  Minimum building setback from boundary
-  Maximum 15.0m building height and a maximum of four storeys - roof bonus applies
-  Maximum 11.0m building height and a maximum of two storeys
-  Maximum 6.0m building height and a maximum of one storey
-  Vehicle access area
-  Pedestrian Entry (indicative location)
-  Pedestrian and Vehicular Entry

