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## 20. 1Special Purpose

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### 20.0 Introduction and Issues

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#### 20.0.1 Introduction

The sustainable management purpose of the Resource Management Act 1991 (RMA) includes the social and cultural well-being of people and their communities and health and safety. This section of the Plan is concerned with those facilities, functions, and services that are of particular consequence to the community's well-being, health and safety but do not conform to the provisions of the standard zones. It also addresses unique sites or areas that require special treatment because of the particular mix of resource management issues that pertain to the site.

Throughout the city, significant public investment occurs in the form of large scale, specialised and often complex facilities which provide important community services and functions such as the district health and tertiary educational institutions, the wastewater treatment plant, the North Shore Domain and Stadium and the North Shore Cemetery and Crematorium and the Devonport Naval Base. There is also a sizeable public investment in a network of small to medium sized community facilities throughout the city, such as libraries, community houses and halls, community workshops and community leisure centres, all of which constitute a valuable community resource.

In addition, there are other facilities and services which, although not necessarily community owned, are also of a specialised nature and their continued existence and possible development is of particular benefit to the community. Examples of these include the Awataha Marae, the Albany Centre Amenity Area, the Centrepont Community Growth Trust settlement and marina facilities. These facilities are considered to require separate measures to permit their maintenance, management and development in a way that avoids or mitigates adverse effects on the environment.

While the importance of these facilities and services to the well-being, health and safety of the community is evident and the need for individual measures understandable, there are also two sites within the city which, because of their previous use as a quarry and an industrial disposal area, are of particular interest to the community from the point of view of safety in relation to their rehabilitation and future development. Special measures are therefore considered necessary for these two locations to ensure that rehabilitation is undertaken in a manner that results in a safe environment.

Special provisions for these facilities, functions and services, and for these special sites or areas, and management of the activities and effects associated with them, is in accordance with the following sections of the RMA.

- ⇒ *Section 5*: the sustainable management purpose of the RMA
- ⇒ *Section 6*: recognising and providing for matters of national importance
- ⇒ *Section 7*: by avoiding, remedying or mitigating any adverse effects of activities on the environment and by enabling the maintenance and enhancement of amenity values

The *Auckland Regional Policy Statement* contains a number of relevant policies for this section of the Plan. They include the following:

- Objectives dealing with development which reflect the requirements of *Section 3, 5, 6, 7 and 8* of the RMA, and in particular, those aimed at ensuring that when development occurs, the natural and physical resources are managed in a way which maintains and enhances the general social and cultural well-being of the community in accordance with specific policies of the *Auckland Regional Policy Statement*
- Objectives aimed at protecting the coastal environment and in particular, requiring a precautionary approach to evaluating proposals for subdivision, use and

development in the coastal environment

- Objectives aimed at protecting water and air quality.

The development of objectives and policies for this section has also been guided by the following goals set out in [Section 6](#) of the Plan: Natural Environment and Built Environment.

All of these matters have been taken into account in preparing this section of the Plan.

## **20.0.2 Special Purpose Issues**

Significant special purpose activity issues for North Shore which must be addressed in the objectives and policies of this Plan are:

- *How to secure and maintain, through special measures, the sustainable management of certain community facilities that are frequently land extensive and involve significant public investment in terms of scale and complexity of development*
- *How to secure and maintain, through special measures, the sustainable management of facilities and services which, although not community owned, are of particular benefit to the community*
- *How to ensure that development of both the community owned and non-community owned facilities can occur while continuing to maintain environmental quality*
- *How to ensure that rehabilitation of certain sites is undertaken in an environmentally acceptable manner and results in a safe environment.*
- *How to ensure that special sites and areas are managed to ensure sustainable outcomes.*

In the past many community facilities were designated. Consequently the setting of objectives, policies and controls has not been undertaken previously for many of these community facilities.

The challenge is to develop and administer a system for managing the operation, use, development or protection of the natural and physical resources of these community facilities and other sites and areas in a way which will maintain and enhance environmental quality, while ensuring the sustainable management of these resources.

## **20.0.3 Special Purpose Objectives and Policies**

### **20.0.3.1 Management of Community Facilities**

#### ***Objective***

To provide for identified community facilities and specialised facilities of a community nature while ensuring the sustainable management of the various resources committed to them and an environmentally responsive approach to any development of them.

#### ***Policies***

1. By applying Special Purpose zones to identified community owned and non-community owned facilities, that are of particular value to the community.
2. By establishing acceptable levels of development and activity that are compatible with the surrounding environment.

#### ***Methods***

- Policies 1 and 2 will be implemented by rules.

#### ***Explanation and Reasons***

*The Plan recognises the need to provide for a wide range of community facilities. A number of these are large, land extensive facilities catering for a multiplicity of activities and as such, cannot be easily accommodated in regular zones. Others, while not as complex, cannot, because of location or some other factor, be easily accommodated in suitable regular zones.*



*It is important to the community well-being that existing valued community resources are sustained. To achieve this, these special purpose zones apply to a wide cross section of the city's community facilities in a way which secures their future use and development while ensuring environmental quality.*

#### **Expected Environmental Results**

- Sustainable management of valuable community facilities while avoiding or mitigating any adverse effects of such activities on the environment, as measured by five-yearly resident surveys.

### **20.0.3.2 Management of Sites in Need of Rehabilitation**

#### **Objective**

To provide for certain sites which, due to their past usage, require rehabilitation and to ensure the restoration is undertaken in an environmentally sensitive manner.

#### **Policies**

1. By applying special purpose zones to two privately owned sites requiring rehabilitation.
2. By applying restricted levels of development and activity in order to encourage the full rehabilitation of these sites from an early stage.

#### **Methods**

- Policies 1 and 2 will be implemented by rules.

#### **Explanation and Reasons**

*Two particular sites within the city are, because of their previous usage as a quarry and as a disposal site respectively, currently in an environmentally unacceptable state. The Plan recognises that rehabilitation is required before any future development of these sites can be contemplated.*

*It is important to the community well-being that these sites be made environmentally safe and be made available again for future development options since they form part of the land resource of the city.*

#### **Expected Environmental Results**

- Environmentally sensitive rehabilitation of two sites in order to permit them to become usable land resources for the community, as measured by five-yearly Special Purpose zoning land use surveys.

### **20.0.3.3 Management of special sites and areas**

#### **Objective**

To sustainably manage particular sites and areas in a manner which recognises the special mix of natural and physical resources and associated values pertaining to the subject site or area

#### **Policies**

1. That the adverse effects of the use and development of sites and areas are avoided, remedied or mitigated.
2. That the potential to achieve positive effects from the use, development or protection of sites and areas is optimised wherever practicable.

#### **Methods**

The policies will be implemented by rules

### **20.0.4 Zoning Framework**

The Plan adopts 15 special purpose zones. Their make-up and application varies depending on the nature of the particular community asset they are designed to secure. Most of the zones apply only to one area of land although a few apply to more than one. Special Purpose 9 zone: Community Uses is one exception that includes a number of sites as it applies to various small to medium sized community owned and operated

facilities spread across the city. The zones are listed below followed by the individual objective, policies and rules for each zone.

Special Purpose 1 zone:	Health
Special Purpose 2 zone:	Education
Special Purpose 3 zone:39	Wastewater Treatment Plant
Special Purpose 4 zone:	Cemetery and Crematorium
Special Purpose 5 zone:	Transitional Quarry
Special Purpose 6 zone:	Boat Building
Special Purpose 7 zone:	Marinas
Special Purpose 8 zone:	Awataha Marae
Special Purpose 9 zone:	Community Uses
Special Purpose 10 zone	Centrepont Community Growth Trust
Special Purpose 11 zone:	Albany Centre Amenity Area
Special Purpose 12 zone:	North Shore Domain and Stadium
Special Purpose 13 zone:	Chelsea Sugar Refinery
Special Purpose 14 zone:	Devonport Naval Base Area A: (Health and Administration Area B (HMNZS Philomel)
Special Purpose 15 zone:	HMNZ Dockyard

## 20.1 Special Purpose 1 Zone: Health

This zone applies to the North Shore Hospital complex which occupies a large site located between Shakespeare Road, Taharoto Road, Shea Terrace and Lake Pupuke. The complex is managed by Waitemata Health Ltd, which is a Crown Health Enterprise, and is the major medical facility serving the North Shore and the wider region.

### 20.1.1 Hospital Facility

#### **Objective**

To provide for a large scale hospital complex in a manner which enables it to operate and develop but which minimises adverse effects and ensures that significant areas of open space on the site are retained while allowing re-assignment of surplus land to other community purposes.

#### **Policies**

1. By applying a Concept Plan to this zone which identifies the extent of the areas that can be developed, and those peripheral areas to be retained as open space.
2. By providing for the primary health care and associated activities of the hospital as Permitted Activities.
3. By providing for the hospital support services, such as workshops and laundries, as Permitted activities.
4. By providing for the needs of on-site staff, patients and visitors to the hospital complex by allowing a limited range of commercial and non-medical facilities.



5. By providing for a limited range of residential accommodation which needs to be associated with hospital and health care facilities, and/or has a high usage of hospital and medical facilities.
6. By adopting development controls which will limit the height, bulk and location of any additional development.
7. By requiring the appearance of buildings to be to a high standard of visual design, particularly on the external faces of the complex and in its relationship to surrounding buildings and adjoining facilities.
8. By requiring any new development to avoid any reduction in the water quality of Lake Pupuke.
9. By providing some options of a community or public nature for the use of land shown to be surplus to hospital needs.

### **Methods**

- Policies 1 to 9 will be implemented by rules.

### **Explanation and Reasons**

*The hospital complex consists of extensive and highly visible buildings, substantial car parking areas and significant areas of open space. It has been given a special purpose zoning in recognition of its size and complexity, its importance to the community and its regional significance.*

*The Plan seeks to ensure that the regional significance of the hospital complex is retained by allowing for a wide range of health care activities and related functions to establish on the site, including training and servicing facilities, management functions and hospital shops that will cater for the needs of staff, patients and visitors. The location of the many health care facilities and the associated management and support activities within the site will allow the complex to operate as a self-contained and sustainable unit.*

*Because the zone is reasonably well separated from residential activities, a wider range of medical and hospital related activities can be permitted as of right. Those that are listed as controlled activities are those that may need conditions to be placed on aspects such as design and appearance in order to limit adverse visual impacts or other minor adverse effects on the environment.*

*The discretionary activities are those that may generate adverse effects which cannot be anticipated at this point in time or are existing non-medical activities which are considered to be interim uses of Health zone resources but cannot be allowed to expand to the detriment of legitimate medical or health activities.*

*While allowing for the intensification of activities at the complex, any potential adverse effects must be avoided or minimised. The development controls of this zone, therefore, are intended to prevent or reduce detrimental effects on the amenity of the surrounding area, and especially on Lake Pupuke. For instance, the provision of height requirements will assist in lessening the effects of large buildings while the coverage control will help preserve open space within the zone. Controls on water pollution to help protect Lake Pupuke and other rules relating to noise, air emissions and lighting glare are included in [Section 10](#). The rules in [Section](#) require that sufficient on-site car parking be provided, thereby ensuring that parking associated with the hospital does not congest adjacent streets and create a parking nuisance.*

*In addition, a Concept Plan is included for the zone (see [Appendix 20A](#)), which identifies the extent of development. As far as possible building development should be concentrated in Area A so that open space areas such as that fronting Lake Pupuke and along the frontage to major roads can be maintained and thereby continue to contribute to the visual amenity of the area.*

### **Expected Environmental Results**

- The hospital's satisfaction with its ability to establish buildings, services and activities necessary for the hospital's operation as a major health care provider in the region, as measured by five-yearly consultation with hospital management

- Avoidance or mitigation of any adverse effects associated with further development of the hospital complex, as measured by an annual assessment of Council's Complaints Register and ongoing environmental quality surveys
- Provision of open space areas within the zone, as measured by a five-yearly special purpose zones land use survey.

### **20.1.2 Rules: Activities**

*Note:*

The activity status of any activity specified in this rule may be changed by rules in the General Sections of the Plan.

*Note:*

Accessory buildings have the same activity status as the prime activity on the site unless otherwise stated.

#### **20.1.2.1 Permitted Activities**

The following are the Permitted activities in Special Purpose 1 zone: Health:

- Hospitals
- Health care centres
- Medical testing and research laboratories
- Ambulance facilities and associated first aid training facilities
- Crown Health Enterprise administration offices and other health related offices which are ancillary to or related to health activities occurring on the site
- Childcare centres
- Mortuaries
- Residential accommodation within the existing nurses' home
- Staff residential accommodation
- Disabled persons' housing
- Rest homes
- Exterior lighting
- Car parking areas
- Helicopter facilities associated with the hospital
- Seating, pedestrian paths and similar passive recreational items and equipment in the vicinity of the lakefront.

#### **20.1.2.2 Controlled Activities**

The following are the Controlled activities in the Special Purpose 1 zone: Health:

- The erection of any new building, of more than two storeys in height for a Permitted activity, or any addition of more than 50m<sup>2</sup> to an existing building where the addition is for a Permitted activity
- Community Welfare Centres related to medical or health matters or providing a service for current hospital patients
- Crown Health Enterprise maintenance base/workshops and storage/warehousing facilities
- Residential accommodation ancillary to and associated with the hospital activity
- Rehabilitation facilities
- Parking buildings for activities within the zone

- Libraries
- Training facilities, educational facilities, conference facilities complementary to, and integrated with, the medical facilities in Special Purpose 1 zone
- Marae associated with the hospital activity
- Chapels/Places of Worship associated with the hospital activity
- Retirement Complexes
- Offices and facilities of a community or public nature.

### 20.1.2.3 Discretionary Activities

The following are the Discretionary activities in the Special Purpose 1 zone: Health:

- Staff recreation or leisure facilities
- Any activity which is not listed as a Permitted or Controlled activity but which is medical or health related
- Subdivision
- Garden centre on the area indicated on the Concept Plan in [Appendix 20A](#)
- Catering unrelated to the hospital, located within kitchen facilities indicated on the Concept Plan in [Appendix 20A](#).

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## 20.2 Special Purpose 2 Zone: Education

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This zone applies to three major tertiary educational campuses located at two separate sites owned by Massey University in Albany and at the site owned by Auckland University of Technology (AUT) in Northcote.

The main Massey University site is under development and involves approximately 55 hectares of land situated between the Albany Highway and State Highway 17, immediately north of the Oteha Escarpment and south of the Albany Township. The existing Massey University campus at Albany known as Oteha Rohe Campus, is situated on the Albany Highway. The AUT Akoranga Campus is largely developed and occupies a site lying between the Northern Motorway, Akoranga Drive and College Road.

### 20.2.1 Tertiary Educational Facilities

#### **Objective**

To ensure that the development and community use of the campus facilities of the three educational facilities at Albany and Northcote result in attractive and convenient sites which respect and enhance the physical features of the surrounding areas and avoid or minimise any adverse effects on the environment and amenity of the surrounding area.

#### **Policies**

1. By providing for a range of activities including those of a predominantly educational nature, together with a range of ancillary and service related uses such as research facilities and residential accommodation, as well as those that encourage community use of campus facilities, such as conference centres and sports and recreational facilities.
2. By requiring Comprehensive Development Plans to be prepared for each campus and submitted to the Council for approval by means of a Discretionary activity application, prior to the establishment of any activity or the commencement of any development work.
3. By requiring the Comprehensive Development Plans to provide a range of detailed information including design and location of buildings, access provisions, cycle and pedestrian facilities, landscaping and earthworks, as well as the staging of the development.

4. By requiring the visual impact of the AUT campus to be mitigated in order to retain and enhance the visual amenity of the landscape as seen from Akoranga Drive and the Northern Motorway.

### **Methods**

- Policies 1 to 4 will be implemented by rules.

### **Explanation and Reasons**

*In providing this Special Purpose zone, the Council is recognising the local and regional significance of these three campuses as major educational resources. The primary intention of the zone is to enable the development and operation of these campuses in a self-contained and sustainable manner and to allow a range of activities that reflect the need to cater for the diverse requirements of the student population. These institutions represent resource opportunities for the wider community beyond educational purposes, and community use of these facilities should be encouraged.*

*Although, at present, the three sites are at different stages of development, future development will be required to be dealt with in a similar manner. Consequently, prior to the establishment of any new activity or the commencement of any development works, Comprehensive Development Plans must be approved by the Council. A Comprehensive Development Plan has already been prepared and approved for the main Massey University site, but for the other two sites, plans should be prepared by the institutions in consultation with the Council and these will be assessed by the Council as Discretionary activity applications.*

*In order to preserve the amenity of the areas surrounding these facilities, the Council will require certain activities to be restricted in terms of their scale and operation. Further to this, Comprehensive Development Plan requirements seek to ensure that the sites develop as attractive, well integrated facilities.*

### **Expected Environmental Results**

- Avoidance or mitigation of any adverse effects associated with further developments of the AUT or Massey University Campuses, as measured by an annual assessment of the Council's Complaints Register, taking into account only those complaints relating to Resource Management Act matters, and ongoing environmental quality surveys
- Mitigation of the visual impact of AUT campus, as measured by a biennial assessment of the Council's Complaints Register and five-yearly consultation with AUT.

## **20.2.2 Rules: Activities**

*Note:*

The activity status of any activity specified in this rule may be changed by rules in the General Sections of the Plan.

### **20.2.2.1 Permitted Activities**

The following are the Permitted activities in the Special Purpose 2 zone: Education:

- Pastoral farming including accessory buildings on Special Purpose 2 zone land at Albany
- Riding trails on Special Purpose 2 zone land at Albany
- Walking, jogging and cycling paths/trails
- Park benches and children's play areas including playground equipment
- Playing fields, sports grounds, greens and courts excluding lighting
- Picnic and barbecue facilities.

### 20.2.2.2 Controlled Activities

The following are the Controlled activities in the Special Purpose 2 zone: Education:

- Education facilities including teaching, research, student and staff facilities
- Libraries
- Buildings for sports and recreation
- Catering facilities serving the campus
- Conference centres
- Student accommodation
- Accommodation for staff and visiting academics
- Student health and counselling centres
- Childcare centres
- Community buildings and facilities
- Offices associated with the education facility
- Restaurants and licensed premises serving the campus
- Communication and broadcasting facilities
- Computer centres provided that such centres are linked directly with courses, research or development provided or undertaken by the University or Institute
- Commercial services and shops provided that all such premises cater for the needs of the campus and do not exceed a total gross floor area of 1500m<sup>2</sup> per campus
- Additions up to 50m<sup>2</sup> to existing buildings for any of the activities listed in [Rule 20.2.2.2](#)
- Accessory buildings for any of the foregoing Controlled activities.

### 20.2.2.3 Discretionary Activities

The following are Discretionary activities in the Special Purpose 2 zone: Education:

- The erection of any new building, or addition over 50m<sup>2</sup> in area to any existing building, in accordance with an approved Comprehensive Development Plan
- Subdivision
- Any activity not listed as a Permitted or Controlled activity but which is directly related to the education or campus needs of the University or Institute and can include additions up to 50m<sup>2</sup> to existing buildings for these activities.

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## 20.3 Special Purpose 3 Zone: Wastewater Treatment Plant

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This zone applies to the wastewater treatment plant and oxidation ponds that occupy a large site between Rosedale Road and Constellation Drive in Albany.

### 20.3.1 Management of the Wastewater Treatment Plant

#### **Objective**

To ensure that the continued operation and the future expansion of the wastewater treatment plant occurs in a manner which avoids or minimises any adverse environmental effects, and maintains and enhances the open space character of the zone in recognition of the visual amenity it provides and of the wildlife habitats that exist there.

## **Policies**

1. By applying a Concept Plan to this zone which identifies the extent of the areas to be developed and those areas to be retained as open space, apart from the presence of essential minor utility buildings.
2. By providing for the activities that allow the plant to operate and to expand to meet the growing demands of the city.
3. By limiting other activities to those that currently operate in conjunction with the plant such as farming or to those that could operate alongside the wastewater treatment plant without detrimentally affecting the open space and wildlife values of the zone.
4. By including rules which will limit the height, bulk and location of any additional development.
5. By taking all reasonable steps to ensure that odour is minimised.
6. By taking all reasonable steps to improve the quality of effluent that is discharged into the Hauraki Gulf and ensuring that the existing and future requirements of the discharge consent to the Hauraki Gulf are met.
7. By giving the site status as a site of Special Wildlife Interest.
8. By requiring further landscaping of the site in harmony with the landscaping themes that have been adopted for the site.

## **Methods**

- Policies 1 to 8 will be implemented by rules
- Policies 5 and 6 will be implemented by Council works in the form of Annual Plan commitments.

## **Explanation and Reasons**

*This Special Purpose zone has been provided for the wastewater treatment plant as it has a character and function that is distinct from other development in the city. The plant is an essential feature of the city's public works infrastructure as it serves the entire urban area of the North Shore. Its ability to efficiently dispose of the city's wastewater is vital.*

*Nuisance aspects relating to odour emissions and discharge of effluent occasionally result from the waste+water treatment operation. It is intended that this Special Purpose zone will encourage and allow for the operation of the plant in such a manner that will minimise the nuisance of odour and assist in achieving an acceptable quality of effluent discharge.*

*The Council, by including a Concept Plan ([Appendix 20B](#)) which identifies areas which are not to be developed, is also recognising that the zone has a role to play in terms of visual amenity. The open space surrounding the oxidation ponds provides a pleasant visual break in contrast to the surrounding development. The oxidation ponds are also registered as a Site of Special Wildlife Interest. For these reasons the Council seeks to retain the open space character of the zone.*

## **Expected Environmental Results**

- Efficient disposal of the city's wastewater, as measured by annual consultation with plant management
- Development of the wastewater treatment works as demand on the plant grows, as measured by annual consultation with plant management
- Minimal nuisance of odour, as measured by ongoing assessments of plant malfunctions
- Acceptable quality of effluent discharged into the Hauraki Gulf, as measured by ongoing assessments of plant malfunctions and ongoing environmental quality surveys.
- Minimal adverse effects on the surrounding neighbourhood, as measured by an annual assessment of Council's Complaints Register
- Pleasant visual amenity, as measured by an annual assessment of Council's Complaints Register.



## 20.3.2 Rules: Activities

*Note:*

The activity status of any activity specified in this rule may be changed by rules in the General Sections of the Plan.

*Note:*

Accessory buildings have the same activity status as the prime activity on the site unless otherwise stated.

### 20.3.2.1 Permitted Activities

The following are the Permitted activities in the Special Purpose 3 zone: Wastewater Treatment Plant:

- Wastewater treatment plant and equipment including oxidation ponds and associated equipment, sludge lagoons, administration office and laboratory, and associated maintenance and workshop facilities
- Pastoral farming and associated buildings and equipment
- Stormwater channels, dams and detention ponds
- Exterior lighting
- Forestry
- Parking for Rosedale Park
- Residential Units for staff
- Wetlands
- Composting plant

### 20.3.2.2 Controlled Activities

The following are the Controlled activities in the Special Purpose 3 zone: Wastewater Treatment Plant:

- The erection of any new building of more than 6 metres in height for a Permitted activity or any addition of more than 50m<sup>2</sup> to an existing building where the addition is for a Permitted activity
- Riding trails and courses
- Sale of compost, sludge and sludge-related products.

### 20.3.2.3 Discretionary Activities

The following are the Discretionary activities in the Special Purpose 3 zone: Wastewater Treatment Plant:

- Any activity which is not listed as a Permitted or Controlled activity but is related to the wastewater treatment operation and has a need to locate in the zone
- Subdivision.

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## 20.4 Special Purpose 4 Zone: Cemetery and Crematorium

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This zone applies to the Council operated North Shore Cemetery and Crematorium which occupies an extensive site at the western end of Schnapper Rock Road and is a major community facility serving the wider area of the North Shore.

### 20.4.1 Cemetery and Crematorium

#### *Objective*

To retain the open space character and the attractive, landscaped appearance of the cemetery and crematorium, and avoid or minimise any adverse effects on the



environment and amenity of the surrounding area while providing for the continued operation and development of the North Shore Cemetery and Crematorium.

### **Policies**

1. By applying a Concept Plan to this zone which identifies the extent of the areas to be developed and those areas to be retained as open space, apart from the presence of some minor cemetery-related structures.
2. By permitting a range of activities that allow the cemetery and crematorium to continue to operate and to develop further.
3. By adopting development controls which will limit the height, bulk and location of any additional development.

### **Methods**

- Policies 1, 2 and 3 will be implemented by rules.

### **Explanation and Reasons**

*The intent of this Special Purpose zone is to recognise the role of the cemetery and crematorium as a major community facility. The Council is also seeking to build upon the regional significance of the facility by allowing for its expansion as the need arises. The zone, therefore, allows for a range of related activities to establish on the site. The provisions of this zone, while permitting further development, also seeks to ensure that the operation of the facility does not impact on the environment or detract significantly from the amenity of the surrounding area.*

*This zone also recognises that the open space appearance, the attractive landscaping and quiet environment of the cemetery contribute at present, and will so even more in the future, to the visual and other amenities of the area. Further, the open space character of the cemetery complements and adds to the amenity of a reserve area that lies between the cemetery grounds and Lucas Creek.*

*For these reasons, the Council has included development and other controls along with a Concept Plan for this zone. The Concept Plan (see [Appendix 20C](#)) identifies the extent of the areas to be developed and those areas to be retained as open space.*

### **Expected Environmental Results**

- Management satisfaction with development controls that enable the ongoing operation of the cemetery grounds and crematorium, as measured by five-yearly consultation with cemetery and crematorium management
- Management satisfaction with development controls that enable further development of the facility as demand requires, as measured by five-yearly consultation with cemetery and crematorium management
- Avoidance or mitigation of the adverse effects on the surrounding area, as measured by an annual assessment of the Council's Complaints Register
- Maintenance of the facility's open-space appearance, as measured by five-yearly consultation with cemetery and crematorium management.

