

Auckland City Operative District Plan (Isthmus1999)


Plan modification no.225 : plan change

under section 73 of the Resource Management Act 1991

Operative date:

File no. 314/209225

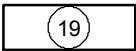

Part A: 1 Amendment to planning map no.1 sheet no. B10

The land shown  to be rezoned from Residential 7B to Business 4

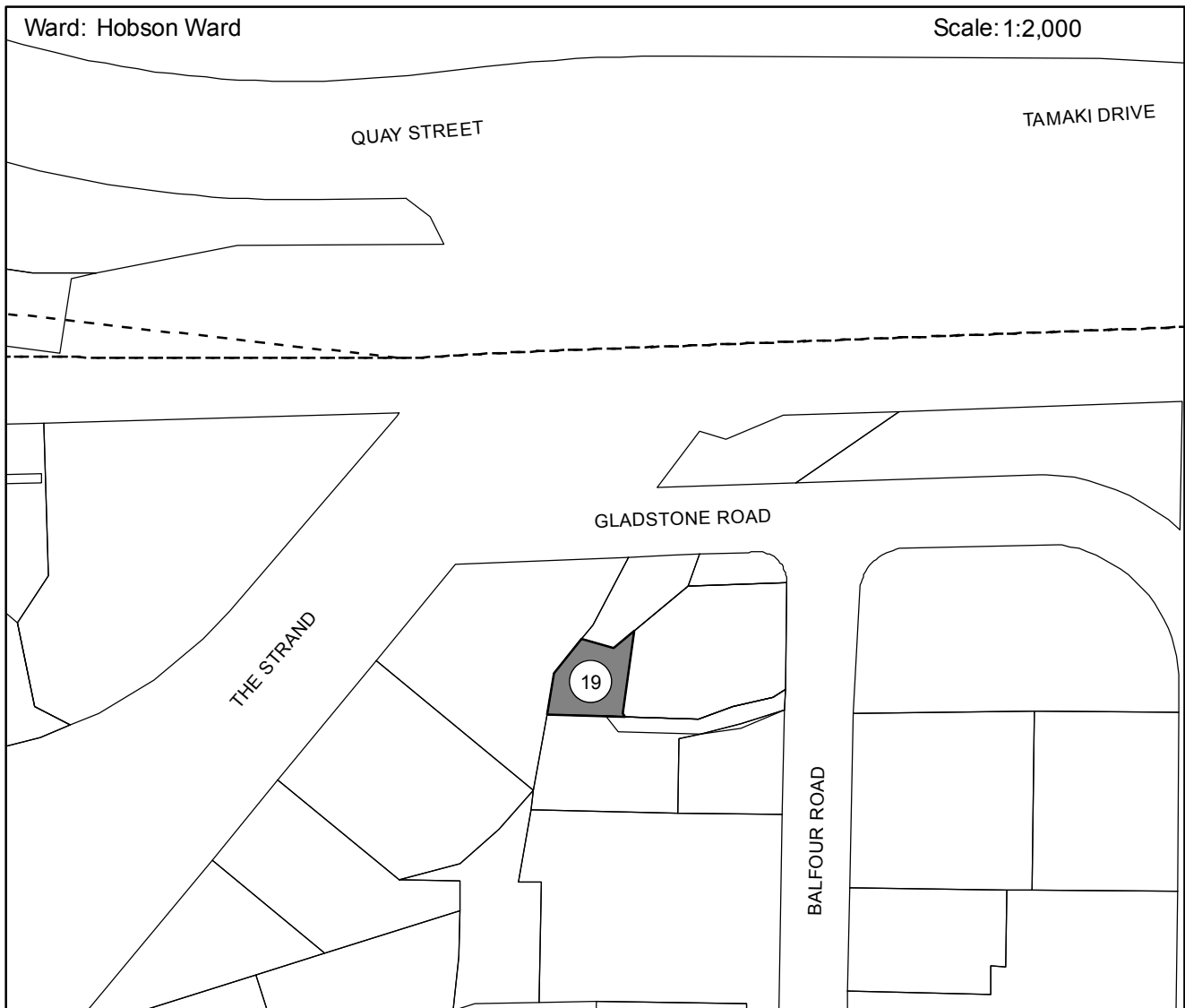
Address: 32 Balfour Road - Pt Lot 3 DP 177570



2 Amendment to planning map no.2 sheet no. B10

Add the notation  to the land shown as 

File no. 314/209225



Part B : AMENDMENT TO APPENDIX A OF THE PLANNING MAPS

Insert the following:

“B10-19 B Business 4 Special Concept Plan – 28-32 Balfour Road, Parnell”

Part C : AMENDMENT TO APPENDIX B OF THE PLANNING MAPS

Insert the following text appropriately in Appendix B of the Planning Maps

B10-19 Business 4 Special Concept Plan – 28-32 Balfour Road, Parnell

DOMINANT ACTIVITY: COMMERCIAL OFFICE, SERVICE OR RESIDENTIAL ACTIVITIES**PERMITTED ACTIVITIES**

- Accessory buildings and ancillary activities
- Care centres
- Commercial or public car-parking areas
- Community welfare facilities
- Educational facilities #
- Healthcare services
- Laboratories
- Non-permanent accommodation #
- Offices
- Places of assembly #@
- Premises for cultural activity #
- Residential units
- Restaurants, cafes and other eating places #@
- Tourist complexes #

RESTRICTED CONTROLLED ACTIVITIES

Construction/alteration of any building.