## **20.4.2 Rules: Activities**

*Note:*

The activity status of any activity specified in this rule may be changed by rules in the General Sections of the Plan.

*Note:*

Accessory buildings have the same activity status as the prime activity on the site unless otherwise stated.

### **20.4.2.1 Permitted Activities**

The following are the Permitted activities in the Special Purpose 4 zone: Cemetery and Crematorium:

- Cemetery/burial grounds

- Crematorium
- Administration office for crematorium and cemeteries
- Chapel
- Waiting and viewing rooms
- Seating, pedestrian paths, picnic tables and similar passive recreational items and equipment in the vicinity of Lucas Creek
- Cemetery and crematorium maintenance facilities.

#### **20.4.2.2 Controlled Activities**

The following are the Controlled activities in Special Purpose 4 zone: Cemetery and Crematorium:

- The erection of any new building for a Permitted activity or any addition of more than 50m<sup>2</sup> to an existing building where the addition is for a Permitted activity
- Reception lounges for use by mourners
- Display and sale of flowers and other decorative items used on burial plots
- Display and sale of memorial items
- Columbarium
- Crypts
- Car parking
- Residential units for staff required to live on site
- Exterior lighting.

#### **20.4.2.3 Discretionary Activities**

The following are the Discretionary activities in the Special Purpose 4 zone: Cemetery and Crematorium:

- Subdivision
- Any activity which is not listed as a Permitted or Controlled activity but relates to the cemetery or crematorium and needs to locate in the zone.

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### **20.5 Special Purpose 5 Zone: Transitional Quarry**

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This zone applies to the quarry site known as Smales Quarry on Northcote Road, Takapuna, where quarrying and processing of basalt and scoria has been occurring for many years.

#### **20.5.1 Quarrying and Rehabilitation**

##### ***Objective***

To promote the restoration of the quarry site following final quarrying activities and to ensure that the adverse effects on the environment, due to present quarrying and processing activities and to subsequent rehabilitation works on the site, are minimised.

##### ***Policies***

1. By limiting the range of activities to those which reflect the present quarrying and processing activities and to those which are necessary for the proper restoration of the land.
2. By imposing special amenity controls at the site boundaries.
3. By excluding the use of explosives in quarrying operations.
4. By requiring that a Restoration and Development Plan for the rehabilitation of the quarry site be prepared by the owner prior to any change of activity in the zone and

that the owner gain Council approval for the Restoration and Development Plan by means of a Discretionary activity application prior to the commencement of any restoration or development work or the establishment of any use.

5. By requiring the Restoration and Development Plan to provide a range of detailed information including contours, drainage, restoration measures to be used, restoration programme to be followed as well as proposed end uses.
6. By prohibiting subdivision in the zone to ensure the entire quarry site is rehabilitated in a comprehensive manner.

### **Methods**

- Policies 1 to 6 will be implemented by rules.

### **Explanation and Reasons**

*At Smales Quarry years of quarrying has resulted in extensive modification to the form and character of the land and although there are reserves of basalt and scoria still in the ground, they mostly cannot be extracted without either affecting land beyond the boundaries of the quarry site or encountering water level difficulties in the base of the quarry. At present, no quarrying at the face occurs and the land is largely used for recycling concrete rubble and for the processing and storage of imported quarried materials.*

*It is recognised that the quarrying activity is a finite operation and that the site will require land restoration before it can be used for alternative purposes suited to the built up urban area in which it is located. The intention in instituting this special zone, is to acknowledge the particular development difficulties of this site and to put appropriate rehabilitation provisions in place.*

*The zone emphasises this by including specific provisions relating to rehabilitation of the quarry site which must be met before any new use or rezoning of this land will be considered. The main provision is a detailed Restoration and Development Plan which is to be prepared by the owner in consultation with the Council and other relevant authorities, and will be assessed by the Council as a Discretionary activity.*

*Activities permitted in the zone are restricted to the present activities conducted there in order to encourage an early start to the rehabilitation process. Interim uses are not envisaged. However, the reserves of basalt and scoria remaining in the quarry represent a scarce and valuable resource. Extraction of the existing reserves, within the limits of the physical constraints applying to the site, until the reserves are exhausted or unwinable, is therefore catered for in this Special Purpose zone and reflected in the activities permitted in the zone. Controls however are imposed to ensure that the environment and the amenities of adjoining properties are not detrimentally affected by the continued operation of the quarry.*

### **Expected Environmental Results**

- Management of this mineral resource to secure its efficient use while avoiding adverse effects on the environment, as measured by an annual assessment of Council's Complaints Register
- Satisfactory rehabilitation of the site, as measured by an approved Restoration and Development Plan
- Minimal adverse effects upon the environment and the amenity of the surrounding area both during the continued quarrying operation and during the rehabilitation process, as measured by an annual assessment of Council's Complaints Register.

## **20.5.2 Rules: Activities**

*Note:*

The activity status of any activity specified in this rule may be changed by rules in the General Sections of the Plan.

*Note:*

Accessory buildings have the same activity status as the prime activity on the site unless otherwise stated.

### 20.5.2.1 Permitted Activities

The following are the Permitted activities in the Special Purpose 5 zone: Transitional Quarry:

- Quarrying of stone including basalt and scoria complying with Rule 20.16.2.5 a)
- Crushing, screening, stockpiling, storage and sale of stone
- Maintenance of plant and vehicles used in conjunction with quarrying operations
- Administration office for the quarry operation.

### 20.5.2.2 Controlled Activities

The following are the Controlled activities in the Special Purpose 5 zone: Transitional Quarry:

- The erection of any new building or any addition to existing buildings, necessary for a Permitted activity provided that the building or addition is a relocatable structure.

### 20.5.2.3 Discretionary Activities

The following are the Discretionary activities in the Special Purpose 5 zone: Transitional Quarry:

- Reclamation and restoration of the site by controlled filling in accordance with an approved Restoration and Development Plan covering the whole site.

### 20.5.2.4 Prohibited Activities

The following are the Prohibited activities in the Special Purpose 5 zone: Transitional Quarry:

- Any filling of the quarry or dumping of non quarry materials on the site not in accordance with an approved Restoration and Development Plan
- Subdivision.

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## 20.6 Special Purpose 6 Zone: Boat Building

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Special Purpose 6 zone: Boat Building applies to two different locations, namely the properties at 5-11 Omana Road, Milford and the property at 84 Rame Road, Greenhithe where long established boat building and boat repair activities continue to operate.

### 20.6.1 Management of Boat Building Activities

#### **Objective**

To enable the continued operation of existing boat building, boat repair and maintenance and associated activities at two specialised locations on the North Shore to occur in a manner that avoids or mitigates any potential or actual effects on the environment, particularly the marine environment, or on the amenities of the surrounding area.

#### **Policies**

1. By providing for a limited range of activities that specifically provides for boat building, boat maintenance, boat repairs and associated activities.
2. By allowing marine related activities of special benefit to Milford Marina to locate within Special Purpose 6 zone at Omana Road.
3. By regulating all activities through the Controlled or Discretionary activity provisions in order to minimise environmental effects of any proposal.
4. By adopting development controls for height and for yards that will ensure that development within the zone is compatible with the surrounding residential neighbourhood.
5. By adopting screening measures to improve the visual appearance of the zone.

## **Methods**

- Policies 1 to 5 will be implemented by rules.

### **Explanation and Reasons**

*Because of the small size and specialised locations of Special Purpose 6 zone, the intent of the zone is to provide specifically and almost exclusively for boat building, boat maintenance and associated functions rather than permitting general or unrelated activities that have a much wider choice of areas in which to locate.*

*Furthermore, the Special Purpose 6 zone properties at Omana Road in Milford are directly adjacent to the Milford Marina and provide a valuable shoreside facility for the marina, including a hardstand area and fuel sales. Therefore marine related uses of particular benefit to the marina facility are permitted at the Omana Road location.*

*A combination of controls apply to the zone to prevent or reduce any adverse effects such as noise, dust, paint spray, odour and water discharges that might be generated by the activities within this zone on the environment or on the amenity of the surrounding area.*

*The development controls for any new buildings in the zone are aimed at ensuring development that is in scale with the residential development that surrounds the zone, while the screening requirement seeks to hide unsightly aspects of these activities.*

### **Expected Environmental Results**

- Satisfactory opportunities for the provision of boat building facilities and associated activities at specialised locations with water access, as measured by biennial consultation with boat building companies and organisations
- Avoidance or mitigation of the adverse environmental effects of boat building and associated activities, as measured by an annual assessment of Council's Complaints Register and ongoing environmental quality surveys
- The compatibility of boat building facilities with neighbourhood amenity, as measured by an annual assessment of Council's Complaints Register and annual assessment of compliance with development plans and resource consent conditions.

## **20.6.2 Rules: Activities**

*Note:*

Accessory buildings have the same activity status as the prime activity on the site unless otherwise stated.

### **20.6.2.1 Controlled Activities**

The following are the Controlled activities in the Special Purpose 6 zone: Boat Building:

- Haulout facilities and hardstand areas for pleasure craft
- Boat and yacht building
- Boat and yacht repairs and maintenance including mechanical repairs and servicing
- Slipways
- Sale of marine paint in premises up to 20m<sup>2</sup>
- Sail-making
- Residential units for persons whose duties require them to live on the site
- Exterior lighting.

### **20.6.2.2 Discretionary Activities**

The following are the Discretionary activities in the Special Purpose 6 zone: Boat Building:

- Fuel sales for pleasure craft
- Boat chartering at 5-11 Omana Road only

- Ships' chandlery at 5-11 Omana Road only
- Launch and yacht brokerage at 5-11 Omana Road only
- Any activity which is not listed as a Controlled activity but is related to boats or yachts and has a particular need to locate in this zone
- Subdivision.

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## 20.7 Special Purpose 7 Zone: Bayswater Marina Land

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Special Purpose 7 zone: Bayswater Marina Land applies to land next to the Bayswater marina beneath the cliffs. The main issues relate to public access, public transport, activities, community uses, reserve land and recreation, vegetation, infrastructure and maintenance. Much of the land is recently reclaimed and there are competing demands for the use of the land.

### 20.7.1 Bayswater Marina Land

#### **Objective**

A community and marina-oriented place with a focus on recreation, public open space and access, public transport, boating and maritime activities.

#### **Policies**

1. Sufficient open space should be available around the coastal edge to maintain and enhance public access and enjoyment and to enable views out over the coastal marine area.
2. Any new buildings should be located and designed so that they are visually appropriate for a marine environment and constructed of suitable materials, do not dominate existing landscape features such as the cliffline, address and contribute to the amenity of the coastal edge, and are compatible with use of the area by pedestrians.
3. There should be significant areas of public open space on the main reclamation (at least as much as exists), and there should be additional public open space on the other land to provide opportunities for recreation associated with the coastal marine area.
4. Existing mature trees should be retained, in particular the pohutukawa trees on and next to the old reclamation and new trees should be provided for amenity and shelter where appropriate.
5. Public transport facilities for the ferry, bus and associated public car and cycle parking, should be provided within the zone.
6. Public traffic routes within the zone should be designed so that they are simple to follow and allow easy access to parking facilities.
7. Existing facilities for boating should be retained, such as public boat ramps and parking space associated with the marina and boat ramp.
8. Boating facilities directly related to the adjoining coastal marine area shall generally be considered appropriate subject to controls.
9. New community uses directly related to the adjoining coastal marine area, for example non-profit clubs, may be acceptable throughout the area provided that the scale and design of any structures and activities are appropriate.
10. New activities which are open to the public such as restaurants/cafes, may be suitable provided that their scale and design are appropriate, they do not generate significant traffic or additional car parking needs, and they do not conflict with the space required for public access, recreation, public transport and boating activities.



11. Residential accommodation should not be established given that the focus of the zone is on recreation, public transport and boating activities.
12. All activities should be managed to ensure that they do not pollute the adjoining coastal marine area.
13. A safe environment should be provided for people using facilities within the zone.
14. Improvements to existing infrastructure and any additional infrastructure required to service new activities should be provided or paid for by the applicant.

### **Methods**

- Policies 1-14 will be implemented by rules applying to the zone. The Bayswater marina land structure plan process also necessitates ongoing discussions and negotiations with landowners, lessees, community groups, the Auckland Regional Council and other interested parties, as well as Council initiated actions.

### **Explanation and Reasons**

*This special zone recognises the historical, legal and statutory obligations relating to about 4.4 hectares of land around Bayswater marina. The zone applies to a uniquely located piece of land that has a strong visual relationship to the Waitemata Harbour, but maintains a level of separation from the neighbouring established residential area. The majority of the land in the zone (about 3.4ha known as the main reclamation) is land that was reclaimed when the marina was established in the 1990s. The zone also includes land around the Takapuna Boating Club, and an historic reclamation leading to the wharf. A number of the existing facilities, for example a public boat ramp, green open space, and public car parking, were provided by the developer under the conditions of the authorisations permitting reclamation and marina development.*

*In July 2000, a structure plan process began to establish the future district plan provisions, as well as clarifying the situation relating to ownership, assisting with assessing resource consent applications, and linking land use with public transport developments. The future of the land in this zone, together with adjoining legal road and the northern reclamation have all been considered as part of the Bayswater marina land structure plan process.*

*The objectives and policies of the zone envisage that some development may occur, but in a limited and controlled manner. Limiting development is considered to be appropriate given the specific circumstances under which much of the land was created, and the reasonable development rights that were provided by the consents granted in 1989. The area has special importance under the Resource Management Act 1991 and the Hauraki Gulf Marine Park Act 2000 because of its coastal location. Limiting development in this area also ensures that adverse visual effects and effects on infrastructure are minimised.*

### **Expected Environmental Results**

- Sufficient park land and public access to meet the needs of users
- Protection of important landscape elements, and enhancement of the area
- A convenient and attractive ferry terminal and bus shelter
- Well designed traffic circulation and parking areas
- Sufficient space for public and boating activities which regard historical commitments
- Provision for additional boat related activities where space is available
- Provision for new activities on a small scale and in a manner that avoids adverse environmental effects
- A high standard of amenity throughout the area.



## 20.7.2 Rules: Activities

*Note:*

The activity status of any activity specified in this rule may be changed by rules in the General Sections of the Plan.

*Note:*

Where any land is held in future as a reserve under the Reserves Act 1977 or as a marginal strip under the Conservation Act 1987, the provisions of those Acts will also apply and may limit the use of land further than the zone rules.

### 20.7.2.1 Permitted Activities

The following are Permitted activities in Special Purpose 7 zone:

- Facilities (e.g. ramps, jetties and haul-outs) associated with launching pleasure craft where these are above MHWS
- Maintenance of pleasure craft excluding washdown activities
- Storage (e.g. hard stands, dinghy lockers, skiff storage) of pleasure craft
- Carparking and car/trailer parking areas
- Open recreational space and reserves
- Alterations to existing buildings not involving additional floor area.

### 20.7.2.2 Controlled Activities

The following are Controlled activities in Special Purpose 7 zone:

- Ships' chandlery
- Retailing of pleasure craft and associated merchandise, and/or pleasure craft hire and brokerage
- Dairies
- Exterior lighting
- Public toilets, changing rooms and play equipment
- Facilities (e.g. shelters, covered ways, ramps, ticket-selling) associated with ferry and bus services
- Offices associated with the marina, provided that the total floorspace over the entire zone does not exceed 200m<sup>2</sup>.

### 20.7.2.3 Discretionary Activities

The following are Discretionary activities in Special Purpose 7 zone:

- New buildings or alterations to existing buildings involving additional floor area, where the buildings are used for a permitted, controlled or discretionary activity
- Clubhouses for marine-related organisations
- Activities (e.g. marine education, washing down areas, waste disposals, pump out facilities) directly related to the adjoining coastal marine area and not otherwise provided for
- Restaurants or cafes
- Water transport facilities for the public above MHWS other than those already provided for as a controlled activity (e.g. water taxi services and marine tourist operations)
- Subdivision
- Staff or caretaker accommodation
- Accessory buildings for Permitted, Controlled or Discretionary activities.

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## 20.8 Special Purpose 8 Zone: Awataha Marae

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This zone applies to the marae located on a site at Akoranga Drive, Northcote, and bounded by the Auckland University of Technology (AUT) and the Northern Motorway.

### 20.8.1 Management of the Awataha Marae

#### **Objective**

To enable the continued operation and development of the marae to occur in a manner that allows it to meet the social, cultural and economic needs of Maori of North Shore and to avoid or minimise any adverse effects of the marae on the environment and surrounding land uses.

#### **Policies**

1. By allowing activities that are normally associated with a marae as well as certain business and community activities.
2. By controlling the height, location and coverage of any new buildings.
3. By requiring new building work to be a Controlled activity and to be assessed against design and landscaping criteria.
4. By prohibiting subdivision so that the present site size is maintained.

#### **Methods**

- Policies 1 to 4 will be implemented by rules.

#### **Explanation and Reasons**

*The zone has as its general purpose, the recognition of the relationship of the Maori people, their culture and traditions, with the whenua (land), whanaungatanga (kinship), and their turangawaewae (place to stand) and the association of these values with the marae and papakainga (village). Development of the marae complex is substantially complete and includes wharekai (dining hall), wharehui (meeting house), wharekokori (skills training houses) and wharekaumatua (housing for the elderly).*

*A number of adverse effects could arise from the operation of the marae for the surrounding area. The intensity, scale and location of building development could detract from the appearance of the site and cause loss of such attributes as daylight, views and sunlight for adjacent residential properties. Activities established could generate traffic that exceeds the parking capacity of the site and causes conflict with the flow of traffic on Akoranga Drive.*

*The provisions incorporated in the zone are designed to avoid, remedy or mitigate these effects and provide for the operation of the marae. Controls are imposed to limit the height and coverage of buildings and provide a buffer against the adjacent residential zone. Being a prominent site, new building work is expected to be landscaped and to be in harmony with the existing marae development. Activities are limited to those which will not generate excessive amounts of traffic. The provisions, it is envisaged, would provide the opportunity for certain business and community activities to be established. However, general retail or manufacturing activity would not be acceptable because, in particular, of the volume and nature of traffic generated.*

#### **Expected Environmental Results**

- Opportunities for continued operation of the marae in a manner which meets the needs of Maori, as measured by a biennial iwi consultation survey.
- Avoidance or mitigation of adverse environmental effects, as measured by an annual assessment of Council's Complaints Register, ongoing environmental quality surveys and an annual assessment of compliance with development plans and resource consent conditions.

## **20.8.2 Rules: Activities**

### **20.8.2.1 Permitted Activities**

The following are the Permitted activities in the Special Purpose 8 zone: Awataha Marae:

- Use of land for marae purposes, including meetings, dining, skill training, childcare, housing for the elderly, horticulture, recreation, and the sale of traditional craft produced on the site and of produce grown on the site.

### **20.8.2.2 Controlled Activities**

The following are the Controlled activities in the Special Purpose 8 zone: Awataha Marae:

- Buildings for marae purposes
- Extensions to existing buildings
- Accessory buildings for marae purposes.

### **20.8.2.3 Discretionary Activities**

The following are the Discretionary activities in the Special Purpose 8 zone: Awataha Marae:

- Art galleries
- Retail sales and restaurants associated with the running of the marae
- Community buildings or facilities and buildings or parts of buildings used for meetings, arts, recreation and social activities
- Community welfare centres
- Schools
- Museums
- Offices
- Marae occupations.

### **20.8.2.4 Limited Discretionary Activities**

The following are the Limited Discretionary activities in the Special Purpose 8 zone: Awataha Marae

- Accessory buildings for Discretionary activities.

### **20.8.2.5 Prohibited Activities**

The following are the Prohibited activities in the Special Purpose 8 zone: Awataha Marae:

- Subdivision.

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## **20.9 Special Purpose 9 Zone: Community Uses**

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This zone applies to a wide range of community activities and facilities spread throughout North Shore City. It includes a number of community centres, libraries, Council offices, community halls and other community buildings and facilities used for recreational, educational and community purposes such as Civil Defence and Plunket, and similar activities.

In particular, it includes the Takapuna Library, the Mary Thomas Centre, the Takapuna Community Services Building, the Takapuna Swimming Pool, the Glenfield Pool and Leisure Centre, Skatlands, the Glenfield Library and Council Area Office, the Northcote Library and Senior Citizens Centre, the Northcote War Memorial Hall and Creche, Devonport Community House and Area Office, Harmony Hall and the Civil Defence base on East Coast Bays Road. It also includes the site of the proposed North Shore Theatre

and Conference Centre located on The Promenade in Takapuna, and the land at the corner of Rawene Road and Hinemoa Street, Birkenhead.

It should be noted that not all community activities have been included within Special Purpose 9 zone as many community activities are suitably catered for in other zones, e.g. childcare centres and private schools in residential zones and leisure centres in recreation zones. Still, others continue to be designated and may have the Special Purpose 9 zone: Community Uses as an underlying zoning.

## **20.9.1 Community Facilities**

### **Objective**

To enable the continued operation and development of various community facilities, including the establishment of a centrally located, comprehensively planned multi-purpose theatre and conference centre, together with a public car park, to occur in a manner that encourages wide community use of the facilities and land in this zone and avoids or mitigates any potential or actual effects on the environment and on the amenity of the surrounding neighbourhood.

### **Policies**

1. By providing for a wide range of activities of benefit to the community, ranging from Civil Defence facilities, Plunket rooms and childcare to educational, recreational and leisure facilities.
2. By providing for a range of activities for the proposed North Shore Theatre and Conference Centre that reflects the multi-purpose function of the centre, the ancillary uses required such as restaurants, and other activities which complement the centre and are compatible with activities in adjacent zones such as retail facilities.
3. By requiring a Comprehensive Development Plan to be submitted and approved as a Controlled activity application in order to control the development of the North Shore Theatre and Conference Centre and public car park to ensure that it is compatible with surrounding development, prior to the construction of any building or development on the site.
4. By including rules that will control height, bulk and location of any additional development.

### **Methods**

- Policies 1 to 4 will be implemented by rules.

### **Explanation and Reasons**

*The Council recognises that the community activities included in this zone, along with their associated buildings, facilities and land, are important features and valuable resources in the North Shore area of the City and has instituted Special Purpose 9 zone: Community Uses to cater specifically for their continued operation and development in a manner that minimises any adverse effects on the environment and on the amenity values of the neighbourhood in which any facility is located.*

*The community facilities covered by this Special Purpose zone already play, or will in the future play, an important role in the social and community framework of North Shore City. It is a role that is not adequately catered for in the standard zones, hence the necessity of a tailor-made Special Purpose zone.*

*Special Purpose 9 zone has a dual purpose. In the case of the existing community facilities such as the libraries and the community centres, the provisions of the zone are geared towards catering for the continued operation of such facilities with some upgrading and development of facilities. In the case of the North Shore Theatre and Conference Centre site, the provisions of the zone are designed to control development of the complex including a public car park by means of a Comprehensive Development Plan to ensure attractive, well integrated facilities which will serve the needs of the community in an efficient and convenient manner and will not adversely affect the amenities of the surrounding area.*

*The sites in Devonport are subject to the Business Policy Overlay B1 (Business Built Heritage Areas) which applies specific objectives, policies and rules that protect, conserve, maintain and enhance the traditional and heritage character and scale of business areas in heritage neighbourhoods.*

#### **Expected Environmental Results**

- Opportunities for the continued operation of community activities, as measured by five-yearly consultation with community activity management
- Avoidance or mitigation of the adverse environmental effects resulting from development of the North Shore Theatre and Conference Centre, as measured by an annual assessment of compliance with approved development plans and resource consent conditions
- Avoidance or mitigation of the adverse environmental effects of the use and management of community use facilities, as measured by an annual assessment of Council's Complaints Register and an annual assessment of compliance with approved development plans and resource consent conditions
- Minimal adverse effects upon the environment and upon the amenities of the neighbourhood surrounding the community facilities, as measured by five-yearly resident surveys.

### **20.9.2 Rules: Activities**

**Table 20.1** specifies the Permitted, Controlled and Discretionary activities of the Special Purpose 9 zone. The activity status of any activity may be changed by rules in the General Sections of the Plan.

For the purpose of the table:

P	=	Permitted activity
C	=	Controlled activity
D	=	Discretionary activity
Pr	=	Prohibited activity

<b>Table 20.1 Activities</b>	
<b>a) Activities for All Sites Except the North Shore Theatre and Conference Centre Site and the Corner Rawene Road and Hinemoa Street</b>	<b>Special Purpose 9 zone</b>
Premises used for craft and trade exhibitions provided that this activity is limited to Lots 1, 2, 3 DP 94804 and Lots 11, 12, 13, 14, 15 DP 65017 (being the Glenfield Leisure Centre)	P
Civil Defence bases	P
Information centres	P
Childcare centres for 1-5 children Childcare centres for 6-10 children Childcare centres not otherwise permitted ( <i>Amended January 1997</i> )	P C D
Senior citizens clubs	P
Plunket rooms	P

<b>Table 20.1 Activities</b>	
Public toilets	P
<p>Any of the following in Business Policy Overlay B1:</p> <ul style="list-style-type: none"> <li>a) Any new building</li> <li>b) Additions or alterations to an existing building</li> <li>c) The demolition or removal of a building identified as having heritage character defining or heritage character supporting value in Appendix 15O.</li> </ul> <p>All applications for resource consent shall include a context analysis and urban design statement in accordance with Rule 15.6.2.11 and shall be subject to 15.4.10, 15.6.2.11 and 15.7.4.21.</p> <p>Note: For the purpose of this rule "Additions" excludes signs, signs being the subject of Section 13, Signs. Scheduled buildings are also subject to the provisions of Section 11: Cultural Heritage.</p>	D
<b>b) Activities for All Sites except the corner Rawene Road and Hinemoa Street</b>	<b>Special Purpose 9 zone</b>
Community welfare centres	C
Community buildings and facilities	C
Community workshops	C
Reception lounges	C
Administration offices of the Council	C
Accessory buildings have the same activity status as the prime activity on the site	-
Car parking areas	P
Car parking buildings	C
Subdivision	D
Any activity not listed as a Permitted or Controlled activity but which can demonstrate that it is of benefit to the local community	D

<b>c) Activities for the North Shore Theatre and Conference Centre Site</b>	<b>Special Purpose 9 zone</b>
Any Controlled activity listed below which does not involve the erection of buildings or any other development works	P

<b>Table 20.1 Activities</b>	
The erection of any new building or the addition of over 50m <sup>2</sup> in area to any existing building which is in accordance with an approved Comprehensive Development Plan	C
Theatres, cinemas, galleries and conference centres	C
Community buildings and facilities	C
Places of entertainment	C
Restaurants, shops and licensed premises ancillary to and located within the same building as the theatres	C
Travellers' accommodation	D

<b>d) Activities for the Corner Rawene Road and Hinemoa Street</b>	<b>Special Purpose 9 zone</b>
Any Controlled activity listed below which does not involve the erection of buildings or any other development works	P
Civil Defence bases	C
Information centres	C
Childcare centres for 1-5 children	C
Childcare centres for 6-10 children	C
Childcare centres not otherwise permitted	D
Senior citizens clubs	C
Plunket rooms	C
Public toilets	C
Community welfare centres	C
Community buildings and facilities	C
Community Workshops	C
Reception lounges	C
Administration offices of the Council	C



<b>Table 20.1 Activities</b>	
Accessory buildings have the same activity status as the prime activity on the site	-
Car parking areas	C
Car parking buildings	C
Subdivision	D
Any activity not listed as a Permitted or Controlled activity but which can demonstrate that it is of benefit to the local community	D

### **20.9.3 (deleted)**

## 20.10 Special Purpose 10 Zone: Centrepont Community Growth Trust

This zone applies to a 12.14 hectare block of land at Albany owned by the Centrepont Community Growth Trust and occupied by the Centrepont Community Settlement.

### 20.10.1 Centrepont Settlement

#### **Objective**

To enable the continued operation and development of the Centrepont Community within the confines and constraints of the Trust's site and in a manner that will maintain and enhance the important landscape features of the zone, particularly its bush character, and avoid or minimise any adverse effects on the amenities of the neighbourhood or on the natural environment, particularly the streams.

#### **Policies**

1. By providing for a range of activities including residential accommodation, childcare, dining areas, and workshops, that allows the community to exist and operate and to develop its facilities within its site in line with the community's alternative lifestyle approach.
2. By applying a Concept Plan to the zone which will identify existing and proposed building areas and access provisions and exclude development from the remaining extensive bush areas of the site.
3. By including rules that will limit the height and location of any additional development.
4. By including controls to minimise any adverse effects of development on the landscape including controls on bush removal, earthworks, form of building and on the establishment of non-residential activities.
5. By prohibiting subdivision so that the present site size is maintained.

#### **Methods**

- Policies 1 to 5 will be implemented by rules.

#### **Explanation and Reasons**

*The Centrepont Community Growth Trust was established on this site at Albany in 1978 and initially comprised only a small community. The community has now been in existence for some years and has expanded and developed during that time into a permanent settlement living in a communal alternative lifestyle similar in some respects to a traditional village.*

*The facilities at the Community include workshops and craft activities as well as residential accommodation, dining areas, lounges, a childcare centre, meeting and therapy rooms and recreational facilities. The community's farming and horticultural activities are largely conducted on farm land surrounding this Special Purpose zone.*

*The Centrepont Community Growth Trust settlement is a significant activity both in terms of area and people, and is expected to continue to be so as the community pursues its aim of upgrading and developing its facilities to meet its unique rural-residential alternative lifestyle needs. In view of this, the Special Purpose 10 zone has been instituted and applied to the Centrepont Community site at Albany to provide for the operation and changing needs of the community in a manner that will not detract from the character or amenity of the site or the surrounding neighbourhood or impact on the natural environment.*

*Development on the site is to be guided by a Concept Plan ([Appendix 20D](#)) and through this, Council aims to give some flexibility to the Centrepont Community in the ongoing development of its site while, at the same time, giving the public certainty as to the extent of possible development on the site. The Concept Plan is also instrumental in efforts to conserve the valuable landscape features of the site such as the bush, by excluding*

*building and development from certain areas of the site. Other measures are also adopted to ensure the conservation of the bush and other natural features such as streams on the site.*

*Although the settlement is generally well insulated from its immediate neighbours, controls to ensure that effects are contained within the site in order to protect the amenities of the surrounding neighbourhood, are included in the provisions of the zone.*

#### **Expected Environmental Results**

- Opportunities provided for the continued operation and development of the Centrepont Community Growth Trust settlement, as measured by five-yearly consultation with the Centrepont Community
- Conservation of valuable landscape features on the site, including the bush, as measured by an annual assessment of compliance with approved development plans and resource consent conditions
- Avoidance or mitigation of adverse environmental effects, as measured by an annual assessment of Council's Complaints Register and ongoing environmental quality surveys
- Certainty for residents in the vicinity of the Centrepont Community settlement regarding the ongoing development of the settlement, as measured by annual resident surveys and an annual assessment of Council's Complaints Register.

### **20.10.2 Rules: Activities**

*Note:*

The activity status of any activity specified in this rule may be changed by rules in the General Sections of the Plan.

*Note:*

Accessory buildings have the same activity status as the prime activity on the site unless otherwise stated.

#### **20.10.2.1 Permitted Activities**

The following are the Permitted activities in the Special Purpose 10 zone: Centrepont Community Growth Trust:

- Horticulture
- Grazing
- Residential accommodation for residents and visitors, dining rooms, bedrooms, lounges, TV rooms, music rooms, ablution blocks, laundries and kitchens to meet the needs of residents
- Recreation rooms and facilities including a gymnasium
- Educational facilities catering for the needs of children resident at the Centrepont site including a childcare centre and school facilities
- Therapy rooms
- Pony trails
- Centrepont occupations complying with [Rule 20.16.2.9 c\)](#)
- Operational maintenance facilities associated with the Trust community and owned and operated by the Trust only for its own use including storage facilities, sheds, vehicle garaging and servicing, abattoir, medical surgery.

#### **20.10.2.2 Controlled Activities**

The following are the Controlled activities in the Special Purpose 10 zone: Centrepont Community Growth Trust:

- The erection of any new building for a Permitted activity or any addition of more than 50m<sup>2</sup> to an existing building where the addition is for a Permitted activity

- Meeting rooms for meetings held between residents and the public
- Childcare centre accommodating 1-10 children not resident at Centrepont.

### 20.10.2.3 Discretionary Activities

The following are the Discretionary activities in the Special Purpose 10 zone: Centrepont Community Growth Trust:

- Clearing of native bush located outside the building platform on the Concept Plan
- Restaurant or cafe
- Centrepont occupations which do not comply with [Rule 20.16.2.9 c\)](#)
- Childcare centre accommodating over 10 children not resident at Centrepont.

### 20.10.2.4 Prohibited Activities

The following are the Prohibited activities in Special Purpose 10 zone: Centrepont Community Growth Trust:

- Subdivision.

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## 20.11 Special Purpose 11 Zone: Albany Centre Amenity Area

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The Special Purpose 11 zone applies to the relatively low lying land in the middle of the Albany Centre where a stormwater detention pond is to be formed to serve the Albany Centre catchment. The need for this ponding area creates an opportunity to develop a water feature as part of an amenity area that is to be a focal point for the Albany Centre.

### 20.11.1 Albany Centre Amenity Area

#### **Objective**

To enable the low lying area in the middle of the Albany Centre land to be developed as a stormwater ponding area in a manner which will allow it to serve as a visual focus for the centre and as a recreational and leisure area with a commercial emphasis.

#### **Policies**

1. By requiring a Comprehensive Development Plan to be submitted and approved by Council as a Controlled activity prior to the commencement of any building or development work other than a Permitted activity.
2. By requiring the Comprehensive Development Plan to give effect to the relevant provisions of the Albany Centre Structure Plan.
3. By requiring the proposed stormwater detention pond to be developed as an attractive water feature in compliance with the Albany Centre Structure Plan and [Appendix 20G](#).
4. By requiring the setting aside of areas of reserve in order to protect the outlook on the north-south axis across the water feature and applying an appropriate recreation zoning to those reserves that will ensure that a green park-like environment is retained.
5. By permitting a wide range of commercial activities of an informal recreational and leisure nature, compatible with achieving a visual and amenity focus for the Albany Centre.
6. By permitting civic activities to occur within the zone as identified in the Albany Centre Structure Plan.
7. By applying height limits through the east-west axis corridor and to a lesser extent over the whole zone for outlook control.

8. By imposing development controls that will ensure the development is positioned in such a way so as not to detract from the amenities of the area and is suitably landscaped in order to maintain a park-like environment.
9. By requiring subdivision to be in accordance with an approved Comprehensive Development Plan without a minimum lot size being specified.

### **Methods**

- Policies 1 to 9 will be implemented by rules
- Policy 4 will partly be implemented through Council initiatives in the form of advocacy.

### **Explanation and Reasons**

*The land within the Special Purpose 11 zone is required to serve three main functions. The first is a structural function. Since the land lies at the heart of the Albany Centre, it forms the focal point. The fact that it is a basin and can hold a large amount of water provides the opportunity to develop the land in a visually significant manner to achieve a unique focus for the Albany Centre. Such visual opportunities can be used, along with a range of particular activities, to attract people into this amenity area, further emphasising the focal aspect of this land.*

*The second function this land fulfils relates to the physical environment as this land is to be developed to contain water features, stormwater control facilities and reserves along with various activities, all in an open park-like character that will enhance the amenity qualities of this land.*

*The third function is a commercial role in that the land is to accommodate a wide range of land and water-based commercial and civic activities aimed at attracting people down from the commercial core into this area for principally recreational and leisure pursuits in a manner that is complementary to the commercial core.*

*In view of these functions, this Special Purpose 11 zone includes requirements for the provision of areas of water features and reserves in any development of this central basin in order to fulfil the visual and physical functions of the land. The manner in which these two areas are to be treated differs as it is envisaged that the water feature will be utilised for commercial and recreational purposes while the reserve areas will be held by Council as open space. They will be acquired by either purchase or through subdivision or be a reserve credit against future development.*

*Development controls are imposed to ensure outlooks to the water feature from around the Albany Centre are retained and that no development detracts from the amenities by inappropriate positioning. A Comprehensive Development Plan, in conjunction with the development controls, will ensure that development occurs in a comprehensive and environmentally responsive manner and allows particular consideration to be given to important factors such as the relationship of the amenity area to the Albany Centre, the provision of landscaping and the implementation of the relevant aspects of the Albany Centre Structure Plan and [Appendix 20G](#).*

### **Expected Environmental Results**

- An amenity area that is comprehensively planned, well integrated with surrounding development and enhances the natural environment and amenities of the area, as measured by compliance with the Albany Structure Plan, [Appendix 20G](#) and five-yearly resident surveys.

## **20.11.2 Rules: Activities**

See [Rule 20.12.2](#) for table of activities allowed in the Special Purpose 11 zone.

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## **20.12 Special Purpose 12 Zone: North Shore Domain and Stadium**

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The Special Purpose 12 zone applies to land in the northwestern quadrant of the Albany Centre where the North Shore Domain and Stadium are being developed.

## 20.12.1 Domain and Stadium

### Objective

To enable the establishment and operation of a major multi-functional resource to occur in a comprehensively planned manner generally in accordance with the Albany Centre Structure Plan, and in a manner which avoids adverse effects on the amenities and environment of the surrounding area.

### Policies

1. By requiring all Controlled activities to be in accordance with an approved Comprehensive Development Plan.
2. By requiring the Comprehensive Development Plan to give effect generally to the relevant provisions of the Albany Centre Structure Plan, and to include limits for the main generated effects arising from the use of the Stadium.
3. By permitting a range of activities that will allow a wide range of recreational, community and associated activities as well as multi-functional use of the Stadium.
4. By requiring sufficient on-site parking to ensure that continuous on-street parking nuisance does not occur and by requiring the on-site car parking to be provided in a manner that is appropriate to the type of open space and sports facility to be developed.
5. By restricting noise levels in Special Purpose 12 zone.
6. By limiting the amount of light spillage on to adjoining land, especially residential properties.
7. By adopting development controls that will limit the bulk and location of any development.
8. By assessing licenses or leases for promotional events and for commercial uses by taking into account the factors set out in Policy 2 under [Section 19.3.3](#).
9. By requiring subdivision to be in accordance with the approved Comprehensive Development Plan without a minimum lot size being specified.

### Methods

- Policies 1 to 9 will be implemented by rules.

### Explanation and Reasons

*This zone allows for the establishment of a regional football stadium with grandstands and open terraced seating, together with an adjoining first class cricket oval and secondary playing fields, set within attractive landscaped grounds forming part of a large recreational domain. The Stadium complex is to accommodate a range of other recreational and ancillary activities which may include indoor swimming, bowls, tennis and change facilities, as well as including multi-functional community and recreational facilities and buildings. Other associated activities that may be included are: limited retail uses, a sports medicine facility, function rooms, media facilities, food and beverage outlets and office facilities for sports bodies.*

*While opportunities will be provided within the Domain for passive recreation including walking, cycling, jogging and picnicking within attractive landscaped grounds and gardens, it is envisaged that the main stadium will be a multi-functional facility catering for entertainment as well as all types of sporting events. Because of the additional non sport activities proposed and the scale of development associated with the stadium complex, it was inappropriate to apply one of the standard recreation zones. Instead a tailor-made special zone is necessary.*

*Requiring a Comprehensive Development Plan to be prepared for the Domain/Stadium site will ensure that development occurs in a comprehensive and environmentally responsive manner and allows particular consideration to be given to a number of important factors such as the relationship of this recreation resource to the Albany Centre, the roading network, the parking issue, the implementation of the relevant aspects of the Albany Centre Structure Plan and the frequency, duration and level of noise and light spill from the Stadium.*



*With regard to the provision of sufficient parking in association with the Stadium which ultimately will have a seating capacity of about 25,000, it is proposed that formed on-site parking will number about 1,100 spaces and that additional parking capacity for major events will be available within wide roads in the vicinity, on practice fields developed so that they are available for parking, and through the use of parking facilities at approved locations in the vicinity of the Stadium site.*

*A recreational facility of the size and type proposed is capable of generating serious adverse effects on the environment and amenity of the surrounding area. The implementation of various controls will assist in limiting these effects so that there is no significant detracting from the amenities of the surrounding area. In particular, limits for noise and lighting glare will be a condition of approval of any Comprehensive Development Plan.*

#### **Expected Environmental Results**

- A recreational facility that is multi-functional, comprehensively planned, well integrated and reflects the characteristics and advantages associated with the site, as measured by a five-yearly resident survey and general compliance with the Albany Centre Structure Plan.
- Avoidance or mitigation of adverse effects upon the environment and upon the amenity of the surrounding area arising from the establishment and ongoing development of a major recreation facility, as measured by an annual assessment of compliance with noise and glare standards and an annual review of parking infringements.

### **20.12.2 Rules: Activities**

**Table 20.2** specifies the Permitted, Controlled and Discretionary activities of the Special Purpose 11 and 12 zones. The activity status of any activity may be changed by Rules in the General Sections of the Plan.

For the purpose of the table:

P	=	Permitted activity
C	=	Controlled activity
D	=	Discretionary activity

<b>Table 20.2 Activities</b>		
	<b>Special Zone 11</b>	<b>Special Zone 12</b>
Landscaped areas and park furniture	P	P
Walking, jogging and riding trails, cycleways excluding motorised vehicles	P	P
Viewing areas and platforms and related structures	P	P
Children's play areas including playground equipment	P	P
Public toilets, restrooms and shelters	P	P
Greens and courts but excluding floodlighting	P	
Playing fields, sportsgrounds, golf courses, greens and courts, but excluding floodlighting		P
Picnic and barbecue facilities	P	P



<b>Table 20.2 Activities</b>		
	<b>Special Zone 11</b>	<b>Special Zone 12</b>
Public reserves or reserves within the meaning of the Reserves Act 1977 or Local Government Act 1974 and recreation grounds and conservation areas within the meaning of the Conservation Act 1977	P	P
Changing rooms and first aid rooms		P
Temporary concessions for up to 14 consecutive days		P
Terraces for spectator seating or standing		P
Commercial recreation activities	C	P
Use of the Stadium and field complex for art, craft and trade exhibitions of a short duration not exceeding 2 weeks, concerts, static displays and other entertainment		P
Scoreboards and replay facilities		P
The erection of any new building or any addition to any existing building or any development works other than those allowed as a Permitted activity and must be in accordance with an approved Comprehensive Development Plan	C	C
Buildings for community and recreation purposes not associated with the use of the open space		C
Buildings used for indoor sport and recreation and related health facilities	C	C
Buildings used for meetings, arts and social activities	C	C
Car parking areas and accessways associated with the use of the Domain and Stadium		C
Caretakers' accommodation or residential accommodation for persons whose duties require them to live on site		C
Storage and implement sheds ancillary to any Permitted activity		C
Exterior lighting, fittings and supports including floodlighting and floodlighting standards/towers, in accordance with an approved Comprehensive Development Plan	C	C
Childcare centres	C	C
Community buildings and facilities	C	C
Sports medical clinics within the Stadium Complex		C
Equestrian arenas and cross-country riding areas		C
Swimming pools	C	C
Stadium Complex		C

<b>Table 20.2 Activities</b>		
	<b>Special Zone 11</b>	<b>Special Zone 12</b>
Offices for the management of the Stadium Complex		C
Offices for use by sports bodies and sports organisations where part of the Stadium Complex		C
Shops for the sale of sports goods, souvenirs, sports clothes and equipment and sports promotional products, where the gross floor area per shop does not exceed 100m <sup>2</sup> , and which comprise a permanent part of the Stadium Complex and are located within the area shown on <a href="#">Appendix 20G</a>		C
Complex and is located within the area shown on <a href="#">Appendix 20G</a>		
Broadcasting and media facilities		C
Clubrooms		C
Licensed premises where part of the Stadium Complex		C
Cinemas where part of the Stadium Complex		C
Restaurants where part of the Stadium Complex		C
Permanent concessions accessory to the actual use of the Stadium and located within the Stadium Complex		C
Glasshouses including propagation facilities	C	C
Grandstands (covered and uncovered)		C
Grazing, horticulture and afforestation including accessory buildings as part of a management programme for the open space		C
Interpretation facilities directly related to the open space on which it is situated		C
Kiosks and refreshment facilities	C	C
Museums		C
Pavilions and band rotunda	C	C
Civic uses located generally within the Civic Precinct indicated on the Albany Centre Structure Plan contained as an Appendix to the Plan maps	C	
Open air amusement facilities	C	D
Restaurants or cafes	C	
Garden centres	C	
Exhibition centres	C	
Car parking areas and access drives associated with an activity established within Structure Plan 11 zone	C	

Table 20.2 Activities		
	Special Zone 11	Special Zone 12
Accessory buildings where the prime activity on the site is a Controlled activity	C	C
Subdivision	D	D

### 20.12.3 (deleted)

## 20.13 Special Purpose 13 Zone: Chelsea Sugar Refinery

This zone covers land and water areas owned or used by the Chelsea Sugar Refinery at Birkenhead. Some of the land area has in the past been used for disposal purposes and requires rehabilitation. The water areas, in the form of ponds, have been in place for a long period, and originally (1884) provided the only source of freshwater for refinery processes. Water from the ponds is still used for refining purposes, and aerators and other water handling equipment operate on the surface of the water.

The ponds have important habitat and amenity values as well as a stormwater quality control function. Recreational use of the ponds is entirely at the discretion of the owner (New Zealand Sugar Company Limited).

The main issues arising from the use, development or protection of these areas are:

- Ensuring land stability and providing for appropriate future land use activities
- Managing the habitat (wildlife) values of the ponds and associated riparian (land) areas
- Intermittent odour from the ponds affecting residential amenity
- Safeguarding and enhancing the amenity values of these areas
- Managing stormwater to maintain or enhance fresh and coastal water quality

### 20.13.1 Chelsea Refinery Special Areas

#### Objective

To manage the use, development or protection of the defined special land and water areas within the Chelsea Estate, taking account of any importance for sugar refining operations, so as to

- *recognise and protect established and developing natural and built heritage values*
- *safeguard the amenity and cultural values of the area*
- *maintain or improve land stability, appropriate to future land use options*
- *maintain or improve the life-supporting capacity of land and water resources*
- *avoid, remedy or mitigate any adverse effects associated with any activity.*

#### Policies

1. Activities must not threaten the stability of the land or generate any discharge that could adversely impact on water quality.
2. Noise, odour or other effects arising from the use or management of the land and water areas should not threaten the established amenity values or environmental qualities of the area, including the well established ecological values of the margins of water bodies.
3. Activities should not generate effects that are adverse for neighbouring residential

areas or which unreasonably constrain the operational viability of the sugar refinery activity.

4. Activities should as far as practicable complement or enhance the established heritage values that pertain to the Chelsea estate.
5. Any application for new development (of any part of the land area) is to be accompanied by an appraisal of the physical and environmental suitability of the area for the activity proposed, with particular reference to the stability of the land and its immediate surrounds (refer to rule 20.14.2.11).
6. Any disposal of waste in the land areas must at all times be in accordance with best practice and take account of the established values and future land use potential of the area notwithstanding compliance with any conditions of consent that are in place.

### **Methods**

- Policies 1 to 5 will be implemented by rules. The rules will distinguish between the land and water areas of the zone. Policy 6 will be implemented generally by way of environmental education initiatives.

### **Explanation and Reasons**

*The land part of this zone is substantially open space in the form of a flat, grassed area, but was previously a gully that has been used as a disposal area.*

*The Council has insufficient information on the stability of the land and the soil structure and conditions which must be resolved before other uses of the land can occur (particularly uses involving buildings or earthworks). The Council will expect that a detailed comprehensive Restoration and Development Plan is in place prior to or in conjunction with any change of land use or new development on the land.*

*It is recognised that the Council's jurisdiction over the disposal area is restricted to land use matters and land use consents. The Auckland Regional Council retains responsibility for discharge permits.*

### **Expected Environmental Results**

- Satisfactory rehabilitation of the former disposal (land) area, prior to, or in conjunction with, the establishment of any new permanent activity/ies as determined by a comprehensive appraisal appropriate to the activity/ies proposed for the area
- Maintenance and enhancement of established natural, built heritage and amenity values of the land and water areas, and avoidance of adverse effects of the use of land and water areas, as measured by 'state of the environment' reports or other specific monitoring initiatives of North Shore City Council or Auckland Regional Council (including those arising from the enforcement of resource consent conditions).

## **20.13.2 Rules: Activities**

The activity status of any activity specified in this rule may be changed by rules in the General Sections of the Plan.

### **20.13.2.1 Permitted Activities**

**Land:** The following are the Permitted activities in the Special Purpose 13 zone (land area):

- Disposal of sugar refining waste to best industry land management practices and in accordance with (regional) discharge permits
- Landscape planting and features not including any structure requiring a building consent
- Stormwater and wastewater systems and structures that have had prior approval as part of a catchment management plan and/or regional resource consent.

**Water:** The following are the Permitted activities in the Special Purpose 13 zone (ponds/ water area). This area extends, as appropriate, into the 'riparian zone' \* which will be all that land area within ten (10) metres measured at right angles from the water's edge:

- Maintenance of dams, water storage lakes, bridges and their abutments ('maintain' in this context means to keep in good working condition, but does not involve structural alterations)
- Lawfully established activities (including structures) necessary for the abstraction and discharge of boiler cooling water
- Activities and structures necessary for ensuring water quality and control of odour, provided they comply with the noise standards of adjoining residential zones
- Riparian management activities appropriate to and which enhance the natural values of the water body and/or riparian zone\*
- Stormwater and wastewater systems and structures, including structures on the surface of water, that have had prior approval as part of a catchment management plan and/or regional resource consent.

(\*See ARC Technical Publication 148 - Riparian Management Zone)

### 20.13.2.2 Discretionary Activities

**Land:** The following are Discretionary activities in the Special Purpose 13 (land area) zone:

- Any activity associated with or ancillary to the operation of the Chelsea Sugar Refinery not provided for as a Permitted activity. Applications shall, as appropriate to the scale of effects of the proposal, be accompanied by a plan prepared in accordance with rule 20.14.2.11 (refer policy 5).

**Water:** The following are Discretionary activities in the Special Purpose 13 (ponds/water area) zone:

- Any activity associated with or ancillary to the operation of the Chelsea sugar refinery not provided for as a Permitted activity
- Structural alterations to existing dam structures or to any other scheduled structure, where such activity is not 'maintenance' (which is Permitted)
- New dams and water storage lakes, and alterations to bridges and their abutments, where not provided for as a Permitted activity.

### 20.13.2.3 Non-complying Activities

**Land:** The following are Non-complying activities in the Special Purpose 13 zone (land area):

- Subdivision
- New structures or activities not otherwise provided for.

**Water:** The following are Non-complying activities in the Special Purpose 13 zone (ponds/water area):

- New structures or activities not otherwise provided for.