PARTICULAR RULES

- Any activity above marked # shall be subject to Rule 8.7.1.1 Threshold Effects
- Any activity above marked #@ shall be subject to a 100m² threshold as a permitted activity. Should this threshold be exceeded, the activity shall become discretionary.

NON-COMPLYING ACTIVITIES

Any activity not provided for by this concept plan as a permitted, controlled or discretionary activity, is deemed to be a non-complying activity.

DEVELOPMENT CONTROLS

All development of the site shall be subject to the development controls of the Business 4 zone of the District Plan, except:

1. 28-30 Balfour Road

There shall be additional controls regarding landscaping of street frontages and activity buffers with neighbouring sites as shown on the Concept Plan. Modification of the landscaped areas, yards and activity buffers as shown on the concept plan will be considered as a discretionary activity.

2. 32 Balfour Road

In addition, for any new building or existing building being refurbished or altered for the purposes of any residential activity, a report signed by an engineer specialising in acoustic design shall be submitted to the Council certifying that the building has been designed so that:

- A) Using the assumption that noise at the northern boundary of the land zoned Business 4 (Special Purpose) 32 Balfour Road is at the level shown in the Octave Band Centre Frequency table below, the following internal noise levels will not be exceeded between the hours of 10:00pm and 7:00am:
- i) in all bedrooms, not more than 35BAL10 and
 - ii) in all other habitable spaces (as defined in the Building Code), no more than 40 dBA L10.

Octave Band Centre Frequency (Hz)

	<u>63</u>	<u>125</u>	<u>250</u>	<u>500</u>	<u>1k</u>	<u>2k</u>	<u>4k</u>
<u>Incident L₁₀ Sound Pressure level (dB)</u>	<u>63</u>	<u>59</u>	<u>55</u>	<u>51</u>	<u>51</u>	<u>47</u>	<u>42</u>

- B) At the same time and under the same physical conditions as the internal noise levels in A) above will be achieved, all bedrooms and other habitable spaces of new building all bedrooms of existing buildings being refurbished or altered will be adequately ventilated in accordance with the Building Code: and
- C) After completion of the construction of the building, a further report shall be submitted to the Council Manager: City Planning signed by the same or a similarly qualified engineer certifying that the building has been built in compliance with the noise and ventilation criteria specified above.

For the avoidance of doubt, in assessing compliance with the ventilation requirements of the Building Code for the purposes of paragraphs A), B) and C) above, no source or means of ventilation shall be taken into account unless:

- ventilation from that source or means that is relied upon to meet the ventilation requirements of the Building Code will be available at all times when the internal noise levels in paragraph A) above will be achieved; and
- the internal noise levels in paragraph A) above will be achieved at all times when ventilation from that means or source is relied upon to meet the ventilation requirements of the Building Code;

Note:

Any report signed by an engineer in accordance with this standard above shall not be deemed to be a producer statements, building certificate or a product certificate under the Building Act 2004, or relied upon by the Council for the purposes of that Act.

Where an activity fails to meet one or more of the relevant development controls for the site, including the specific controls listed above, it shall be assessed against particular criteria of Clause 4.3.1.2B. DEVELOPMENT CONTROL MODIFICATIONS.

RESTRICTED CONTROLLED ACTIVITY CRITERIA FOR CONSTRUCTION/ ALTERATION OF ANY BUILDING

Any new buildings or alterations to existing buildings should be designed and constructed in such a way that they are compatible with the natural and physical landscape and neighbouring buildings in terms of their scale, design and appearance.

Explanation

The Special Concept Plan B10-19 was the result of Environment Court decision for the rezoning of 28-30 Balfour Road. The site at 32 Balfour Road was subsequently added to the Special Concept Plan B10-19 as a result of a further plan change. The development controls for the two sites differ as a result of the two separate processes.

Part D : AMENDMENT TO APPENDIX B OF THE PLANNING MAPS

Insert the following diagram to Appendix B of the planning map no. B10-19 Concept Plan 28-30 Balfour Road, Parnell to replace the existing diagram titled 'B10-19 Concept Plan 28-30 Balfour Road, Parnell.