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## 20.13A Special Purpose 13A Zone: Chelsea Heritage and Conservation Future Use Zone

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The Special Purpose: Chelsea Heritage and Conservation Future Use Zone provisions of this District Plan apply only if formal notice of cessation is provided to the Council, and the Chelsea Sugar Refinery has ceased operating on the land (see Map 29). Until this time, the Business 9 and associated (operative) District Plan provisions shall continue to apply. For the avoidance of doubt, the Business 9 and associated (operative) provisions of the Plan shall cease to apply when the Special Purpose: Chelsea Heritage and

Conservation Future Use Zone provisions are invoked by the formal notice of cessation. The provisions of section 8 (specifically the Coastal Conservation Area, including the exemption area rule, and Sites of Significant Wildlife Interest) and section 11 as they relate to the Special Purpose: Chelsea Heritage and Conservation Future Use Zone area, continue to apply where relevant.

### **20.13A.1 Zone Purpose and Expected Environmental Results**

The Chelsea Estate has a range of special and significant natural and built heritage value, from 'natural coastal' to 'industrial heritage' (see Sections 8 and 11 of the Plan). The areas identified as the Chelsea Sugar Refinery, the Bulk Sugar Store and Horse Paddock form a significant part of this Estate.

The site is unique because of its development as an industrial estate, with a number of buildings remaining on the site that date from the 19<sup>th</sup> and early 20<sup>th</sup> centuries, several of which are protected and scheduled in terms of the Historic Places Act 1993 and as Category A or B buildings in the District Plan.

The Estate's special features provide a development setting which offers unique views and a landscaped hinterland. The land's particular combination of attributes creates the context and potential for future developments to achieve important strategic and local environmental outcomes, and a high level of amenity. The land also has a range of significant ecological values (both terrestrial and aquatic), which are recognised in part by identification of Sites of Significant Wildlife Interest (SSWI), Coastal Conservation Area (as shown on the Concept Plan and subject to rules) and in policies and controls in Section 8 of the District Plan.

In the event of refining ceasing, provision needs to be made for alternative uses of the land and buildings. The future use of the land should comprise of a mix of uses. The purpose of the zone is to enable a range of possible future activities in a way which protects and enhances the site's attributes in a manner which makes appropriate use of a resource with unique heritage, locational and environmental qualities.

In the event that sugar refining ceases on this land, various strategically, practically and environmentally sustainable outcomes are achievable. Thus, it is appropriate that the provisions of the Plan should:

- acknowledge that sugar refining may not always occur at this location;
- identify redevelopment or land use change outcomes that would be possible and beneficial for the city (and that will meet statutory obligations in relation to the applicable regional planning instruments); and
- establish the consent processes by which alternative land uses are to be evaluated and approved.

The application of the following provisions are intended to achieve outcomes on the Chelsea Sugar Refinery land which:

- ensure an appropriate mix of uses and developments in accordance with the applicable regional planning instruments and may include residential, business, community, and recreation activities, within an attractive and distinctive built environment;
- protect the amenity and environmental values (including habitat and ecology values) of the site and locality;
- provide for appropriate protection of significant heritage buildings and cultural and landscape values, and their integration with new activities and developments;
- are sustainable in terms of the economic, cultural and social wellbeing of the city.

### **20.13A.2 Objectives, Policies and Methods**

#### **20.13A.2.1 Objectives**

1. To ensure that the heritage values and character (including the heritage refinery



buildings), and ecological, landscape and amenity attributes of the land zoned 'Special Purpose: Chelsea Heritage and Conservation Future Use Zone' are maintained and enhanced, while enabling its comprehensive development for a range of alternative future uses including appropriate residential, business, community, employment and recreation activities.

2. In the event of refining ceasing, to enable the redevelopment and adaptive re-use of the land and buildings zoned 'Special Purpose: Chelsea Heritage and Conservation Future Use Zone'.
3. To ensure that public transport services can be provided on the development of the land, including (if appropriate in the circumstances) water-based transport.
4. To ensure that future alternative activities and development on the land zoned 'Special Purpose: Chelsea Heritage and Conservation Future Use Zone' promote sustainable outcomes in terms of:
  - a) the natural and physical resource and historic heritage values of the land and the surrounding open space;
  - b) the social, economic and cultural wellbeing of the locality and city;
  - c) public transport;
  - d) avoiding, remedying or mitigating any significant adverse effects on the environment.
5. To ensure that all interested parties are sufficiently informed to participate in the process of development of the land zoned 'Special Purpose: Chelsea Heritage and Conservation Future Use Zone'.

#### **20.13A.2.2 General Policies**

The policies through which these objectives will be achieved are by:

1. Ensuring that the zoning for the future use of the land provides for a range of environmentally sustainable activities including residential, business, community and recreational opportunities, without pre-determining any particular future outcome;
2. Providing the appropriate and protective adaptive re-use of heritage buildings, with particular regard to the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value principles;
3. Providing for comprehensively planned and integrated development on the land encompassing and surrounding the Refinery through the adoption of a Comprehensive Development Plan process;
4. Ensuring development conserves and protects the historic heritage values of the area, including the architecture and heritage characteristics of the heritage buildings and landscape attributes of the site and the surrounding open space;
5. Enabling goods and services to be provided to workers, residents and visitors to the Chelsea Sugar Refinery area;
6. Ensuring that the bulk, massing and heights of buildings are appropriate to a prominent coastal location and its significant cultural and landscape values;
7. Requiring land to be set aside for public access to the harbour and for recreation;
8. Ensuring that the area is designed to achieve a high level of amenity and pedestrian-oriented character, where development is well integrated with public spaces, including the surrounding open space;
9. Ensuring habitat and ecological values are considered when assessing any Comprehensive Development Plan and applications for resource consent, and that areas of significant landscape and/or habitat value identified on the Concept Plan as 'Conservation Areas', either be vested in Council as reserve upon the development of the land, or any part thereof, or covenanted (or by similar means) to provide protection, and ongoing management, of such landscape and/or habitat values;
10. Ensuring integration of linkages and connectivity across and beyond the area;

11. Promoting development which complements the role of the Highbury shopping centre;
12. Considering the implications of a proposal in relation to regional land transport strategies, including public transport and policies promoting water-based transport.
13. Requiring that any Comprehensive Development Plan and resource consent application be publicly notified.

#### **20.13A.2.3 Policies - Historic Heritage and Built Form**

1. Assessments of applications will be guided by the relevant criteria, policies and rules of Section 11 of the Plan. Heritage values of the historic buildings shall be recognised and sustainably managed through the requirement for a Building Conservation Plan as part of the Comprehensive Development Plan. If a proposal has historic heritage adverse effects that are not able to be satisfactorily avoided, remedied or mitigated, consent shall not be granted.
2. Utilisation (where found to be appropriate in the BCP and having regard to the principles of the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value) of significant heritage buildings shall ensure protection, whilst enabling appropriate use of natural and physical resources.
3. Views of the scheduled buildings shall be maintained from public areas within the site, from residential areas surrounding the site, including Birkenhead Point and Northcote Point, and from across the water.
4. Development proposals must identify any potential impact on archaeological sites, trees or vegetation of cultural heritage value and other heritage items, and include methods to avoid, remedy or mitigate any significant adverse effects.

#### **20.13A.2.4 Policies - Coastal Landform, Landscape Values and Ecology**

1. The provisions of Section 8 of the Plan will be used as a guide.
2. The land identified on the Concept Plan as being 'Conservation Areas' shall be set aside as reserve on any development proposal. The landscape values of these areas shall be protected and covenants may be required as a condition of any resource consent.
3. Development within the land zoned 'Special Purpose: Chelsea Heritage and Conservation Future Use Zone' shall provide a positive interface with the adjoining open space areas.
4. Development proposals must identify any potential impact on the flora and fauna of the site and the coastal interface, including exotic or indigenous flora that is of cultural heritage value, and include methods to avoid, remedy or mitigate any significant adverse effects on coastal values, historic, habitat and ecological values.
5. The existing shape of the landform should be retained where practicable, rather than changed by significant earthworks, and there shall be no modification of the coastal escarpment from its point of 'roll-over' seawards (as defined in general by the extent of the Conservation Area adjacent to the coastal escarpment), or any more than insignificant modification of any Conservation Area.
6. The continuity and natural character values of the coastal escarpment (including the native vegetation) shall be maintained west of the Refinery area by avoiding the massing of contiguous and/or bulky building form, excessive building height and continuous building facades.

7. Existing mature trees and significant native bush should be incorporated into the landscape design for the site and retained (where practicable) as a physically cohesive 'whole' that links with the coastal escarpment and planting around the Estate ponds.
8. Existing exotic tree and native plantings (particularly the vegetation located in the conservation area immediately adjacent to the coastal esplanade strip along the coastal edge of the Horse Paddock and the conservation area that runs along the coastal boundary of the Bulk Sugar Store area) that have an important screening function should be retained. Any screening that provides a buffer between built development and the coastal margin shall be maintained, as trees reach their life expectancy they shall be replaced so that at all times a visual screen is provided. The purpose of this screen is to reduce the visual impact of development when viewed from significant public viewing points including Birkenhead Wharf, Wynyard Point and Herne Bay.
9. Vegetation framing / flanking the existing ponds should be protected as far as is practicable (allowing for development around the refinery car park).

#### **20.13A.2.5 Policies - Traffic and Transportation**

1. Proposals should facilitate the comprehensive integration of future land uses and transport infrastructure and services.
2. Proposals should allow for roading, walking and cycling and public transport, including water-related transport (if appropriate in the circumstances). Transport facilities shall be adequate to ensure all the normal goods and services needs of any development on the site, including emergency situations, meet the requirements of the occupants. Any intensive development proposals shall focus on public transport and walking modes rather than private motor vehicles.
3. Proposals for the development of the land shall demonstrate that the traffic and public transport effects, with particular reference to regional land transport strategies as well as the local and wider roading network and water based transport opportunities, will be sustainably managed through the preparation of an Integrated Transportation Assessment as part of the Comprehensive Development Plan requirements (see section 20.13A.4.1.2.). If the particular level of intensity of development proposed has traffic effects that are not able to be satisfactorily avoided, remedied or mitigated, consent may not be granted.

#### **20.13A.2.6 Policies - Urban Design, Public Realm and Open Space**

1. Proposals shall demonstrate that:
  - a high level of amenity will be achieved;
  - the site will have a pedestrian-oriented character, integrated with public spaces;
  - development will create a distinctive and unique sense of place.
2. The use of curtilages and open space around buildings shall be designed to respect the existing curtilage and setting of significant heritage buildings and enhance the visual appreciation of scheduled heritage buildings, features and sites. The interface between heritage structures and new buildings shall be addressed in the Building Conservation Plan required to be prepared as part of a Comprehensive Development Plan.
3. The Comprehensive Development Plan shall clearly identify public and private open spaces and shall make provision for the setting aside of the Conservation Areas shown on the Concept Plan. Public open spaces shall be set aside as reserves, or covenanted, or permanently protected by other legal means.

#### **20.13A.2.7 Policies - Other Infrastructure**

1. Proposals should demonstrate that an integrated and sustainable approach has been taken to addressing all the servicing requirements of the uses and activities on the land, including water, stormwater, wastewater, energy use and waste streams.
2. Proposals should demonstrate that environmental effects arising from credible

natural risks (eg obstruction of road access, rising sea levels, dam breach, development of reclaimed land, significant rainfall events) are appropriately avoided, remedied or mitigated.

#### **20.13A.2.8 Policies - Refinery Area**

1. Except for the provisions that refer exclusively to the operations of the existing Sugar Refinery operation and subject to the heritage policies in 20.13A.2.3, section 11.3.4 (Chelsea Sugar Refinery Site) (to the extent that these provisions are applicable to new activities and development of the Special Purpose Chelsea Heritage and Conservation Future Use Zone as opposed to sugar refining or industrial activities) shall apply to the preservation and re-use of the heritage buildings and to the future redevelopment of the Refinery Area as identified on the Concept Plan in Appendix 20H to conserve and integrate with the recognised historic heritage and coastal landscape values of the area.
2. Assessments of the capacity of the land to accommodate a mixed use development have indicated that a scenario providing for some 286 residential units based on the ratio of 1 unit per 175m<sup>2</sup> usable floor area, including those located within the readapted refinery buildings, and 3200m<sup>2</sup> of business floor space (primarily within the existing refinery buildings) can be accommodated within the area identified on the Concept Plan in Appendix 20H as the Refinery Area. This level of intensity will only be achievable if it can be demonstrated that impacts on the values of the site (natural, cultural and historic) can be satisfactorily addressed, and that any traffic generated is within the capacity of the road network. Furthermore, such development may only proceed following the preparation and approval of a Comprehensive Development Plan demonstrating that the proposal is in accordance with all of the relevant objectives and policies and any effects on the environment are appropriately avoided, remedied or mitigated. An appropriate level of intensity of development will be decided by the outcomes of all the information prepared for the Comprehensive Development Plan.
3. The height of new buildings shall not dominate heritage buildings and shall generally be within the locations identified and height limits on the number of levels set out on the Concept Plan in Appendix 20H.
4. The roading network should ensure adequate access, both physical and visual, in and around the site.
5. An area is identified on the Concept Plan in Appendix 20H as 'Open Space/Ferry Parking'. In the event that ferry services are provided to the land, this area is identified as the most convenient to provide land-based ancillary facilities and back-up parking. However, the timing and size of any facilities have not yet been determined. In the event that it is not used for ferry services, it shall remain in its current use or as open space, the form of which shall be set out in the Comprehensive Development Plan.

#### **20.13A.2.9 Policies - Horse Paddock and Bulk Sugar Store Areas**

1. Development of the Horse Paddock and Bulk Sugar Store areas, as identified on the Concept Plan in Appendix 20H, shall protect and integrate with the recognised historic heritage, ecological, and coastal landscape values of the area, as identified in the Comprehensive Development Plan and Sections 8 and 11 of the Plan.
2. Assessments of the capacity of the land have indicated that a scenario providing for approximately 240 household units can be accommodated within the area identified on the Concept Plan in Appendix 20H as the Horse Paddock and Bulk Sugar Store areas. This level of intensity will be acceptable only if it can be demonstrated that an overall urban design outcome that is sympathetic to the coastal landscape and local natural, cultural and historic values can be achieved. Furthermore, such development could only proceed following the preparation and approval of a Comprehensive Development Plan (with particular regard to the landscape and habitat plan, archeological assessment and coastal erosion assessment) demonstrating that the proposal is in accordance with all of the relevant objectives and policies and any effects on the environment are appropriately avoided, remedied or mitigated.

3. No works or development will be permitted within Conservation Areas unless:
  - it can be demonstrated that there are compelling reasons for making an exception, and any environmental effects are no more than insignificant;
  - an equivalent area of land is set aside as Conservation Area.
4. Building heights of up to 9 metres may be considered appropriate for development of the Horse Paddock area, as identified on the Concept Plan in Appendix 20H, subject to achieving an overall urban design outcome that is sympathetic to the coastal landscape, local natural and historic values, and views of the site from significant public vantage points across the water. Building height may be increased by a maximum of 2 metres to provide for roof design, subject to the limitations imposed by the Intensive Residential Development provisions of the Plan in 16.7.3.6. These heights are acceptable only if vegetation cover in conservation areas between the development areas and the coastal escarpment largely obscures views of the site from significant public vantage points including across Waitemata harbour. Should the loss of protective screening vegetation occur no development would be permitted due to adverse visual impacts on the headland generally. Building scale, height and bulk should be reduced toward the western, Horse Paddock boundaries and the coastal escarpment boundaries. The massing of buildings should be avoided toward the coastal escarpment and its associated roll over area.
5. Building heights of up to 25 metres (the same as the existing Bulk Sugar Store) may be considered appropriate for development of the Bulk Sugar Store Area provided that the building footprints shall generally be within the locations identified on the Concept Plan in Appendix 20H. Buildings should be stepped back in height away from the coastal edge and the maximum height of the building at the coastal edge (southern) end shall be no more than 15 metres for the first (southern) 20 metres of the length of the building. No more than 50% of the total area of any one building may be 25m in height with the balance of the building being no more than 20 metres in height. Buildings shall be designed so as not to dominate the entrance to the Refinery Area, or detract from the scheduled buildings within the Refinery Area. Furthermore, new buildings should be significantly less visually prominent than the existing Bulk Sugar Store building, and be sympathetic to the coastal landscape, local natural and historic values. A green buffer must be retained between buildings in the Bulk Sugar Store Area and the Refinery area. (A further green buffer between the Bulk Sugar Store Area and the Horse Paddock is shown on the Concept Plan in Appendix 20H. as Conservation Area). Buildings in the Bulk Sugar Store area should not present a continuous bulky mass, façade or height, but rather exhibit a varied form, bulk and design to reduce potential adverse visual effects and create a variety of form particularly when in close proximity to the Refinery Area. Overall, a greater level of development is encouraged within the Bulk Sugar Store Area, with a reducing level of intensity in the Horse Paddock area.
6. Council shall have particular regard to provision of road and service access to the Horse Paddock. Any roading design shall include proposals to ensure that the amenities of the entrance to the land are conserved

*Note:*

NSCC maintains engineering/infrastructure policies and standards which should be referred to when considering the requirements of [Rule 9.4.4.11](#).

### **20.13A.3 Methods**

Policies will be primarily implemented by requiring

1. A Comprehensive Development Plan (as set out in section 20.13A.4.1.2.) addressing the zoned area as a whole, and a robust, comprehensive assessment of effects on the environment. The Comprehensive Development Plan and any relevant resource consent will be publicly notified.
2. That any proposed residential development in the area is comprehensively planned in accordance with the relevant provisions for intensive residential development in Rule 16.3.8 & 16.7.3.6.



3. That all activities and subdivision proceed as part of the comprehensive development of the land.
4. The application of activity and development controls.

**Explanation and Reasons**

*The coastal terraces of the Chelsea Sugar Refinery land provide a development setting which offers unique views, a landscaped hinterland and habitats which combine to create a high level of amenity. Coupled with historic refinery buildings, these attributes define an area that is unique in New Zealand. In the event of refining ceasing, alternative uses need to be found which will protect the site's heritage and landscape values while enabling carefully planned development of the land to occur in a sustainable manner which will protect the values of the site.*

**Expected Environmental Results**

Application of the Special Purpose Chelsea Heritage and Conservation Future Use Zone in a manner which:

- acknowledges that sugar refining may not always occur at this location
- identifies redevelopment or land use change outcomes that would be possible and beneficial for the city (and that will meet statutory obligations in relation to the applicable regional planning instruments);
- provides a variety of living, business, community, and recreation environments within an attractive built environment;
- protects the amenity and environmental values (including habitat and ecology values) of the site and locality;
- provides an alternative use for heritage buildings;
- enhances the economic and social wellbeing of the City;
- facilitates employment diversification;
- facilitates regional growth and transport objectives;
- establishes consent processes by which appropriate land uses are evaluated and approved.

**20.13A.4 Zone Rules - Land Use**

**20.13A.4.1 Activity Status**

**20.13A.4.1.1 Discretionary Activities**

Any activity in the Special Purpose: Chelsea Heritage and Conservation Future Use Zone which forms part of a Comprehensive Development Plan prepared in accordance with Comprehensive Development Requirements in Rule 20.13A.4.1.2.

*Note:*

For the avoidance of doubt, unless otherwise provided for under the Business 9 zoning and 11.4.3, until such time as a Comprehensive Development Plan and resource consent application has been approved by the Council, any activity in the Special Purpose: Chelsea Heritage and Conservation Future Use Zone not being part of a Comprehensive Development Plan prepared and approved as part of an application for resource consent, is a non-complying activity. Any such application will be publicly notified .

**20.13A.4.1.2 Comprehensive Development Plan Requirements -  
Discretionary Activities and Assessment Criteria**

Applications will be assessed against all relevant objectives, policies and rules of the District Plan, including those in sections 8, 9, 11, 15 and 16 and with particular reference to the provisions of section 20.13A. In addition, the following sections 20.13A.4.1.2.1 (Comprehensive Development Plan Requirements) and 20.13A.4.1.2.2 (Assessment Criteria) shall apply.



#### **20.13A.4.1.2.1 Comprehensive Development Plan Requirements - for the Special Purpose: Chelsea Heritage and Conservation Future Use Zone**

Any application for resource consent for development in the Special Purpose: Chelsea Heritage and Conservation Future Use Zone shall be accompanied by a Comprehensive Development Plan for the whole of the Special Purpose: Chelsea Heritage and Conservation Future Use Zone land. The Comprehensive Development Plan and any application for resource consent will be publicly notified in accordance with Objective 5 of the Special Purpose Zone 13A.

The Comprehensive Development Plan shall, without limiting the Council's discretion, apply the relevant requirements of 15.6.2.9 (Business Zone Comprehensive Development Plans), address the matters set out in the Auckland Regional Policy Statement policies concerning structure planning, and address the following information requirements and matters for consideration:

1. A landscape and habitat plan, including proposals for (and how the resource consent or Comprehensive Development Plan provides for) the conservation and management of areas of high natural, coastal, landscape and habitat values, taking into account the conservation of significant elements of the landscape and habitats, and avoidance or mitigation of effects on wildlife habitats or sites of ecological or wildlife significance (SSWI).
2. A Building Conservation Plan for any heritage buildings listed in Schedule 11C, having regard to:
  - a) New Zealand Historic Places Trust guidelines based on the J. Kerr conservation plan model;
  - b) Section 11 of the District Plan with specific reference to the objectives, policies and assessment criteria relating to the Chelsea Sugar Refinery;
  - c) protection of open space and, including curtilages around buildings where these form part of the heritage value and contribute to the settings that enhance the visual appreciation of scheduled heritage buildings.
  - d) the conservation and re-adaptation of the Refinery heritage buildings in a manner that addresses the heritage elements and potential effects upon heritage values.
  - e) the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value.
3. Land use and development patterns and building forms, consistent with the objectives and policies of 20.13A.2 and those matters specified in 20.13A.4.1.2.2.
4. Elements of urban form, which contribute to maintaining and enhancing amenity values and the creation of a strong local identity (refer 20.13A.4.1.2.2).
5. The geotechnical limitations of the site, particularly in areas known to have historically been used for landfill purposes.
6. Provision for services and utilities (e.g. wastewater disposal, stormwater management, water supply, roads, electricity supply).
7. An archaeological assessment, having regard to the series of Archaeological Guidelines issued by the New Zealand Historic Places Trust.
8. The need for protocols to ensure the appropriate handling of artifacts which may be of archaeological or cultural significance.
9. An Integrated Transportation Assessment. Such an assessment (based upon the Auckland Regional Transportation Authority Manual or similar) shall include:
  - a) an assessment of the degree to which the proposal is in accordance with regional transport strategies, with particular reference to public transport policies (including the potential for ferry access) and the service delivery capability of public transport service providers. In carrying out such an assessment, reference shall be made to the passenger transport plans and policies of the regional public transport provider;

- b) provision for adequate vehicular access to the land within the zone and circulation of motor vehicles (including buses and emergency service vehicles), provision of on-site bus stopping and turnaround facilities within the zone, walkways and cycle ways;
  - c) provision for land-based ancillary facilities including an adequate parking and vehicle circulation area to support water-borne transportation (if appropriate in the circumstances);
  - d) an analysis of traffic effects on the roading network;
  - e) consideration of the benefits and desirability of extending a connecting link from the end of Onetaunga Road to Colonial Road immediately south of the main Refinery access bridge, in a manner that protects the values of the Chelsea Estate while providing for improved access functions and greater security.
- 10. An economic impact assessment of the effects of the proposal, with particular reference to employment implications for North Shore City and the impact the development may have on planned residential intensification and business activity in Highbury.
  - 11. Assessment of the risks of coastal erosion and how any potential adverse effects (if any) are addressed.
  - 12. A risk assessment, using the provisions and procedures outlined in the Auckland Civil Defence Emergency Management Group Plan, Section 2, Strategic Direction. The natural events to be assessed include tidal and surge effects, tsunamis, storm and rainfall. Man-made risks shall include dam over-topping or collapse, bridge vulnerability and the security of essential services that may cross hazardous areas, and how any potential adverse effects (if any) are addressed.
  - 13. Assessment of any contamination on the site and the location and status of any potentially hazardous material and how any potential adverse effects (if any) are addressed.
  - 14. Assessment of noise and traffic effects of demolition and construction activities.

*Note:*

NSCC maintains engineering/infrastructure policies and standards which should be referred to when considering the requirements of [Rule 9.4.4.11](#).

a ) Assessment Criteria for the Special Purpose: Chelsea Heritage and Conservation Future Use Zone

Without limiting in any way the Council's exercise of discretion, the Council assessment of resource consents and a Comprehensive Development Plan, will include the consideration of those matters set out below and any other matters relating to the Comprehensive Development Plan requirements in [Rule 20.13A.4.1.2.1](#):

- 1. The objectives and policies of section 20.13A.2 (Special Purpose: Chelsea Heritage and Conservation Future Use Zone).
- 2. Those matters set out in [Rule 9.7.2.4](#), and the relevant provisions of 9.7.3 (particularly 9.7.3.2 - pertaining to Significant Landscape Features and Sites of Special Wildlife Interest) noting that generally such landscape features and sites of special wildlife interest will be located within the Conservation Areas identified in the Concept Plan.
- 3. The matters of [Rule 9.7.1.2](#) (Structure Plan Zone Assessment Criteria), as if reference in those provisions was to the Special Purpose: Chelsea Heritage and Conservation Future Use Zone (unless any provision clearly does not apply).
- 4. Any other relevant technical work that has been done by the Council, the landowner, the Historic Places Trust or any other interested stakeholder (as at the time of application) pertaining to the natural and physical resource values within the zone.
- 5. The extent to which it is appropriate, necessary, beneficial or practicable to provide public vehicular access between Colonial and Onetaunga Roads.
- 6. In addition the Comprehensive Development and building design should:

- a) Provide elements of urban form which contribute to maintaining and enhancing amenity values and the creation of a strong local identity, including (but not limited to):
  - i) The indicative layout of streets and height limits as identified on the Concept Plan in Appendix 20H;
  - ii) breaking down building forms to create a human scale and visual interest, safety and activity along street frontages for pedestrians;
  - iii) avoidance of large car parking areas at fronts of sites, and parking areas at grade between buildings and streets;
  - iv) street trees and landscaping themes that complement those already established within the Zone;
  - v) buildings that provide shelter for pedestrians and continuous areas of paving along streets to provide for pedestrian amenity and other activities anticipated for the Zone;
  - vi) views of the site and heritage buildings from within the site, from the surrounding residential land including Birkenhead Point and Northcote Point, and from the Harbour;
  - vii) avoidance of blank facades or walls along street frontages, or adjacent to and visible from other public spaces;
  - viii) access to daylight and sunlight within buildings and in streets, other public spaces and private outdoor spaces;
- b) Minimise the development 'footprints', and maximise the bush, open space and public reserve areas, across the zone, and retaining and avoiding the Conservation Areas identified in the Concept Plan (Appendix 20H).
- c) Provide a system of public pedestrian linkages throughout the zone, particularly to buildings or structures within the zone having significant heritage values, to areas having high recreational values (for example, that provide access alongside, or extensive views of, the Waitemata Harbour) and to existing pedestrian walkways within the greater Chelsea Estate.
- d) Provide for a distribution of intensity so that there are lower forms of development and intensity toward the periphery of the site adjacent to the coastal escarpment and the western boundary of the site, and reducing intensities across the Horse Paddock towards its western boundary.
- e) Provide for the protection and maintenance of significant native vegetation and habitats, exotic tree plantings that have an important screening function or have cultural heritage value and known ecological corridors within the Zone, including by avoiding vegetation alteration which fragments significant ecological linkages between native vegetation and wildlife habitats. The screening that largely obscures the built development on the Bulk Sugar Store and Horse Paddock areas shall be maintained, as trees reach their life expectancy they shall be replaced so that at all times a visual screen is provided.
- f) Set development well back from the elevated coastal areas.
- g) Avoid adverse effects on significant individual (or groups of) trees within the Zone.
- h) Provide for the protection, conservation and, where appropriate adaptation of the scheduled heritage refinery buildings, in accordance with the Building Conservation Plans.
- i) Provide for appropriate setbacks, curtilages and integration of new buildings and structures with the scheduled Refinery buildings within the zone, to ensure that their heritage context and setting is maintained and enhanced.
- j) Avoid buildings and development along the harbour edge outside the defined building areas in the Refinery Area, and provide for public access to this harbour edge area.

- k) Ensure integration between and connectivity of the following elements:
- parking and pedestrian linkages within the site
  - internal linkages to existing pedestrian and roading connections
  - interconnectivity between any proposed residential development and service points, and areas of public space and the foreshore.

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## **20.14 Special Purpose 14 Zone: Devonport Naval Base (Health and Administration Area/HMNZS Philomel)**

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This zone covers much of the land held by the Crown for the HMNZ Naval Base (South Yard) in Devonport. It incorporates the HMNZS Philomel portion and part of the Calliope Road frontage containing the hospital and wardroom of the so called 'South Yard'. This land is subject to a designation for Defence Purposes. The zoning provides for non-defence use of the Base's facilities to indicate desired environmental standards for such activities. It also indicates the location's function as a buffer between the industrially-used dockyard area and residentially-zoned areas.

The Zone has been split into two sub-zones to recognise the differing environmental characteristics within this area. The Area A zone is applied to the northern area adjoining Calliope Road and which contains predominantly health and administration land uses. The Area B zone refers to the lower coastal area of the South Yard known as HMNZS Philomel.

### **20.14.1 Devonport Naval Base**

#### ***Objective***

To provide for the non-defence use of existing facilities, and new facilities established under the Defence Purposes designation, in a manner which avoids or mitigates any adverse effects on the environment.

#### ***Policies***

1. By applying a zoning framework which complements the Defence Purposes Designation applying to the land.
2. By providing for a range of activities that have been legally established under the Minister of Defences "Defence Purposes" designation or otherwise have existing use rights.
3. By managing the effects of activities in a way that enables flexibility in the location of buildings and activities within the Base area.
4. By dividing the zone into two sub-zones with differing height, bulk and location controls to ensure that in:
  - Area A (Calliope Road Health, administration area) - the controls seek to preserve the heritage character and retain the domestic form of buildings established along Calliope Road; and
  - Area B (Philomel) - the controls seek to protect the visual prominence of the Calliope Road cliffs.
5. By applying noise controls that address the potential adverse effects on the surrounding residential community.
6. Activities should not generate levels of traffic so as to significantly reduce the character and amenity of the surrounding residential area.

#### ***Methods***

- The policies will be implemented through rules. These rules will complement the provisions of the designation which applies to the site and which regulates the use of the site for defence purposes.

### **Explanation and Reasons**

*This Special Purpose 14 zone has been provided as the underlying zoning for the "core" part of the Naval Base. This zone includes a large part of the 'South Yard', as referred to in the Defence Purposes Designation. It is important that an appropriate underlying zoning is provided to provide for the use of parts of the Base for non-defence purposes, in accordance with appropriate standards, which are compatible with those applying to activities carried out in accordance with the designation of the Base. The appropriate underlying provisions can ensure that the efficient use of existing resources is provided for. The zone is not meant to mirror the conditions of the designation but meant to recognise and provide for certain activities that are sometimes undertaken by third parties/civilians which do not fall within the financial responsibility of the Minister of Defence. An example is the use of the hyperbaric chamber by non-defence personnel.*

*The Bridge Simulator Training Facility is another 'defence purpose' facility which provides an advanced training facility that develops vessel command and control skills. It is utilised by other agencies on occasions such as Ports of Auckland.*

*The Navy hospital located on Calliope Road, within Area A, is a medical and surgical facility with 25 beds and has a staff of military and civilian personnel. The hospital provides healthcare, GP consultations and outpatient services. The hospital provides a 24-hour service for the military. The Navy hospital is the only provider of emergency hyperbaric services in the North Island.*

*The South Yard, as commonly known, includes three separate areas and comprises approximately 19.9364 hectares of land. The three areas include, the Calliope Road frontage (which includes hospital/accommodation and administration areas), the dockyard and HMNZS Philomel. The dockyard has unique characteristics and is zoned Special Purpose 15 (Dockyard).*

*The Special Purpose 14 Devonport Naval Base zone has been applied to two areas of the South Yard, being part of the Calliope Road frontage and HMNZS Philomel.*

*The Calliope Road (Area A) frontage lies between Calliope Road and the coastal cliffs that define the edge of the reclaimed area of the main naval base. A range of health, accommodation, welfare and administrative facilities are located in this area. To the immediate south lie the steep Pohutukawa clad coastal cliffs, the Philomel (Area B) and Dock Yard (Special Purpose 15 Zone) areas and the Waitemata Harbour.*

*HMNZS Philomel (Area B) is located at the eastern end of the reclamation at the base of the cliff. The NZDF has extensively developed Philomel for office, training and accommodation activities. The buildings erected in this area range from single to multi-storey buildings and all have a commercial style and scale. The main access to the South Yard, is from the Main Gate which is located at the end of Queens Parade. A road cut into the cliff face, 'Monowai Hill' links the Calliope Road frontage to HMNZS Philomel.*

*A single lane road tunnel links the North and South yards, running beneath Calliope Road and the residential area that separates them.*

## **20.14.2 Rules: Activities**

The activity status of any activities specified in this rule may be changed by rules in the General Sections of the Plan.

### **20.14.2.1 Permitted Activities**

The following are permitted activities within the Special Purpose 14 zone, provided that they comply with the relevant rules contained in Section 20.16

#### **Special Purpose 14 - AREA A: Health and Administration Area**

- i) The following activities, in Area A, provided they are operating from existing buildings that have been legally established under the Minister of Defences "Defence Purposes" designation or have existing-use rights:
  - a) Offices
  - b) School
  - c) Dental Centre



- d) Hospital
- e) Navy Hospital Hyperbaric Unit
- f) Accommodation.

**Special Purpose 14 - AREA B: HMNZS Philomel**

- ii) The following activities, in Area B, provided they are operating from existing buildings that have been legally established under the Minister of Defences "Defence Purposes" designation or have existing-use rights:
  - a) Offices
  - b) Accommodation
  - c) School
  - d) Church
  - e) Swimming pool.

**20.14.2.2 Discretionary Activities**

The following are Discretionary activities in the Special Purpose 14 Zone:

- i) Demolition of buildings
- ii) New buildings or alterations to existing buildings involving additional floor area, where the buildings are used for a permitted activity.

**20.14.2.3 Non-Complying Activities**

The following are Non-complying Activities in the Special Purpose 14 zone:

- i) Any other activity that does not qualify as a permitted or discretionary activity.

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## **20.15 Special Purpose 15 Zone: HMNZ Dockyard**

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The Special Purpose 15 zone applies to the HMNZ Dockyard land on the western half of the reclamation along the base of the Calliope Road Cliff. The dockyard is occupied by wharf buildings, a dry-dock, a syncrolift and industrial buildings. The dockyard is primarily used for the maintenance of vessels. The dockyard is accessed at its eastern end from Philomel, via Queens Parade, and at its western end from the Stanley Bay Gate by a vehicle crossing off Calliope Road (referred to as the Calliope Road Service Lane). The dockyard also has a reliance on access to the harbour.

The dry dock and wharves area is recognised in the Auckland Regional Plan: coastal as part of the Devonport Defence Management Area.

The main issues arising from the HMNZ Dockyard are:

- The dockyard is important to the New Zealand Defence Force and therefore to the safety and security of New Zealand.
- Its location (close to deep water and within the Naval Base) and facilities (including NZ's largest dry dock and a synchrolift facility) make it suitable for a range of ship and boat building and maintenance activities. As such, it is a unique resource in national and regional terms.
- Its facilities are suitable for a range of marine and general engineering tasks. In particular, marine engineering facilities at this scale are a scarce resource and the dockyard's ability to carry out such tasks should not be compromised.
- Its location adjacent to a residential area, its restricted road access and its coastal environment do indicate that there needs to be some restrictions on activities or their effects.
- Nevertheless, the viability of the dockyard and therefore its ability to service the New Zealand Defence Force and the wider marine industry does rely on its ability to carry out a range of activities both civilian and military.



## 20.15.1 HMNZ Dockyard

### Objective

1. To provide for the continued operation of the HMNZ Dockyard for marine and related engineering activities in a manner that avoids, remedies or mitigates any adverse effects on the surrounding environment.
2. To limit activities in this area to those that utilise the unique resources of the dockyard or are related to such activities.

### Policies

1. By applying a zoning framework which complements the Defence Purposes Designation applying to the land.
2. By limiting the establishment of inappropriate activity which do not require the dockyards special resources for their operation
3. Activities that have the potential to restrict the functionality of the dockyard should not be allowed.
4. Retail and other high-traffic generation activity should not establish in the zone in recognition of existing roading constraints.
5. By applying bulk and location controls that do not restrict the use of this deep water coastal access resource.
6. By applying bulk and location controls that protect views to Calliope Road Cliffs from surrounding areas.
7. By applying noise generation controls that recognise the particular operational needs of the dockyard as well as the surrounding residential catchment.

### Methods

All policies will be implemented by zone rules. The policies in respect of Defence use of the dockyard are also implemented through the terms and conditions of the designation on the site.

### Explanation and Reasons

*The dockyard - Marine Services Zone has been applied to the established dockyard site within the Naval Base at Devonport. Within the dockyard a range of engineering activities occur including maintenance of naval vessels. The zoning recognises that the dockyard may be utilised for non-defence purposes, and provides for the efficient use of existing resources and continued employment of a significant workforce.*

*Zone controls recognise the relatively heavy nature of the engineering activities that may be carried out on the site and the nature of surrounding land uses. It is also recognised that land at the dockyard is a scarce resource and activities are therefore restricted to those that can demonstrate a functional need to locate in this area. Bulk and location controls in particular recognise the functional need by activities that locate within the zone for deep water access as well as protecting the visual prominence of the cliff.*

*The main non-defence operator on site is currently VT Fitzroy (a joint venture between Vosper Thornycroft and Fitzroy Engineering Group), commercial manager of the dry-dock and adjacent industrial facilities. VT Fitzroy currently holds a contract with the Navy to manage the dockyard. The dockyard contract may vary over time. The majority of VT Fitzroy's activity is associated with marine engineering and maintenance.*

*The dry-dock is located within the Coastal Marine Area and is under the Auckland Regional Council jurisdiction. The activities in the dry-dock are undertaken in terms of the Defence Management Area zoning in the Auckland Regional Coastal Plan, which is essentially a port zone similar to other port areas in the Auckland Region.*

## 20.15.2 Rules: Activities

The activity status of any activities specified in this rule may be changed by rules in the General Sections of the Plan.

### **20.15.2.1 Permitted Activities**

The following are permitted activities within the Special Purpose 15 zone, provided that they comply with the relevant rules contained in Section 20.16.

- i) Boatbuilding, ship and boat maintenance
- ii) Marine engineering
- iii) General engineering carried out within existing workshops
- iv) General engineering carried out within the open areas that are defined on Appendix 20I
- v) Alterations to existing buildings not involving additional floor area
- vi) Exterior lighting.

### **20.15.2.2 Discretionary Activities**

The following are Discretionary activities in the Special Purpose 15 Zone:

- i) New Buildings or alterations to existing buildings involving additional floor area, where the buildings are used for a permitted activity
- ii) Demolition of buildings
- iii) General engineering activities not provided for as a permitted activity
- iv) Any permitted activity, outlined in Rule 20.15.2.1 that does not comply with the relevant Rules in Section 20.16.

### **20.15.2.3 Non-Complying Activities**

The following are Non-Complying Activities in the Special Purpose 15 zone:

- i) Retail activities
- ii) Residential activity
- iii) Any other activity that does not qualify as a permitted or discretionary activity

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## **20.16 Rules: Controls for Special Purpose Zones**

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### **20.16.1 Controls for All Zones**

All Permitted and Controlled activities in the special purpose zones are subject to the controls as indicated in **Table 20.3** and **Table 20.4**. Compliance will also be required with any relevant controls specified in the General Sections of the Plan.

An element of flexibility is provided in respect of some of the controls, as a Limited Discretionary activity.

**Table 20.3 Height and Yard Controls for All Special Purpose Zones**

	<b>Special Purpose zone</b>	<b>Height Height Limit/Control Flexibility*</b>	<b>Yards Yard/Control Flexibility</b>
1	Health	Platform A - 16m/18m Platform B - 10m/12m	Lakeside yard: 30m No Control Flexibility for the lakeside yard. No other yards required. See Concept Plan in <a href="#">Appendix 20A</a>
2	Education	—	—
3	Wastewater Treatment Plant	Platform A - 13m/14m Platform B and C - 3m/4m Platform D - 6m/8m Switchboard utility building- 2.5m	Perimeter yard on all zone boundaries and applying to all aspects of the wastewater treatment activity: 5m/0m
4	Cemetery and Crematorium	Platform A, B and C - 8m/9m Columbarium - 2.5m Crypts - 3m/4m	Perimeter yard on zone boundaries adjoining Residential Expansion zone and applying to all aspects of the cemetery and crematorium activity: 5m/2m Foreshore yard: Refer to <a href="#">Rule 16.6.1.5A</a>
5	Transitional Quarry	8m/9m	Front Yard: 7.5m/0m Side and rear yards where boundary adjoins Residential zone: 20m/15m
6	Boat Building	8m/9m	Front Yard: 5m/1.5m Side and rear yards where boundary adjoins Recreation, Residential or Special Purpose 7.5m/1.5m Foreshore yard: Refer to <a href="#">Rule 16.6.1.5A</a>
7	Bayswater Marina Land	10m above Mean Sea Level (This is approximately 6m above ground level)	Front yard: 5m/1.5m Side and rear yards where boundary adjoins Recreation or Residential zones: 5m/1.5m Foreshore yard: Refer to <a href="#">Rule 16.6.1.5A</a> which applies in total except that for this zone there is an additional control flexibility: an application may be made for a limited discretionary activity within the foreshore yard for a canopy or similar structure serving as shelter for public transport users.
8	Awataha Marae	10m/11m	All Yards: 5m/1.5m

<b>Table 20.3 Height and Yard Controls for All Special Purpose Zones</b>			
9	<p>Community Uses</p> <p>Theatre and Conference Centre Site (T&amp;CC)</p> <p>Corner Rawene Road and Hinemoa Street</p> <p>Rest of zone</p>	<p>T&amp;CC (Mean Frontage level): 18m/20m</p> <p>Other Buildings on T&amp;CC site (Mean Frontage level): 11m/13m</p> <p>(Mean Frontage Level) 9m/11m, as defined on Appendix 20F</p> <p>8m/9m</p>	<p>Front Yards:</p> <ul style="list-style-type: none"> <li>- Hurstmere Road: nil</li> <li>- The Promenade: 5m/2m</li> <li>- Killarney Street: 7m/5m</li> </ul> <p>As defined on Appendix 20F</p> <p>Side Yards where boundary adjoins Residential zone: 7m/5m</p> <p>Front Yard: 5m/1.5m</p> <p>Side Yard: 1.2m</p> <p>Rear Yard: 3m/1.5m</p>
10	Centrepont Community Growth Trust	10m/11m	No Yard Control See Concept Plan in <a href="#">Appendix 20D</a>
11	Albany Centre Amenity Area	<p>Within the 50m wide axis corridors (Height above natural ground level): 4m/5m</p> <p>Rest of zone: 8m/13m using the Natural Ground Level Method</p>	All Yards: 5m/0m
12	North Shore Domain and Stadium	<p>All Buildings except the following: 8m/12m</p> <ul style="list-style-type: none"> <li>- Stadium light towers: 60m/65m</li> <li>- Stadium grandstands: 30m/35m</li> <li>- Stadium structural protrusions with area of no more than 20% of the grandstand roof area: 60m/65m</li> </ul> <p>(For Stadium towers, grandstands and protrusions, height is height above natural ground level)</p>	All Yards 5m/0m
13	Chelsea Sugar Refinery, land and water areas	To be determined at time of resource consent. The standards applicable in the nearest zone(s) will be used as a guide.	To be determined at time of resource consent. The standards applicable in the nearest zone(s) will be used as a guide.
14A	Devonport Naval Base (Health & Administration)	9m	<p>Calliope Road: 3m</p> <p>Cliff Top yard: 10m (defined as where the gradient of the slope reaches a gradient steeper than 1 in 3)</p> <p>All other boundaries: 1.5m</p>

<b>Table 20.3 Height and Yard Controls for All Special Purpose Zones</b>			
14B	Devonport Naval Base (HMNZS Philomel))	<p>Buildings must comply with a building height envelope control which provides a graduated height limit of 9 metres above ground level (AGL), increasing to 18 metres (AGL) at or within 10 metres of the foot of the Calliope Road cliff, or to a limit of 12.5 metres (AGL), whichever is the greater.</p> <p>This control is illustrated in Appendix 20J.</p> <p>NOTE: Height in the Special Purpose 14B zone will be measured from the finished surface level of the Philomel/ Dockyard reclamation - as at May 2009.</p>	<p>Spring Street: 5m</p> <p>Foreshore Yard: 9m</p>
15	HMNZ Dockyard - Marine Services	<p>Buildings must comply with a building height envelope control which provides a graduated height limit, 12.5m metres above ground level (AGL) increasing to 18 metres (AGL) at or within 10 metres of the foot of the Calliope road cliff.</p> <p>The Special Purpose 15 Zone Building Height Envelope is illustrated in Appendix 20K.</p> <p>NOTE: Height in the Special Purpose 15 zone will be measured from the finished surface level of the dockyard reclamation - as at May 2009.</p>	<p>Calliope Road Service Lane: 5m (the required security fence and control gate are exempt from this control)</p>

<b>Table 20.4 Other Controls for All Special Purpose Zones</b>	
<b>Zone</b>	<b>Other Controls</b>
All Special Purpose zones except Special Purpose 13 zone and the Special Purpose 9 zoned land at Corner Rawene Road and Hinemoa Street	<p><u>Lakeside Yard Control</u> 30m Lakeside Yard is required on all sites adjoining Lake Pupuke. No Control Flexibility for the lakeside yard.</p> <p><u>Building in Relation to Boundary Control</u> On all boundaries adjoining any Residential, Recreation or Residential Expansion Zones, no part of any building shall exceed a height equal to 2.5m plus the shortest horizontal distance between that part of the building and the nearest part of the common boundary Under Control Flexibility, the figure of 2.5m may be increased to 4m</p>

**Table 20.4 Other Controls for All Special Purpose Zones**

Special Purpose 1, 8 and 9 zones (excluding the North Shore Theatre and Conference Centre site and Corner Rawene Road and Hinemoa Street)	<p><u>Maximum Permitted Coverage</u> 35% Under Control Flexibility, coverage may be increased to 40%</p>
Special Purpose 9 zone at Corner Rawene Road and Hinemoa Street	<p>Maximum Permitted Coverage 35%</p> <p>Under control flexibility, coverage may be increased to 40%</p> <p>Provided that the building is within the area identified on Appendix 20F</p>
Special Purpose 14: Devonport Naval Base: Area A - (Health & Administration)	<p><b>Height in relation to zone boundary:</b> No part of any building is to exceed a height equal to 2.5 metres plus the shortest horizontal distance between that part of the building and the zone boundary.</p> <p><b>Building Length Control</b> Where adjoining sites are zoned residential, those parts of any building which exceed a height of 5 metres and are within 10 metres of the zone boundary are to be wholly confined within the arms of a 130° degree angle formed by two lines intersecting at any point on an adjacent residential boundary such that each line forms an angle of 25° degrees with that boundary.</p>
Special Purpose 14: Devonport Naval Base : Area B -(HMNZS Philomel)	<p><b>Height in relation to zone boundary:</b> No part of any building is to exceed a height equal to 2.5 metres plus the shortest horizontal distance between that part of the building and the zone boundary. This control shall not apply to the zone boundary between the Special Purpose 14 and 15 zones.</p>

**\*Note:** Refer To Rule 20.17.6 for the Assessment Criteria for Control Flexibility (except the Foreshore Yard - refer Rule 16.6.1.5A).

#### **Explanation and Reasons for Height Control**

Maximum height controls have been adopted for most special purpose zones as a means to limit the visual impact of buildings on the surrounding environment and to give the public certainty on the maximum height of development in the zone. In addition there are particular explanations and reasons associated with the different zones as follows:

##### **a) Special Purpose 1 Zone: Health**

*In the Special Purpose 1 zone: Health there is an existing building which exceeds the standard height for the zone. For new buildings the height chosen reflects a low to medium level of development and is considered appropriate having regard to the residential nature of much of the area surrounding Special Purpose 1 zone: Health. Building Platform Area B has a marginally lower height limit as development within that area is in the peripheral parts of the zone and therefore closest to other activities.*

*Under Control Flexibility, the maximum height limit can be increased by up to another 1 metre which could be beneficial in producing more attractive rooflines.*

##### **b) Special Purpose 3 Zone: Wastewater Treatment Plant**

*In Building Platform Area A there is an operational need for some structures connected with the efficient operation of the wastewater treatment plant to be as high as 13 metres. Elsewhere within the zone, buildings and structures can and should be kept low so as not to detract from the visual amenity provided by the open*



space and the ponds.

*Under Control Flexibility, the maximum height limit can be increased as specified to accommodate particular situations or to produce more attractive rooflines.*

**c) Special Purpose 4 Zone: Cemetery and Crematorium**

*Since one of the aims of the zone is to maintain the open space character and high visual amenity currently provided by the cemetery and crematorium facility, buildings of great height or bulk are not conducive to this zone. The height chosen is considered appropriate for achieving a low level of development that is in keeping with the character of the zone and the surrounding area.*

*Under Control Flexibility, the maximum height limit can be increased by another 1 metre to accommodate particular situations or to produce more attractive rooflines.(Amended January 1997).*

**d) Special Purpose 5 Zone: Transitional Quarry**

*The close proximity of single storey residential development has been instrumental in determining the 8 metre height limit, applying in this zone.*

*Under Control Flexibility, the maximum height limit can be increased by another metre to accommodate particular situations.*

**e) Special Purpose 6 Zone: Boat Building**

*Because of the proximity and nature of the residential development surrounding Special Purpose 6 zone, a maximum height limit that is compatible with the residential neighbourhood has been adopted for the zone.*

*Under Control Flexibility, the maximum height limit can be increased to 9 metres as Special Purpose 6 zone: Boat Building allows activities where there could occasionally be an operational need to have a building or structure that exceeds the 8 metre height limit.*

**f) Special Purpose 7: Marina Land**

*Features of the landscape include the topography of the ridges, the pohutukawa clad escarpments, and exposed cliffs. An important element of the natural character is the O'Neills Point cliffline which is approximately 17m-18m above mean sea level. Built development has the potential to diminish the significance of the natural headland and the existing legibility of the landform.*

*The significant height issues for this land relate to the adjoining harbour coastline and the background landscape features rather than the level of the land. The height limit has been calculated in terms of height above mean sea level (Auckland Datum), which is about 4m below the current ground level, therefore 10m MSL = 6m height in relation to natural ground level.*

*The permitted height of all buildings is set at relatively low levels (equal to large single storey buildings). A separate height limit has not been included as a limited discretionary activity, because the issue of additional height needs to be considered in the context of use, mass, design and location.*

**g) Special Purpose 8 Zone: Awataha Marae**

*The height requirement has been chosen so as to allow the erection of buildings satisfying Maori cultural requirements, while at the same time remaining in keeping with the scale and character of the surrounding land uses including, in particular, adjoining residential uses.*

*Under Control Flexibility, the maximum height limit can be increased by up to a metre to accommodate situations where it may be unreasonable for buildings or part of buildings to comply with the height limit.*

**h) Special Purpose 9 Zone: Community Uses**

*With the North Shore Theatre and Conference Centre there is a need, because of auditoriums and such like, for the complex to be as high as 18 metres. The site for the proposed Birkenhead Library and Civic Centre development is located within the Business 2 zone of the Highbury Business Centre and while its inclusion in the*

*Special Purpose 9: Community Uses zone reflects its intended community and civic purposes, the height limit applying within the Business 2 zone (9m with an additional 2m under Control Flexibility) is appropriate to the site which is located in a commercial centre. Elsewhere, the residential location of many of the community buildings determines that a height of 8 metres be adopted for other buildings so as not to create any marked visual impact on the surrounding neighbourhoods.*

*Under Control Flexibility an additional 2 metres is available on the North Shore Theatre and Conference Centre site and an additional 1 metre on all other sites to accommodate particular situations or to improve rooflines.*

**i) Special Purpose 10 Zone: Centrepont Community Growth Trust**

*The maximum height control of 10 metres has been adopted because of the somewhat steep terrain of the site and presence of bush that can reduce the visual impact of buildings of that height. The height chosen is considered appropriate for achieving a low level of development that is in keeping with the character of the zone and the surrounding area.*

*Under Control Flexibility, the maximum height limit can be increased by up to another metre to accommodate particular situations or to produce a more attractive roofline.*

**j) Special Purpose 11 Zone: Albany Centre Amenity Area**

*The height limits adopted for this zone reflect the need to ensure that buildings located within this zone do not detract from the visual qualities of the Albany Centre Amenity Area or impede views into this area from surrounding vantage points.*

*Under Control Flexibility, the maximum height limit can be increased by another 4 metres to accommodate particular situations or to produce a more attractive roofline.*

**k) Special Purpose 12 Zone: North Shore Domain and Stadium**

*The 8 metre height limit has been adopted for all buildings other than stadium grandstands and stadium lighting towers so as to lessen the visual impact of buildings located on the Domain. The 8 metre height limit allows a two-storeyed building while still ensuring that the scale is sensitive to the open space character of the site and the amenity of adjoining areas. The stadium grandstands and lighting have an operational need to extend to the heights specified for those structures.*

*Under Control Flexibility, buildings and structures can be granted an extended height where there is an operational need to do so but such proposals will be particularly assessed to ensure that they do not impact on adjacent properties.*

**l) Special Purpose 13 Zone: Chelsea Sugar Refinery**

*There are no Permitted or Controlled activities that require 'height' or 'yard' controls. Other activities require consent as Discretionary activities, in which case the standards that apply in the nearest zone(s) will be used as a guide to what is appropriate.*

**m) Special Purpose 14 Zone: Devonport Naval Base**

*The focus of height, bulk and location controls is to ensure that from viewpoints to the south of the Philomel area, the visual dominance of the cliff is not compromised, and that buildings do not dominate the foreshore area. This may be achieved in a number of ways:*

- a restriction on locating new buildings near the shoreline; and*
- ensuring that building height is less than the cliff height and the closer to the shore the less the maximum height can be.*

*Height in the Special Purpose 14B zone will be measured from the finished surface level of the Philomel/Dockyard reclamation - as at May 2009.*

**n) Special Purpose 15 Zone: HMNZ Dockyard - Marine Services**

*The dockyard is the site of marine-related industry, within a constrained area, which has an operational need for structures on or near the foreshore, hence no provision is made for a foreshore yard.*

*Similarly, provision is made for structures that may be required to service ships.*

*Provision is also made for facilities that will accommodate ships or parts of ships to enable the reduction of adverse effects such as noise and discharges. These*

structures are, however, subject to a particular height control.

Within the terms of these limitations, the emphasis is to ensure that buildings do not dominate the cliff.

Height in the Special Purpose 15 zone will be measured from the finished surface level of the dockyard reclamation as at May 2009.

### **Explanation and Reasons for Yard Control**

In a number of special purpose zones, yards have been adopted because of the need to provide a buffer between activities. Also yards can, with landscaping, enhance the amenity of a site and its neighbourhood, especially the streetscape in the case of front yards. In addition, there are individual explanations and reasons associated with the different zones as follows:

#### **a) Special Purpose 3 Zone: Wastewater Treatment Plant**

Imposing a perimeter yard control will ensure buildings, structures and ponds are a suitable distance from the boundaries shared with other zones and hence provide an area that can be landscaped to protect the amenities of each zone.

Under Control Flexibility, the 5 metre yard can be reduced or dispensed with, in order to accommodate particular situations or where it is not reasonable to require a 5 metre yard.

#### **b) Special Purpose 4 Zone: Cemetery and Crematorium**

Since the main activity of Special Purpose 4 zone, namely the lawn cemetery, is itself a major contributor to the amenity of the area, and the zone is already effectively separated from other activity on most of its boundaries, by either roading or estuary, yards are only necessary on the Residential Expansion zone boundary. Considering the circumstances of terrain, mature vegetation and the presence of a residential accessway along part of the joint boundary, a 5 metre distance between the boundary and any burial plots or other cemetery activities is adequate along the boundary adjoining the Residential Expansion zone.

Under Control Flexibility, the 5 metre yard can be reduced to 2 metres to accommodate particular situations or where it is unreasonable to require a 5 metre yard.

#### **c) Special Purpose 5 Zone: Transitional Quarry**

The close proximity of residential development to the quarry site means that generous yards are necessary to help protect the amenities of those residential properties.

Under Control Flexibility, only the front yard can be cancelled as the presence of the road continues to provide a buffer between the quarry and any residential development. The 20 metre side or rear yard can only be marginally reduced as a sizeable buffer must remain in place.

#### **d) Special Purpose 6: Boat Building and Special Purpose 7: Bayswater Marina Land**

A 5 metre front yard has been adopted to ensure that an attractive streetscape is retained. It is also in keeping with the existing pattern of development and provides opportunities for landscaping. A rear and side yard has been imposed in some circumstances to achieve a buffer between the activities of different zones. The foreshore yard is required to maintain a corridor of open space adjacent to the coast. It is recognised that the foreshore yard provision means that a resource consent is required for any building within that yard. The definition of building includes jetties and ramps. Where a new building is proposed within the foreshore yard, the objective and policies contained in [Section 8.3.1](#) should be referred to.

Because of the sizeable yards required, a coverage provision is unnecessary in the Special Purpose 6 zone. Coverage in the Special Purpose 7 zone will be controlled upon consideration of resource consent applications for new buildings.

Under Control Flexibility, approval can be sought to position buildings in yards in order to achieve innovative development or where it is not reasonable to comply with

the standards.

**e) Special Purpose 8 Zone: Awataha Marae**

A 5 metre yard has been chosen so as to provide a reasonable degree of separation between marae buildings and the adjacent residential zone. The yard will help to protect the visual and aural privacy of dwellings in this zone. As a further means of protecting the amenity of these dwellings, provisions are included for the landscaping of the yard where buildings are erected in proximity to it.

Under Control Flexibility, buildings can be located in yards in certain circumstances.

**f) Special Purpose 9 Zone: Community Uses**

For the community facilities other than the North Shore Theatre and Conference Centre, the yard requirements reflect residential yard requirements while the front yards of the Theatre and Conference Centre reflect the residential or commercial nature of the particular street concerned. Similarly with the required side yard.

Under Control Flexibility, most yards can be reduced to accommodate particular situations or where it is not reasonable to comply with the standards.

**g) Special Purpose 11: Albany Centre Amenity Area and Special Purpose 12: North Shore Domain and Stadium**

A 5 metre yard requirement has been imposed on all boundaries to ensure an attractive streetscape is retained in the case of front yards and to provide separation between activities in the case of side and rear yards.

With Control Flexibility, approval can be sought to establish buildings or activities within yards where, for instance, a better development might consequently be achieved or where it is not reasonable to comply with the standards.

**h) Special Purpose 13 Zone: Chelsea Sugar Refinery**

There are no Permitted or Controlled activities that require 'height' or 'yard' controls. Other activities require consent as Discretionary activities, in which case the standards that apply in the nearest zone(s) will be used as a guide to what is appropriate.

**i) Special Purpose 15 Zone: HMNZ Dockyard - Marine Services**

The dockyard is a strategic site which requires deep water access for marine-related activity. Given the constrained perimeters of the site and the operational need for structures on or near the foreshore there has been no provision for a foreshore yard.

A 5m setback to the Calliope Road Service Lane has been applied to the dockyard zone to reduce the visual dominance of buildings fronting Stanley Bay Beach. Given the sites security requirements, the security fence and control gate along the Calliope Road Service Lane boundary are exempted from the setback control.

**Explanation and Reasons for Coverage Control**

**a) Special Purpose 1 Zone: Health**

The building coverage control will help to mitigate possible negative effects of development in the Health zone. It will ensure that an overcrowded appearance does not occur, and assist in maintaining a satisfactory level of amenity within the zone. The location of the zone amongst mostly residential zones where the maximum building coverage is limited to 35%, further justifies a 35% building coverage limit in the Special Purpose 1 zone: Health.

There is the opportunity with Control Flexibility to slightly increase coverage to 40% if circumstances warrant it.

**b) Special Purpose 8 Zone: Awataha Marae**

The maximum building coverage has been chosen so as to retain the open character of the site and to ensure that the scale of development is not incompatible with the surrounding areas.

There is opportunity under Control Flexibility for this limit to be increased to 40% as coverage up to that limit should not greatly affect the character of the site.



**c) Special Purpose 9 Zone: Community Uses**

*The 35% building coverage control applying to all sites, except the North Shore Theatre and Conference Centre site, will help to mitigate possible negative effects of development on such sites in Special Purpose 9 zone by ensuring an overcrowded appearance does not occur. The location of these sites in mainly residential neighbourhoods where a 35% coverage control applies, further justifies the 35% building coverage limit. An additional restriction on the location of the building footprint within the site has been applied at the corner of Rawene Road and Hinemoa Street to ensure the building does not diminish the pleasant open space character of the adjoining recreation zoned land.*

*There is an opportunity with Control Flexibility to increase coverage to 40% if circumstances warrant it.*

**Explanation and Reasons for Building in Relation to Boundary Control**

*At the interface between the Special Purpose zones and any Residential, Recreation or Residential Expansion zones, the height of buildings in relation to their distance from those common boundaries is controlled in order to achieve adequate daylight admission to adjoining properties, reduce the visual dominance of buildings at such boundaries and reduce any other adverse impacts that might occur as a result of buildings being located close to boundaries.*

**20.16.2 Additional Controls for Special Purpose Zones****20.16.2.1 Special Purpose 1 Zone: Health****a) Building Platforms**

All buildings shall be contained within the building platforms indicated on the Concept Plan in [Appendix 20A](#). Those areas not shown as building platforms shall remain as open space. Car parking areas shall not be permitted within the open space area adjoining the lakefront, although seating and any other such items facilitating passive recreational enjoyment of the lakefront area are permitted there.

**Explanation and Reasons**

*An important principle of the zone is to allow flexibility over where buildings may locate while at the same time retaining areas of open space. The building platforms have been defined with input from the relevant Crown Health Enterprise and included in the Concept Plan so that the public can be aware of the limits to the built form of the North Shore Hospital site.*

*Those areas not shown as building platform remain as open space, adding to the amenity of the zone and the neighbourhood.*

**b) Access**

Major and minor vehicular access/egress points for the zone have been indicated on the Concept Plan in [Appendix 20A](#). Vehicular access to and from the zone is restricted to those identified points.

**Explanation and Reasons**

*For traffic safety reasons and to avoid the disruption to traffic on surrounding roads that would occur if there were an unlimited number of access/egress points, vehicular access to and from the zone has been restricted to certain locations.*

**c) Screening**

Where any outdoor storage, refuse disposal area, or service area adjoins or directly faces the road or land that is zoned Residential or Recreation, such areas shall be screened by a solid wall not less than 1.8 metres in height constructed of concrete, brick, stone, timber or such other material as approved by Council.

**Explanation and Reasons**

*Imposing a screening control can lessen the amount of noise, dust, glare and litter spread from the screened off area and reduce the visual impact of unsightly areas.*

### 20.16.2.2 Special Purpose 2 Zone: Education

#### a) Comprehensive Development Plan

Before any buildings are erected or any development undertaken on any Special Purpose 2 zone sites, a Comprehensive Development Plan for the development of the entire site shall be prepared by the educational authority responsible for the site and consented to as a Discretionary activity. Once approved, all development on the site shall comply with the Comprehensive Development Plan. Any amendment to an existing approved Comprehensive Development Plan shall also be by means of a Discretionary activity application.

#### b) Requirements for the Comprehensive Development Plan for each Campus

Each Comprehensive Development Plan shall include the following information:

- The location and arrangement of land uses including the location of all proposed and existing buildings
- The type of design, height, bulk, massing, materials and finish of all proposed buildings
- The location and design of access into the zone from the surrounding road network
- The location and design of internal roading, parking areas, parking buildings and service access, pedestrian paths and cycleways
- The location and design of pedestrian facilities and cycleways and their linkage to the reserve system and all facilities in the surrounding area
- The likely staging of the development
- The extent of the proposed earthworks, including details of both natural and finished levels
- The location of all existing significant trees or groups of trees, notated according to whether they are to be retained or removed
- A plan detailing the proposed landscape concept
- The location of all proposed site boundaries
- Sign design and location concept.

#### **Explanation and Reasons**

*Because of the varying stages and type of development of the three campus sites, the technique of using a Comprehensive Development Plan to control development on the individual sites was considered preferable by both Council and the educational organisations involved, as opposed to other methods such as fixed development controls.*

### 20.16.2.3 Special Purpose 3 Zone: Wastewater Treatment Plant

#### a) Building Platforms

All buildings shall be contained within the building platforms indicated on the Concept Plan in [Appendix 20B](#) with the exception of switchboard utility buildings of no more than 10m<sup>2</sup> in gross floor area per building, located in the vicinity of the oxidation ponds. With that exception, those areas not shown as building platform shall remain as open space.

#### **Explanation and Reasons**

*The main activity of the zone, namely a wastewater treatment facility relying on oxidation ponds, is not compatible with extensive areas of buildings as buildings hinder the efficient operation of the ponds which rely on wind action, hence the restricted building platforms indicated on the Concept Plan. These are mostly confined to existing building areas and have been defined with input from the management of the North Shore Wastewater Treatment Plant.*



**b) Access**

Vehicular access is limited to one major access/egress point as shown on the Concept Plan in [Appendix 20B](#).

**Explanation and Reasons**

*For traffic safety reasons, vehicular access points to the zone should be kept to a minimum. At present there is only one access/egress point for the zone and it is adequate for the present level of usage even though it is shared with other activities outside of the Special Purpose 3 zone.*

**20.16.2.4 Special Purpose 4 Zone: Cemetery and Crematorium**

**a) Building Platforms**

All buildings shall be contained within the building platforms as specified on the Concept Plan in [Appendix 20C](#) with the exception of minor cemetery-related structures. With that exception, those areas not shown as building platform must remain as open space.

**Explanation and Reasons**

*The main activity of the zone, namely a lawn cemetery, is not compatible with extensive building platforms, hence the limited building platforms confined to the area around existing buildings. The building platforms have been defined with input from the management of the North Shore Cemetery and Crematorium.*

**b) Access**

One major and one minor vehicular access/egress point has been indicated on the Concept Plan in [Appendix 20C](#). Vehicular access to and from the zone is restricted to those identified points.

**Explanation and Reasons**

*For traffic safety reasons, vehicular access to and from the zone has been restricted to certain suitable locations.*

**c) Screening**

All service areas, outdoor storage areas, refuse disposal areas or maintenance areas are to be screened from view from outside the zone and from view from public areas inside the zone by a combination of solid walls not less than 1.8 metres in height constructed of concrete, brick, stone or timber, and screen planting using vegetation and shrubs that will screen the areas during all seasons of the year.

**Explanation and Reasons**

*Imposing a screening control can lessen the amount of noise, dust, glare and litter spread from the screened off area and reduce the visual impact of unsightly areas.*

**20.16.2.5 Special Purpose 5 Zone: Transitional Quarry**

**a) Quarrying Controls**

Any quarrying activity must comply with the following requirements:

- No explosives shall be used
- No material shall be quarried within the front yard nor shall any quarry wall be left at a vertical angle or batter of more than 40 degrees from the top of the quarry to the floor or base of the quarry.

**Explanation and Reasons**

*Explosives have not been used for some time at Smales Quarry. In the type of quarrying that is still undertaken there, machinery is used to break up rocks and quarry material. Use of explosives can have an adverse effect on the amenity values of adjoining residential properties in terms of noise, intensity, duration and vibration. The use of explosives has therefore been excluded. For safety reasons, quarrying within the front yard and vertical quarry walls has also been excluded.*

**b) Restoration and Development Plan**

Before rehabilitation of the quarry site commences, a Restoration and Development Plan for rehabilitation of the entire site shall be prepared by the owner in consultation with the Council and other relevant authorities and consented to as a Discretionary activity. Once approved, restoration and development of the site shall comply with the Restoration and Development Plan. Any amendment to an existing approved Restoration and Development Plan shall also be by means of a Discretionary activity application. Requirements for the Restoration and Development Plan are provided below.

**c) Requirements for the Restoration and Development Plan for Smales Quarry**

The Restoration and Development Plan must include the following information:

- Demarcation of the total land to be restored
- Existing contours
- Final contours and floor levels including proposals for the co-ordination of final levels with adjoining land
- Ultimate drainage of quarried land/and stormwater management
- Provision for the disposal and/or stockpiling of overburden, waste and quarried material
- Provision for screening of unsightly features from public view, and fencing dangerous or potentially dangerous features
- Provisions for dealing with noise, dust, pests, odour, material dispersal nuisance and fire risks
- Type and amount of material and method of deposit compacting and cover including how appropriate certification will be undertaken
- Type, volume and conduct of vehicles and delivery access
- Hours of operation
- Water and soil contamination
- Any proposed use of explosives to reshape rock areas
- Security
- Landscaping
- The rehabilitation programme to be followed resulting in the land being left in a condition that Council considers suitable for the establishment of the indicated end uses
- Proposed end use or uses.

***Explanation and Reasons***

*A detailed plan of the rehabilitation and future development proposals for the quarry site has been adopted as the most appropriate method to ensure that the rehabilitation of the site is undertaken in an environmentally sound manner that will prepare the site for safe use in the future.*

**20.16.2.6 Special Purpose 6 Zone: Boat Building**

**a) Screening**

Where any outdoor storage or refuse disposal areas adjoin or directly face the road or land that is zoned Residential, Recreation or Special Purpose 7 zone, such areas shall be screened by a solid wall not less than 1.8 metres in height constructed of concrete, brick, stone, timber or such other material as approved by Council.

**Explanation and Reasons**

*Imposing a screening control can lessen the amount of noise, dust and litter spread from the screened off area as well as reducing the visual impact of unsightly areas.*

**20.16.2.7 Special Purpose Zone 8: Awataha Marae**

All accessory buildings identified as a Limited Discretionary activity in Special Purpose 8 zone shall comply with 20.16.1 Controls for all zones.

**Explanation and Reason**

*As accessory buildings are additional buildings on a site, compliance with the controls for Special Purpose zones will ensure that these buildings attain good standards of on-site and neighbourhood amenity.*

**20.16.2.8 Special Purpose 9 Zone: Community Uses****a) Floor Area Ratio and Maximum Building Length Controls for the North Shore Theatre and Conference Centre****i) Floor Area Ratio**

All buildings 2: 1 Control Flexibility 2.2:1

(Refer to Section 20.17.6 for Control Flexibility Assessment Criteria).

**ii) Maximum Building Length**

Buildings located adjacent to Residential zoned land shall be wholly confined within the arms of a 130 degree angle formed by two lines intersecting at any point on the adjacent boundary such that each line forms an angle of 25 degrees with that boundary (see Appendix 16B).

**Explanation and Reasons**

*The scale and intensity of development on the North Shore Theatre and Conference Centre site is restricted by these two controls (i.e. floor area ratio and maximum building length) to a level that is suitable for the neighbourhood in which the site is located. A slight increase in the floor area ratio is available under the Control Flexibility provision.*

**b) Comprehensive Development Plan for the North Shore Theatre and Conference Centre Site**

Before any buildings are erected or any development undertaken on the North Shore Theatre and Conference Centre site, a Comprehensive Development Plan for the development of the site shall be prepared and consented to as a Controlled activity. Once approved, it will control development of the site. Any amendment to an existing approved Comprehensive Development Plan shall also require a Discretionary activity application.

**c) Requirements for the Comprehensive Development Plan for the North Shore Theatre and Conference Centre**

The Comprehensive Development Plan shall include the following information:

- The arrangement and location of buildings (the building envelope), parking, service areas, vehicle access, landscaping, pedestrian areas and accessways
- The general design, materials and finish of proposed buildings and landscaping of the site
- The relationship of the proposed development to adjacent land uses
- The likely staging of the development
- Proposed activities.

**Explanation and Reasons**

*In order to achieve an attractive, well integrated community facility, the technique of a Comprehensive Development Plan has been adopted to control development of the North Shore Theatre and Conference Centre.*

**d) Childcare Centres for 6-10 children**

The above activity shall comply with the following:

- i) The activity shall not have direct access to a primary arterial road identified on Appendix 1 to the Planning maps;
- ii) The centre shall provide an outdoor play area for children which is appropriately screened by landscaping or screening from adjoining sites; and
- iii) The centre shall provide safe, convenient and easily accessible parking and manoeuvring spaces for the delivery and collection of children in accordance with the controls in [Section 13](#).

**Explanation and Reasons**

*Controls have been applied which are intended to ensure that small childcare centres do not affect the amenities of adjacent sites, nor the safe and efficient operation of the roading system.*

**20.16.2.9 Special Purpose 10 Zone: Centrepont Community Growth Trust**

**a) Building Platforms**

All buildings and vehicle parking areas shall be contained within the building platforms as specified on the Concept Plan in [Appendix 20D](#) for the zone.

**Explanation and Reasons**

*Extensive building platforms are not compatible with the bush character of the site and its semi rural location, hence the limited building platform confined to the area around the existing buildings. The building platforms have been defined with input from members of the Centrepont Community Growth Trust and indicated on the Concept Plan so that the public can be aware of the limits to the built form of the Centrepont settlement.*

**b) Access**

One major vehicular access/egress point has been indicated on the Concept Plan in [Appendix 20D](#). Vehicular access to and from the zone is restricted to that one point.

**Explanation and Reasons**

*This control is applied for traffic safety reasons.*

**c) Centrepont Occupations**

Any Centrepont occupation activity in the Special Purpose 10 zone: Centrepont Community Growth Trust shall comply with the following standards:

- i) It shall be incidental to the residential use of the site. In total, the area used for Centrepont occupations shall not exceed 25% of the gross floor area of buildings on the site.
- ii) It shall be undertaken by persons who permanently reside at the Centrepont Community Growth Trust settlement.
- iii) It may employ no more than two persons with special skills relating to the occupation activity who do not reside at the Centrepont Community Trust settlement. A total of eight non-residents may be employed in Centrepont occupations on the site at any one time.
- iv) The activity shall be undertaken without detracting from the amenities of the site or surrounding locality and there shall be no objectionable elements such as dust, smoke, smell, fumes, noise, vibration, effluent or any significant increase in traffic as a result of the Centrepont occupation.
- v) There shall be no exterior storage, display or other indication of the occupation or other variation from the residential character of the site or neighbourhood, other than a sign complying with [Section 13](#) of the Plan.
- vi) No retail sales shall be made from the site other than of handicraft made on the Trust site and produce, plants and flowers grown or produced on the site. The total retail area on the site shall not exceed 15m<sup>2</sup>.

- vii) All car parking requirements are to be complied with, including the provision of one parking space for any non-residential employee.

**Explanation and Reasons**

*The provisions relating to Centrepunkt occupations are intended to provide an opportunity for Centrepunkt people to work from their home, while ensuring that they do not detract from the amenities of the surrounding area or generate any effect which would distinguish the site from the generality of the neighbourhood. Provision is also made for those Centrepunkt occupations which do not comply with one or other of the above controls to be considered as a Discretionary activity.*

**d) Centrepunkt Childcare Centre**

When catering for non-resident children the above activity shall provide safe, convenient and easily accessible parking and manoeuvring spaces on-site for the delivery and collection of children in accordance with the controls in [Section](#) .

**Explanation and Reasons**

*This control is applied for traffic safety reasons.*

**20.16.2.10 Special Purpose 11 Zone: Albany Centre Amenity Area and Special Purpose 12 Zone: North Shore Domain and Stadium**

**a) Albany Centre Structure Plan and Design Requirements**

All activities, development and subdivision in the Special Purpose 11 and 12 zones shall comply with, and give effect to, the provisions of the Albany Centre Structure Plan and the Design Requirements set out in [Appendix 20G](#).

**Explanation and Reasons**

*The overall development and design strategy for the Albany Centre, including the land accommodating the North Shore Domain and Stadium and the Amenity Area, is contained in the Albany Centre Structure Plan and the Design Requirements set out in [Appendix 20G](#). All development within the Albany Centre must comply with the provisions of the Structure Plan and associated Design Requirements if the Albany Centre is to develop in the way that it has been planned. Development in the Special Purpose 11 and 12 zones must therefore give effect to those provisions.*

**b) Comprehensive Development Plan**

A Comprehensive Development Plan shall be submitted to and consented to by Council as a Controlled activity prior to the establishment of any activity listed as a Controlled activity. Any development shall comply with the provisions of the Comprehensive Development Plan. The Comprehensive Development Plan may be prepared and approved in stages.

**c) Requirements for the Comprehensive Development Plan for Special Purpose 11 Zone**

The following information must be provided in any Comprehensive Development Plan for Special Purpose 11 zone:

- The areas within the zone to be developed as water feature(s)
- The measures to be taken for stormwater control
- The areas within the zone to be set aside as reserve areas
- The arrangement and location of buildings, greens and courts, vehicle access, parking and service areas, pedestrian access and landscaping areas
- The general design, materials and finish of proposed buildings, pedestrian areas and landscaping of the site
- The relationship of uses within the development
- Any proposed lot boundaries
- The likely staging of development.

**d) Requirements for the Comprehensive Development Plan for Special Purpose 12 Zone**

The following information must be provided in the Comprehensive Development Plan for Special Purpose 12 zone:

- Arrangement and location of all land use including buildings, sportsfields, courts and greens
- The location and design of vehicle and pedestrian access into the zone from the surrounding street network
- The general design, height, bulk, massing, materials and finish of all buildings and structures
- The location and design of internal roading, parking areas, service access, pedestrian links, pedestrian areas and cycleways
- The location of all existing significant trees or groups of trees, notated according to whether they are to be retained or removed
- The extent of proposed earthworks including details of both natural and finished levels
- A plan of the proposed landscaping design
- The location of all proposed site boundaries
- The likely staging of the development
- The integration of the site with adjoining land and the wider community
- The integration of uses within the site
- An assessment of the most appropriate lighting glare levels for the North Shore Domain and Stadium. In relation to stadium floodlighting, the following provisions apply:
  - i) Stadium floodlighting shall not be used between the hours of 12.30am and 7.00am.
  - ii) The lighting glare assessment in the Comprehensive Development Plan must be accompanied by a report by an acknowledged expert on lighting glare in which the best practical option or options for reducing lighting glare effects from stadium floodlighting, particularly on Residential and Residential Expansion Zoned land, are examined.
  - iii) The number of times per year that events using full stadium floodlighting beyond 10.00pm can occur shall be determined in the Comprehensive Development Plan.
- An assessment of the most appropriate noise levels for the North Shore Domain and Stadium. The following are generally considered appropriate subject to specific information relevant to any particular proposal:
 

Concerts:

  - i) Concerts limited to 16 in any 12-month period.
  - ii) The cumulative live performance time of any one concert, not exceeding 5 hours in total.
  - iii) Concerts starting no earlier than 10.00am and finishing no later than 11.00pm.
  - iv) Concerts (and concert rehearsals) not exceeding the following measured noise levels over any 5-minute period:
    - a) For concerts not exceeding 4 hours:

	<b>L01</b>	<b>L10</b>
Measured at a boundary to be determined as part of the Comprehensive Development Plan	<b>90dBA</b>	<b>85dBA</b>



b) For concerts of up to 5 hours duration:

	<b>L01</b>	<b>L10</b>
Measured at a boundary to be determined as part of the Comprehensive Development Plan	<b>85dBA</b>	<b>80dBA</b>

- v) Testing and balancing of all sound systems including vocal checks by performers shall cumulatively not exceed three hours and shall not commence before 10.00am on any day and shall be completed by 7.00pm on the day of the concert.

**Other activities:**

- i) The public address system, when used for any purpose other than during concerts, shall not exceed an Lmax of 80 dBA or an L10 of 72 dBA when measured at a boundary to be determined. The public address system shall not be used before 8.00am or after 11.30pm.
- ii) The L10 noise level and maximum level (Lmax) arising from any activity except concerts and crowd noise, measured at a boundary to be determined, shall not exceed the following limits on all days, including public holidays:

8.00am to 10.30pm	L10 - 55 dBA
At all other times	L10 - 40 dBA
	Lmax - 75 dBA

Noise levels specified above shall be measured and assessed in accordance with the requirements in NZS 6801:1991: Measurement of Sound, and NZS 6802:1991: Assessment of Environmental Sound. The noise shall be measured with a sound level meter complying with the international standard IEC651 (1979) Sound Level Meters, Type 1.

**Explanation and Reasons**

*The Comprehensive Development Plan will facilitate an integrated approach to development within the Special Purpose 11 or 12 zones by providing an overall detailed plan of development that all activities are expected to comply with. In this way the Comprehensive Development Plan will assist in controlling all major development within the zone.*

**e) Water Feature(s) and Reserve Requirements in Special Purpose 11 Zone**

Within Special Purpose 11 zone, a water feature or features covering a minimum area of 3.7 hectares and generally located as indicated in the Albany Centre Structure Plan and the Design Requirements ([Appendix 20G](#)) must be provided and indicated on the Comprehensive Development Plan. Of the remaining land area in the zone, a minimum of 30% of that land must be set aside as reserve. This reserve land must be located generally within the areas indicated for reserve purposes in the Albany Centre Structure Plan.

The reserve area may be reduced to a minimum of 20% of the residual land where the water feature(s) covers an area greater than 3.7 hectares. In such circumstances, a reduction to the minimum reserve area equivalent to four times the area by which the water feature(s) exceeds the 3.7 hectare requirement shall apply.

A reduction of up to 40% in the size of the water feature may be made in the event that Council concludes that a wider area of land is required between the road around the periphery of the zone and the margin of the lake in order to accommodate the recreational facilities and leisure activities needed to attract people to the amenity area, or in the event that the 3.7 hectare lake is not feasible from the engineering point of view.

### **Explanation and Reasons**

*The water feature and the surrounding open space are key elements in the design of the Albany Centre Amenity Area. The absence of either of these elements would mean that the Albany Centre Amenity Area would not be the attractive focal point that is envisaged by the Albany Centre Structure Plan. Development in the Special Purpose 11 zone must therefore meet these requirements.*

#### **f) Landscaping Requirements in Special Purpose 11 Zone**

A minimum of 50% of every site in the Special Purpose 11 zone shall be suitably landscaped. Parking areas which are landscaped in accordance with the requirements of the Design Requirements ([Appendix 20G](#)) can be included within the landscaping area for the purpose of this calculation. Provision of landscaping as part of the development of a garden centre, for example, can also be included in calculations determining the landscaped area required.

### **Explanation and Reasons**

*Landscaped open space is a key element in the design strategy for the Albany Centre Amenity Area since the intention is to create a park-like area.*

#### **20.16.2.11 Special Purpose 13 Zone: Chelsea Sugar Refinery - Land Area**

The provisions of this rule will apply where a 'restoration and development plan' has not already been approved by Council and/or the Regional Council (as part of a discharge permit) and will be used as a guide to the assessment of applications for (Discretionary) land use consent for any new development or activity proposed for the 'land' area of the zone (to the extent that any part of what is set out below is relevant or applicable).

##### **a) Restoration and Development Plan**

Before any new development of the land in the Special Purpose 13 zone occurs, a Restoration and Development Plan for rehabilitation of the entire site shall be prepared by the owner in consultation with Council and other relevant authorities. Once approved, restoration and development of the site must comply with the Restoration and Development Plan. Requirements for the Restoration and Development Plan are provided below.

##### **b) Requirements for the Restoration and Development Plan**

The Restoration and Development Plan shall include the following information:

- Demarcation of the total area of filling and area to be rehabilitated
- Existing contours
- Final contours and floor levels including proposals for the co-ordination of final levels with adjoining land
- Ultimate drainage for the area and stormwater management
- Provision for dealing with noise, dust, pests, odours and any other nuisance factors
- Provision for screening and fencing unsightly features from public view and dangerous or potentially dangerous features
- Type and amount of material and method of deposit, compacting and cover including how appropriate certification will be undertaken
- Type, volume and conduct of vehicles and delivery access
- Hours of operation
- Water and soil contamination
- Security
- Landscaping

- The rehabilitation programme to be followed resulting in the land being left in a condition that the Council considers suitable for the establishment of the indicated end uses
- An indication of the proposed end use or uses.

### **Explanation and Reasons**

*A detailed 'restoration' plan, showing the intended rehabilitation and indicative future uses for the Chelsea sludge disposal site has been adopted as an appropriate method to ensure that rehabilitation of the site is undertaken in an environmentally sound manner that will prepare the site for appropriate future uses. The same requirements are also relevant to preparing an assessment of environmental effects for any specific land use proposal.*

## **20.16.3 Other Relevant Rules**

In addition to the controls specified in [Section 20.16.1](#) and [Section 20.16.2](#) all Permitted and Controlled activities shall comply with any relevant rules specified in the following General Sections:

<a href="#">Section 3:</a>	General Rules
<a href="#">Section 8:</a>	Natural Environment
<a href="#">Section 9:</a>	Subdivision and Development
<a href="#">Section 10:</a>	Pollution, Hazardous Substances and Waste Management
<a href="#">Section 11:</a>	Cultural Heritage
<a href="#">Section :</a>	Transportation
<a href="#">Section 13:</a>	Signs

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## **20.17 Assessment Criteria**

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### **20.17.1 Assessment Criteria for all Controlled and Discretionary Activities**

In the case of any application for a Controlled or Discretionary activity listed in any Special Purpose zone, the following applies:

#### **a) Controlled Activities**

All Controlled activities must comply with all relevant controls of the Plan. In addition, the Council may impose conditions, in respect of any of the matters referred to in the assessment criteria set out below.

#### **b) Discretionary Activities**

Without restricting the exercise of its discretion to grant or refuse consent or impose conditions, the Council will have regard to any relevant assessment criteria specified in [Table 20.5](#) and [Section 20.17.2](#) when considering an application under Sections 104 and 104B of the RMA.

**Table 20.5 General Matters Applying to Each Special Purpose Zone**

General Matters to be Addressed	Special Purpose Zones													
	1	2	3	4	5	6	[7]	8	9	10	11	12	14	15
Vehicular Access	X	X	X	X		X	X	X	X	X	X	X		
Pedestrian Access	X	X		X			X		X	X	X	X	X	
Parking	X	X	X	X		X	X	X	X	X	X	X	X	X
Loading/Unloading	X						X						X	X
Traffic		X				X	X	X	X	X	X	X	X	X
Landscaping Design and Layout	X	X	X	X		X	X	X	X	X	X	X	X	
Building Design and Appearance	X	X	X	X	X	X	X	X	X	X	X	X	X	X
General Layout	X	X	X	X		X	X		X	X	X	X		
Intensity and Scale	X	X	X	X		X	X	X	X	X	X	X		
Environment	X	X	X	X		X	X		X	X	X	X	X	X
Conservation of Landscape							X			X			X	X
Open Space			X	X			X		X					
Site Development	X	X	X	X		X	X		X	X	X	X		
Subdivision	X	X	X	X		X			X		X	X		
Stormwater Management	X	X	X	X	X	X	X	X	X	X	X	X		

## 20.17.2 General Matters to be Addressed

### a) Vehicular Access

Vehicular access to and from the zone shall comply with the rules of [Section : Transportation](#). Where a Concept Plan applies to the zone, vehicular access for any activity must correspond to the major vehicular access point indicated on the Concept Plan for the zone, unless there is a valid traffic safety reason for altering the access to another indicated point. Traffic access should not compromise the traffic movement pattern within the zone or on adjacent roads and should be safe, efficient and convenient for the users.

### b) Pedestrian Access

Where there is a need for pedestrian access, access to the zone and within the zone is to be provided in a safe and convenient manner for the pedestrian user.

### c) Parking

Every activity should provide a sufficient level of parking. Compliance with the District Plan's parking requirements will generally provide an adequate number and layout of spaces and this requirement should be met unless it can be demonstrated that in relation to a particular proposal, an alternative standard is appropriate.

In Special Purpose 6 and 7 zones, adequate on-site parking/storage and manoeuvring for boats is required where the activity involves boats being brought onto the site.

In Special Purpose 11 zone, the location and design of parking areas should be sensitive to the special character and amenity of the site.

In Special Purpose 12 zone, where practicable, on-site parking should be located so as to:

- Avoid encroachment on attractive portions of the reserve
- Provide safe entry from and exit to the adjoining road network
- Incorporate shared parking facilities.

Council also expects that the parking demands of large events will be predominantly accommodated through public transport and the use of parking facilities at approved locations in the vicinity of the North Shore Domain and Stadium.

### d) Loading/Unloading

Efficient and adequate loading and unloading spaces should be provided in a manner that will not disrupt on-site or off-site traffic flows.

### e) Traffic

The proposal should not significantly affect traffic safety or efficiency, having regard to the total volume of traffic attracted, times of peak generation, potential traffic conflict and proximity to a major traffic intersection. Activities should not attract levels of traffic so as to significantly detract from the character and amenity of the surrounding area.

In the Special Purpose 11 and 12 zones, car parking areas and the location of access to car parks and service facilities should comply with the Design Requirements of the Albany Centre Structure Plan.

### f) Landscaping Design and Layout

Landscaping of developments should be provided in a manner that will enhance the visual appearance of the development, including around parking areas, service areas and at the zone boundary. Where relevant, landscaping should be used to soften large facades, delineate pedestrian routes and create points of interest and attraction as well as being used to visually integrate development with any surrounding open space. Landscaping should be carried out in accordance with any landscaping themes that have been adopted for the site. Wherever possible, and appropriate, any existing trees and mature landscaping should be retained.

In the Special Purpose 3 zone, screening type vegetation should be used in the vicinity of the wastewater treatment plant to assist in screening unattractive structures.

In the Special Purpose 4 zone, landscaping should be designed to significantly contribute to the attractive, landscaped appearance of the zone.

In the Special Purpose 6 and 7 zones, landscaping should be of a type that is suited to, and can survive in, a marine location.

**g) Building Design and Appearance**

Proposals should be designed and located so as to ensure that:

- They avoid excessive bulk and scale
- They are sensitive to the amenities of the surrounding neighbourhood especially any residential development
- They provide visual interest, are in accordance with any design theme for the site or the area and avoid continuous unrelieved facades by incorporating variation in roofline, building line and exterior materials and that any extensions to existing buildings are visually compatible with existing buildings
- They are in harmony with existing or proposed buildings on the site, having regard to materials to be used, detailing of the facade and the texture of their finish
- In the case of the Special Purpose 1 zone, they also present an attractive perspective when viewed from Lake Pupuke and other public locations
- In the case of the Special Purpose 4 zone, they are also compatible with the existing chapel/crematorium building in terms of architectural features and exterior cladding materials unless the building is not for public use and is completely screened from view within the zone and from public places, while any extensions to the existing chapel/crematorium building are to be compatible with the existing building in terms of architectural design and exterior cladding and not detract from the existing building in any way
- In the case of the Special Purpose 6 and 7 zones they are also, in terms of scale, form and exterior materials, sensitive to the marine environment; and they present an attractive perspective when viewed from marina or marine locations and other public locations, and they do not cause any significant obstruction of marine or marina views
- In the case of the Special Purpose 8 zone, they also have a coherent appearance sympathetic to the cultural, social, recreational, and educational needs of the Maori community and the impact of buildings abutting the Residential zone to the west of the marae is minimised. Regard should be had to landscape screening, physical separation of the buildings from the boundary and methods by which the privacy of adjoining properties can be maintained
- In the case of the Special Purpose 10 zone they also fit the terrain on which they are to be located, they are, in terms of scale, form and exterior materials, sensitive to the bush character of the site and they present an attractive perspective when viewed from any public location or adjoining property without causing any significant obstruction to views of the bush
- In the case of the Special Purpose 11 zone, buildings should be designed to take advantage of views of the water feature and parkland and the impact of any building should be minimised by sympathetic placement. Building materials and colours should be compatible with adjacent reserve areas. Buildings should provide public activities such as cafes, at ground level along or over the shoreline of the water feature, provided suitable public access is maintained along the water edge. All buildings should meet the relevant design requirements set out in the Albany Centre Structure Plan and Design Requirements



- In the case of the Special Purpose 12 zone, the major building form should also generally reinforce the east-west axis and other building design provisions set out in the Albany Centre Structure Plan and be sensitive to their location on a reserve of sub-regional significance, as well as seeking to establish strong visual linkages with the Albany Centre Amenity Area
- In the case of the Special Purpose 5 zone, the only matter to be addressed is that buildings should be designed to be relocatable and of a size that can be shifted from the site without difficulty.
- In the case of the Special Purpose 14 and 15 zones, buildings proposed below the Calliope Road Cliffs should be designed and located to ensure that views of the Cliff line, from the South, are protected. Design mitigation may include:
  - Maximising building separation distances;
  - Reducing the building height to below the cliff top;
  - Minimising building lengths of buildings;
  - Varying the height of wider buildings to ensure views to the cliff are maintained; and
  - The use of colours which are complementary to the coastal environment.

Buildings of inappropriate design and scale, including those which are not compatible with the surrounding context may negatively impact on this unique coastal feature.

#### **h) General Layout**

The general layout of a proposal and the relationship between all the components of a development should be adequate to ensure all effects of the proposal are internalised.

Development should be designed and located to enable maximum integration with existing and likely future development in the zone.

In the Special Purpose 9 zone at the proposed Birkenhead library and civic centre site, the building or buildings should achieve physical and visual integration with the adjoining Recreation 2 zoned land. Development should ensure that the design and operation of new buildings compliments and encourages use of the adjoining recreation zoned land.

#### **i) Intensity and Scale**

In the case of the Special Purpose 1, 2, 3, 4, 6, 7, 8 and 12 zones, the intensity and scale of the proposal, in particular the number of people involved in the activity, traffic generation, hours of operation, size of building and associated parking, signs, noise and other generated effects, should be incidental to the primary activity in the zone.

In the case of the Special Purpose 9,10 and 11 zones, the intensity and scale of the proposal, in particular the number of people involved in the activity, traffic generation, hours of operation, size of building and associated parking, signs, noise and other generated effects, should be compatible with the character and amenities of the surrounding area.

#### **j) Environment**

Activities should be designed to minimise adverse impacts on the environment. In particular, development should recognise and respect the natural and visual qualities of the area.

Conditions may be imposed to ensure that impacts are minimised including conditions relating to water discharges, hazardous substances, air pollution and emissions, noise, glare, earthworks and tree protection.

Consent is unlikely to be granted where significant adverse effects cannot be mitigated.

In Special Purpose 1 zone, development should recognise the natural and visual qualities of Lake Pupuke, including water quality and ecological habitats, having special regard to the provision of [Section 8: Natural Environment](#).

In the Special Purpose 3 zone, development should recognise and respect the natural and visual qualities of particular areas of the zone including those areas registered as a site of Special Wildlife Interest.

In the Special Purpose 4 zone, development should recognise and respect the natural and visual qualities of the zone and of the adjacent Lucas Creek estuary.

In the Special Purpose 6 and 7 zones, development should recognise and respect the natural and visual qualities of the marine environment, including particularly water quality and ecological habitats. Particular attention should be given to hazardous substances used in any activity in Special Purpose 6 or 7 zones because of the risks of hazardous substances impacting on the marine environment.

In the Special Purpose 7 zone attention needs to be given to any proposals which involve lighting in order to avoid significant light spill into the coastal marine area which could create a hazard for passing craft or a nuisance to residential areas that view the area across the water.

In the Special Purpose 10 zone, development should recognise the natural and visual qualities of the streams and bush within the zone, having special regard to the provisions of [Section 8: Natural Environment](#).

**k) Conservation of Landscape**

All development should avoid disturbance to landscape features and involve minimal clearance of bush or trees. Wherever practicable, mature trees and those over 3 metres in height should be retained and a replacement tree planting and landscaping programme be initiated. Any adverse visual impact on adjacent sites or nearby public places should be avoided.

**Open Space**

Proposals for the Special Purpose 3 or 4 zones should not cause any marked reduction in the open space elements of those zones or detract from the pleasant open space character of the zone.

Development in the Special Purpose 9 zone at the proposed Birkenhead library and civic centre site should not diminish the pleasant open space character of the adjoining Recreation 2 zoned land.

**l) Site Development**

Any site development works including earthworks, excavations, reclamations, the depositing of spoil and other materials and the building of retaining walls shall:

- Not cause any detracting from the amenity of the zone or surrounding area
- Be limited to those necessary for the formation of building sites, parking areas, access, or the installation of services to the development
- Comply with [Section 9: Subdivision and Development](#).

**m) Subdivision**

In the Special Purpose 1 zone, the subdivision provisions of Takapuna Sub-regional 3 should be used as a guide for subdivision in Special Purpose 1 zone: Health.

In the Special Purpose 2 zone, all subdivisions shall be in accordance with the Comprehensive Development Plan. No minimum site size is specified but any site must be able to accommodate a Controlled activity and shall include satisfactory provision for parking and access.

In the Special Purpose 3 zone, the subdivision provisions of Business zone 9 should be used as a guide for subdivision.

In the Special Purpose 4 zone, the subdivision provisions of the Residential 1 zone should be used as a guide for subdivision.

For the Special Purpose 6 zone, the subdivision provisions of the adjoining Residential zone should be used as a guide for subdivision.

In the Special Purpose 9 zone, any subdivision of land should be designed so as to provide a site or sites, which will allow the establishment of a development or activity in accordance with the provisions of the Special Purpose 9 zone including parking provisions.

In the Special Purpose 11 and 12 zones, all subdivisions should be in accordance with the Comprehensive Development Plan. No minimum site size is specified but any site must be able to accommodate a Controlled activity and shall include satisfactory provisions for parking and access.

**n) Stormwater Management**

All development within Special Purpose zones shall provide for on-site stormwater management with consideration of Rule 8.4.8.8 General Assessment Criteria.

### **20.17.3 Additional Assessment Criteria for Specific Controlled Activities**

In addition to the Assessment Criteria of [Section 20.17.1](#) and [Section 20.17.2](#), the applicant will be required to satisfy the Council that in the following cases, the listed criteria can be met where they are relevant.

#### **20.17.3.1 The Comprehensive Development Plan for the North Shore Theatre and Conference Centre in the Special Purpose 9 Zone**

- The visual impact of buildings and development including:
  - i) Whether the buildings enhance the best visual features of the area in which they are located;
  - ii) Whether building design is to a high architectural standard;
  - iii) Whether the building design minimises the shadowing of pedestrian and other public areas within the site or within adjacent sites and also whether it minimises the shadowing of adjacent residential land. As a guideline for those public areas where it is desirable to have maximum practicable sunlight penetration, shadowing should not exceed 1 hour between the hours of 10.00am and 2.00pm between 1 April and 30 September;
  - iv) Whether the building design minimises the adverse effects of wind to levels consistent with the reasonable enjoyment of amenities in the area by the public. The Council may require development proposals to be accompanied by a report from a person competent in wind engineering in the case where a proposed building exceeds a height of 15 metres. For the purpose of appraising development the following guidelines should be used:
    - for pedestrian walkways, at a body height of 1.5 metres the mean hourly wind speed should not exceed 7 metres per second for more than 200 hours per year; and
    - for leisure areas such as malls, at a body height of 1.5 metres the mean hourly wind speed should not exceed 4 metres per second for more than 200 hours per year, provided that the period 1 July to 31 October shall be ignored.
  - v) Whether the building design makes adequate provision for the segregation of pedestrian and vehicle movement;
  - vi) Whether the building design makes appropriate provision for pedestrian shelter;
  - vii) Whether external materials are of a high quality and where glass cladding is used in building design whether it minimises the effect of sunlight reflection. As a guideline no building shall be clad in glass material of greater reflectivity than 20% of white light.
- The scale, placement and design of landscaping including:

- i) Whether the landscaping complements and/or enhances the proposed development;
- ii) Whether the landscaping screens or softens parking, loading, storage and other activity areas and, where appropriate, provides a buffer between potential incompatible uses;
- iii) The contribution of landscaping to the general amenity of the locality.
- Whether the proposal has an impact on traffic safety and convenience, including the design and location of access, the provision of conveniently located parking and the provision for service vehicles or other deliveries as may be appropriate
- Whether the options available for alternative development have less impact on the visual and natural environment and on the amenities and privacy of adjacent sites.

#### **20.17.3.2 Comprehensive Development Plans in the Special Purpose 11 and 12 Zones**

- Whether there is compliance with the height, height in relation to boundary and yard controls specified in the Special Purpose 11 and 12 zones as appropriate
- Whether the development gives effect to the Albany Centre Structure Plan and [Appendix 20G](#).

#### **20.17.4 Additional Assessment Criteria for Discretionary Activities**

In addition to the Assessment Criteria of [Section 20.17.1](#) and [Section 20.17.2](#), the applicant will be required to satisfy the Council that in the following cases the listed criteria can be met where they are relevant.

##### **20.17.4.1 Garden Centres and Non-Hospital Catering Enterprises in the Special Purpose 1 Zone**

- Whether any proposed alterations to these existing activities is expansionary and therefore likely to affect the interim nature of these activities.

##### **20.17.4.2 Comprehensive Development Plan for Campus Sites in Special Purpose 2 Zone**

- The manner in which footpaths and cycleways are linked to surrounding reserves and facilities
- Any visual impact of the activity and its associated buildings and development works and, in particular, whether they will detract from the character and amenities of the neighbourhood. Attractive development which will enhance the appearance of the site is encouraged
- The design of the proposal, in particular whether a design theme is maintained throughout the development and the extent to which the facility is attractive and convenient for the public
- The relationship between proposed lot boundaries and proposed buildings and their associated parking, access and landscaping
- Since no bulk and location controls have been specified for the zone, the Council will use the following as guidelines:
  - i) For the Massey University campus and the AUT campus, buildings should not exceed 4 storeys in height, provided that approximately 20% of all buildings within each campus may be up to 6 storeys in height; and those buildings which are in excess of 4 storeys in height should, where practicable, be situated having particular regard to the need to minimise the visual impact beyond the zone.
  - ii) For the Oteha Rohe campus, buildings should not exceed 8 metres in height.

#### **20.17.4.3 Restoration and Development Plan for the Quarry Site in the Special Purpose 5 Zone**

- The degree to which the management and operational practices outlined in the Restoration and Development Plan will mitigate any environmental impacts and will provide suitable protection of the amenities of adjoining properties
- The implications of increased heavy truck movements on the area
- The suitability of the proposed end use considering the nature of the uses and development surrounding the site
- The suitability of the final form and character of the site for the end use or uses proposed.

#### **20.17.4.4 Bayswater Marina Land**

In relation to all discretionary activities, the extent to which the proposal is consistent with the non-statutory guidance contained in the Bayswater marina land structure plan (or its draft if it is not finalised).

In relation to all discretionary activities, the extent to which the proposal retains or improves public facilities as compared to the situation existing in August 2001 e.g. public boat ramps, public car parking, green space, public access and footpaths around the coastal edge.

In relation to subdivision whether the site's size and shape is appropriate for the activity envisaged and subject to there being appropriate mechanisms in place to co-ordinate control of the land and public facilities.

In relation to all new building and development, the extent to which the proposal fulfills the following:

1. The environmental quality of the area is improved as a whole by any new layout or distribution of activities
2. Different areas are all co-ordinated, although there may be a distinct character to individual parts
3. The location and design of buildings, and associated landscaping, do not obstruct important sightlines and vistas to and across the harbour
4. The area maintains a spacious quality rather than a built-up one, but sealed areas dedicated to motor vehicles are minimised where possible
5. Buildings and vehicle routes are located so that they do not undermine the effectiveness of current and future public places
6. Traffic circulation is improved, and there is no unnecessary duplication of routes in a manner which is wasteful of the land resource
7. Larger developments incorporate areas of public open space and enhance linkages between public spaces
8. The arrangement of buildings in relation to open spaces enables the open spaces to be sunny and sheltered from the wind for the enjoyment of the harbour edge
9. Any buildings are scaled and detailed in a manner which is compatible with both the maritime character of the area and the pedestrian use of adjoining spaces
10. Where the building is located so that it has the potential to be viewed as an entrance feature, that it is appropriately designed to be welcoming to the public
11. In order not to affect the visual definition of the cliffline, that any taller buildings are positioned towards the southern part of the zone
12. Where the building has the potential to be a landmark from a distance, that it has the impression of being an 'island' or 'lighthouse' at the end of the peninsula
13. The external appearance of buildings respects the maritime environment by containing features related to the special character of the area
14. Buildings relate to one another using the maritime theme where possible
15. Cues are taken from the existing historic features of the area, and the existing

- permanent buildings (the public facilities and the gazebos) where appropriate
16. Structures serving activities such as sheltering commuters, albeit possibly minor in scale, are nevertheless of good quality
  17. The external cladding and detailing on buildings are appropriate for a marine environment
  18. Avoidance of large utilitarian buildings
  19. Particular attention is given to the design and colour of roofs or any other parts of buildings that can be seen from remote locations
  20. Any signage is discreet and muted so that it is not seen from the coastal marine area
  21. Elements such as street furniture, exterior lighting and bollards that contribute to public safety and enjoyment of the area are incorporated into the design and landscaping of buildings and public spaces, with attention given to avoid any adverse effects from these on the coastal marine environment
  22. Attention is given to any proposals which involve lighting in order to avoid significant light spill into the coastal marine area which could create a hazard for passing craft or a nuisance to residential areas that view the area across the water
  23. The mix and location of activities encourages passive surveillance of public spaces and contributes to the creation of a safe public environment
  24. New buildings, and the activities for which they are proposed, contribute to the vitality of the area, and enhance its attractiveness as a place for the community to visit.

#### **20.17.4.5 Marae Occupations in the Special Purpose 8 Zone**

- Whether there are likely to be any adverse effects on the adjoining residential zone; and
- The degree to which the proposal generally conforms to the provisions for home occupations as set out in the definition given in [Section 21: Definitions](#).

#### **20.17.4.6 Demolition of buildings within the Special Purpose 14 (Area A) Zone**

In considering an application for resource consent to demolish or remove an existing building located on Calliope Road, the Council must be satisfied that the following criteria have been met:

- Houses constructed prior to 1940 are generally considered to contribute strongly to the built heritage character of the Devonport area. Therefore they should not be demolished or removed unless they are in poor structural or physical condition or so substantially altered, that rehabilitation is not practicable. Evidence that demolition or removal and rebuilding may be cheaper or more profitable, or is preferred by the application over rehabilitation of the existing house, is not sufficient to demonstrate that rehabilitation is not practicable.
- Regard will be had to any evidence presented by the owner as to the consequences of the demolition or removal consent process, or other compelling reasons indicating why the work is necessary.

#### **20.17.4.7 New Building(s) within the Special Purpose 14 (Area A) Zone**

In order to preserve the heritage streetscapes around the zone, new building(s) proposed along the Calliope Road or Spring Street frontages should be designed to be sensitive to the form, proportions, detailing and character of the area.

#### **20.17.4.8 Activities locating within the Special Purpose 15 Zone**

Activities seeking to establish in the Special Purpose 15 (Dockyard) zone should:

- a) demonstrate that they benefit from access to deep water; or



- b) will not adversely affect access to the deep water resource and will utilise engineering resources that exist on the site.

## **20.17.5 Assessment Criteria for Limited Discretionary Activities**

### **20.17.5.1 Accessory Buildings**

Council may grant or refuse consent, and (if granted) may impose conditions on accessory buildings with a Limited Discretionary activity status under section 108 of the RMA in respect to the following matters over which it has restricted the exercise of its discretion to:

- i) In assessing accessory buildings, account shall be taken to the extent to which any adverse effects of the prime activity are extended; this is particularly in regard to the intensity and scale of the prime activity. Any additional effects should be compatible with the character and amenities of the surrounding area having regard to the objectives and policies of the zone.

## **20.17.6 Assessment Criteria for Control Flexibility**

Where any Permitted or Controlled activity fails to comply with any control specified in [Section 20.16.1](#) and [Section 20.16.2](#), the Council may consent to the activity as a Limited Discretionary activity, where it is satisfied that all the following criteria are met:

- a) The rule provides for Control Flexibility, and the activity falls within the limits specified under the heading Control Flexibility, or where no limits are specified, the effects will be minor, having regard to the stated explanation of the control; and
- b) Any adverse effects of the activity can be avoided, remedied or mitigated through the imposition of conditions; and

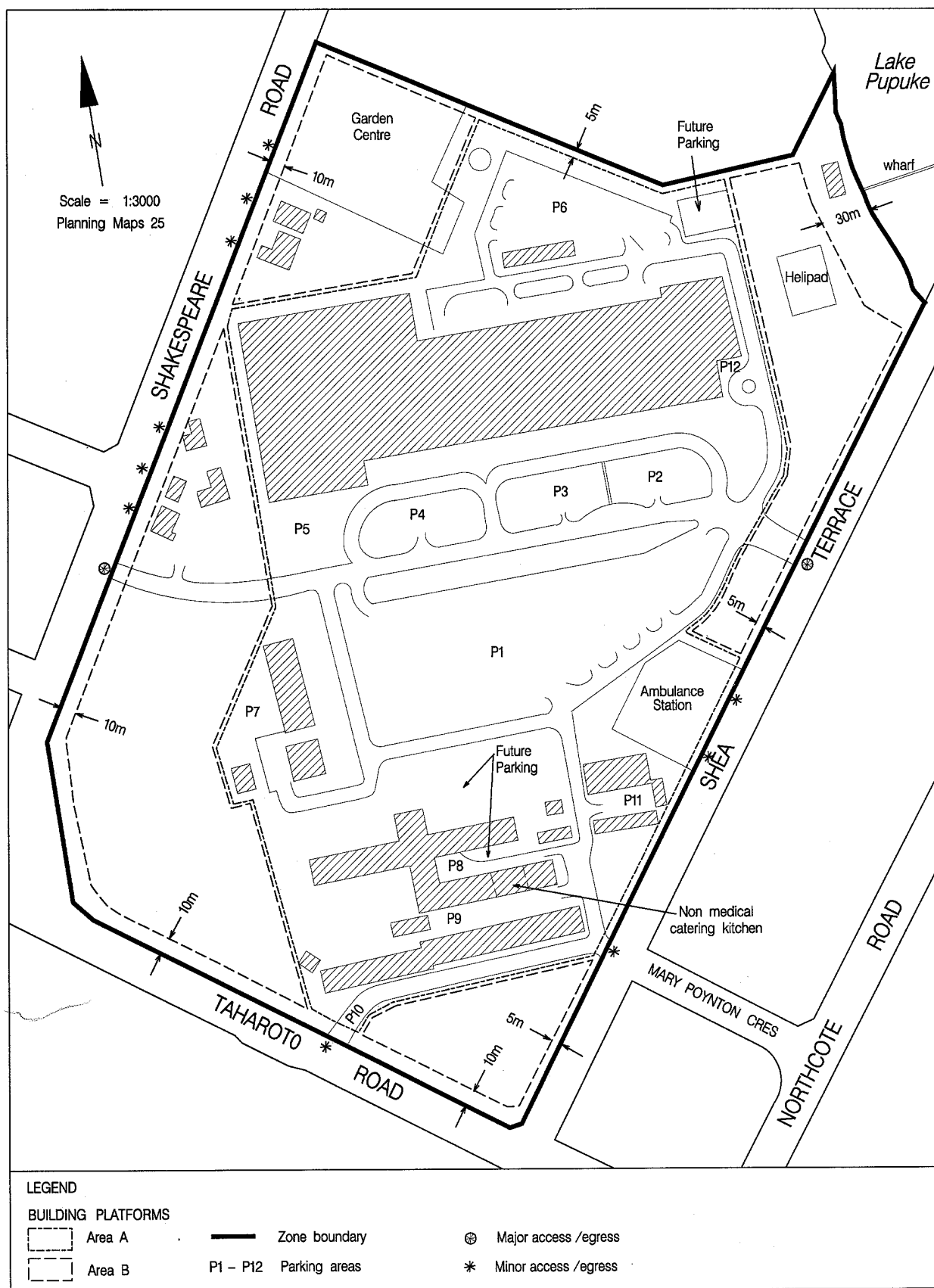
Either

The proposal meets the intent of the control as contained in its associated explanation;

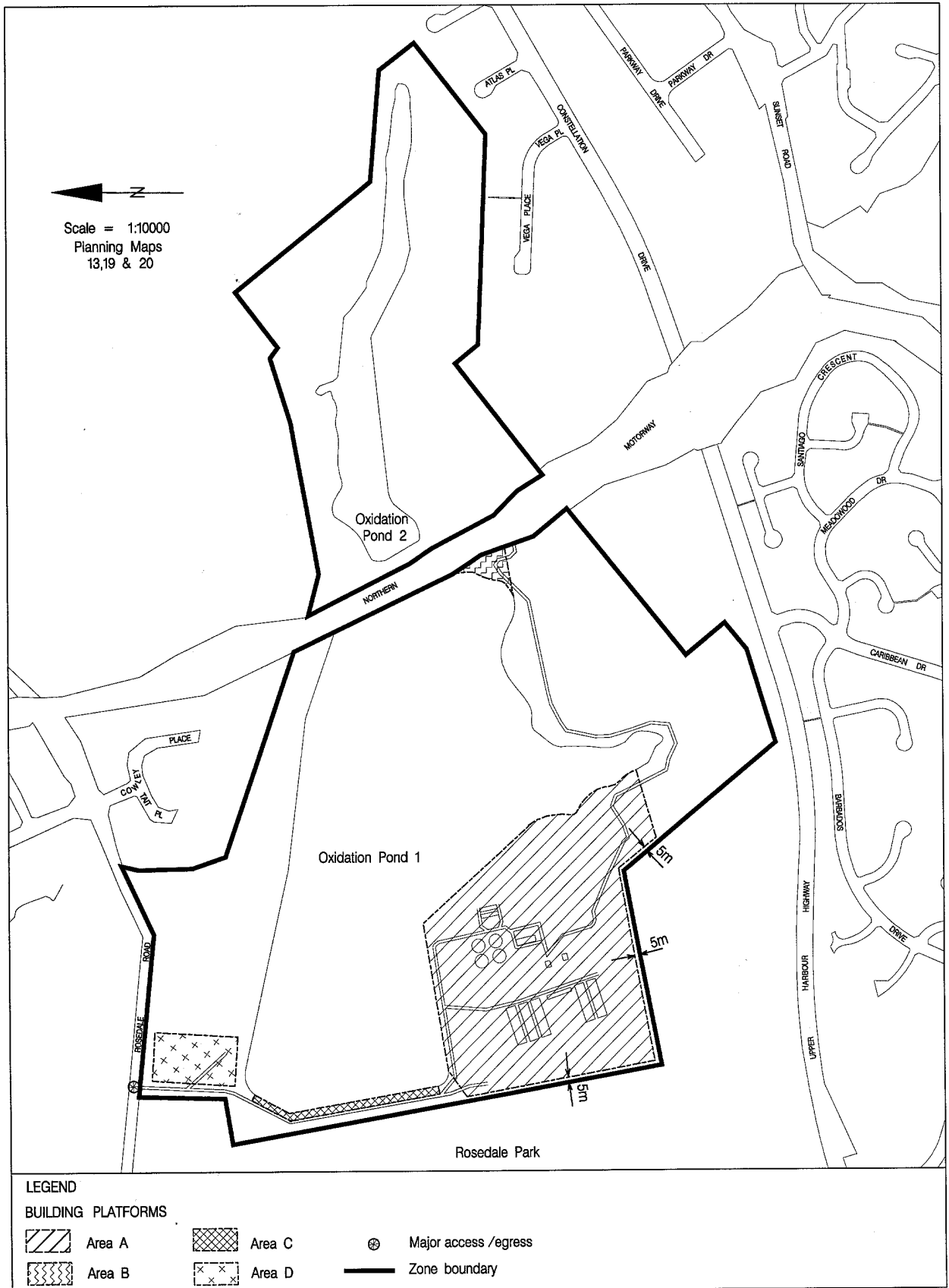
Or

It is unreasonable or impractical to enforce the control in which case one or more of the site characteristics specified in [Section 3.10.6](#) shall apply.

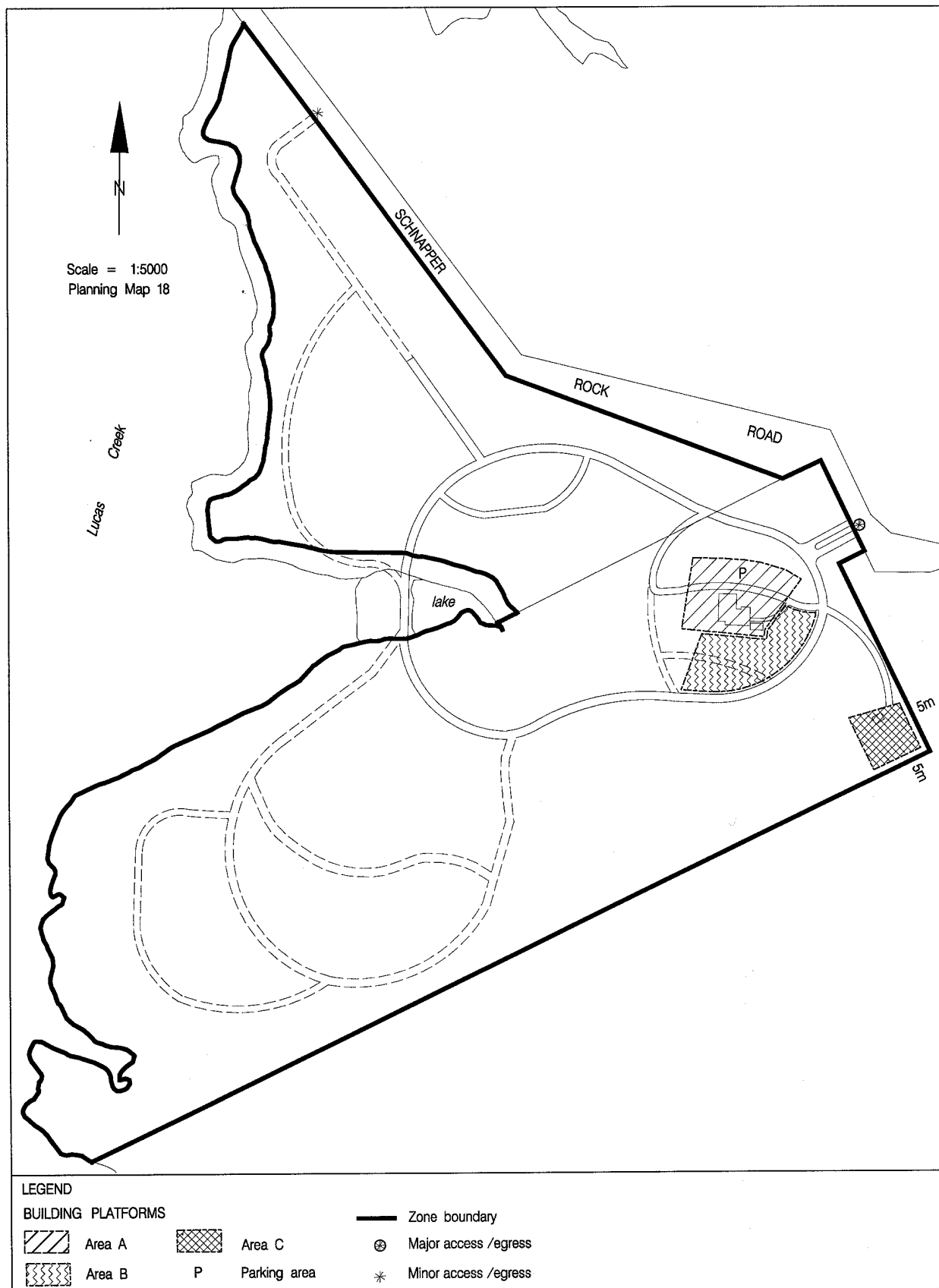
## Appendix 20A: North Shore Hospital Concept Plan



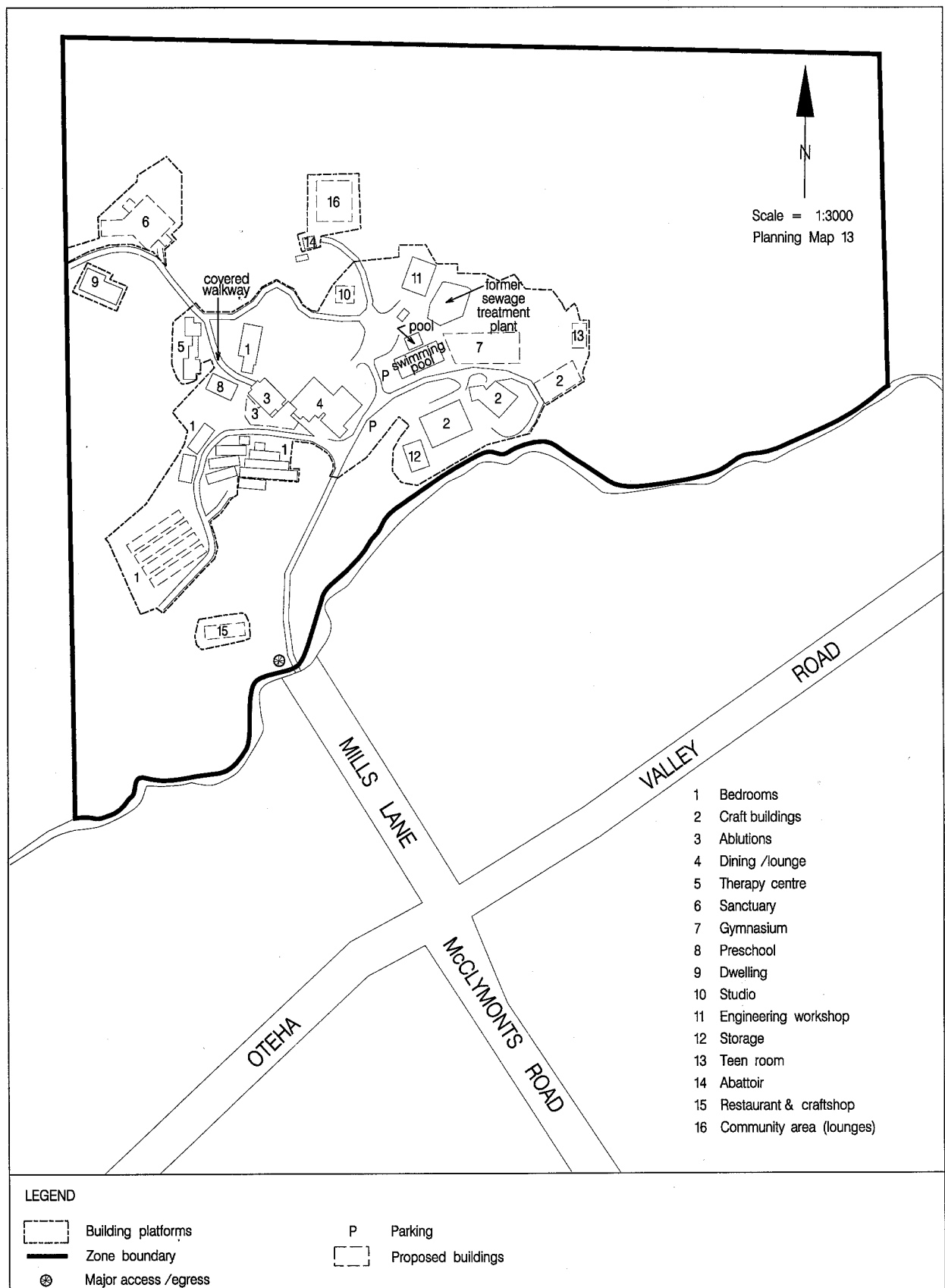
## Appendix 20B: Wastewater Treatment Plant Concept Plan



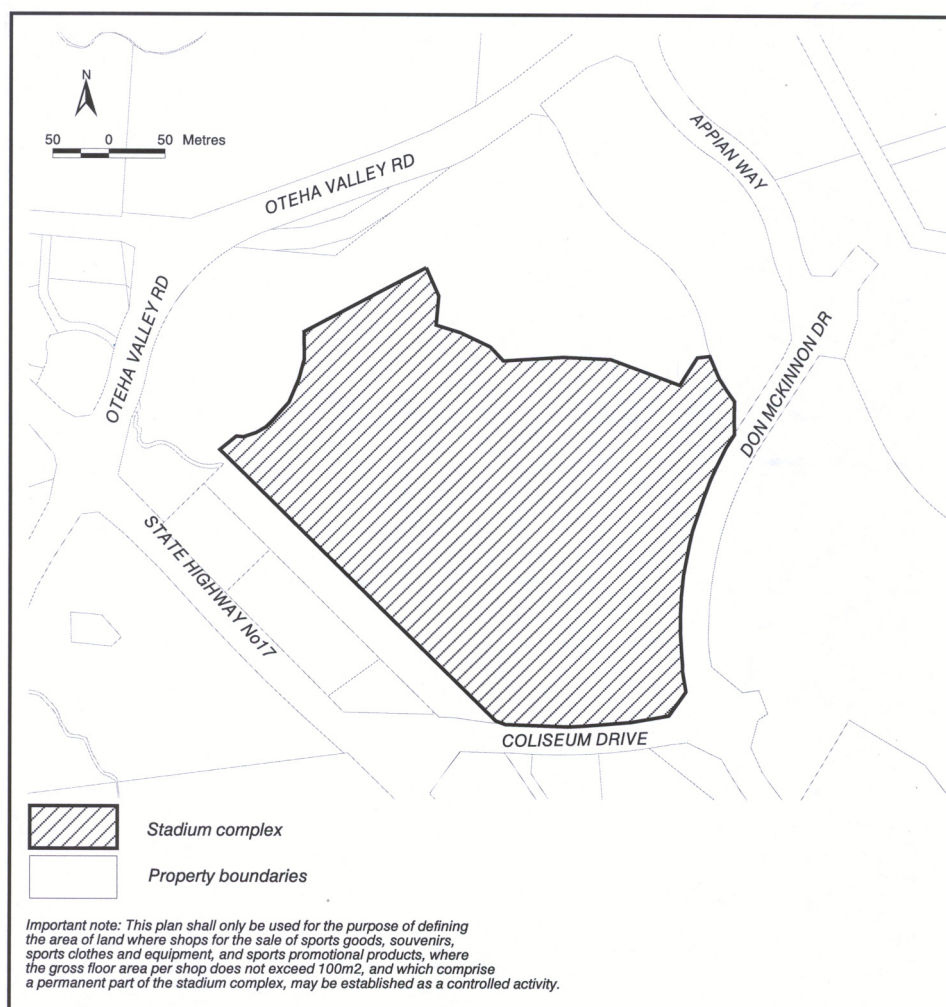
## Appendix 20C: Cemetery and Crematorium Concept Plan



## Appendix 20D: Centrepoint Community Growth Trust Concept Plan

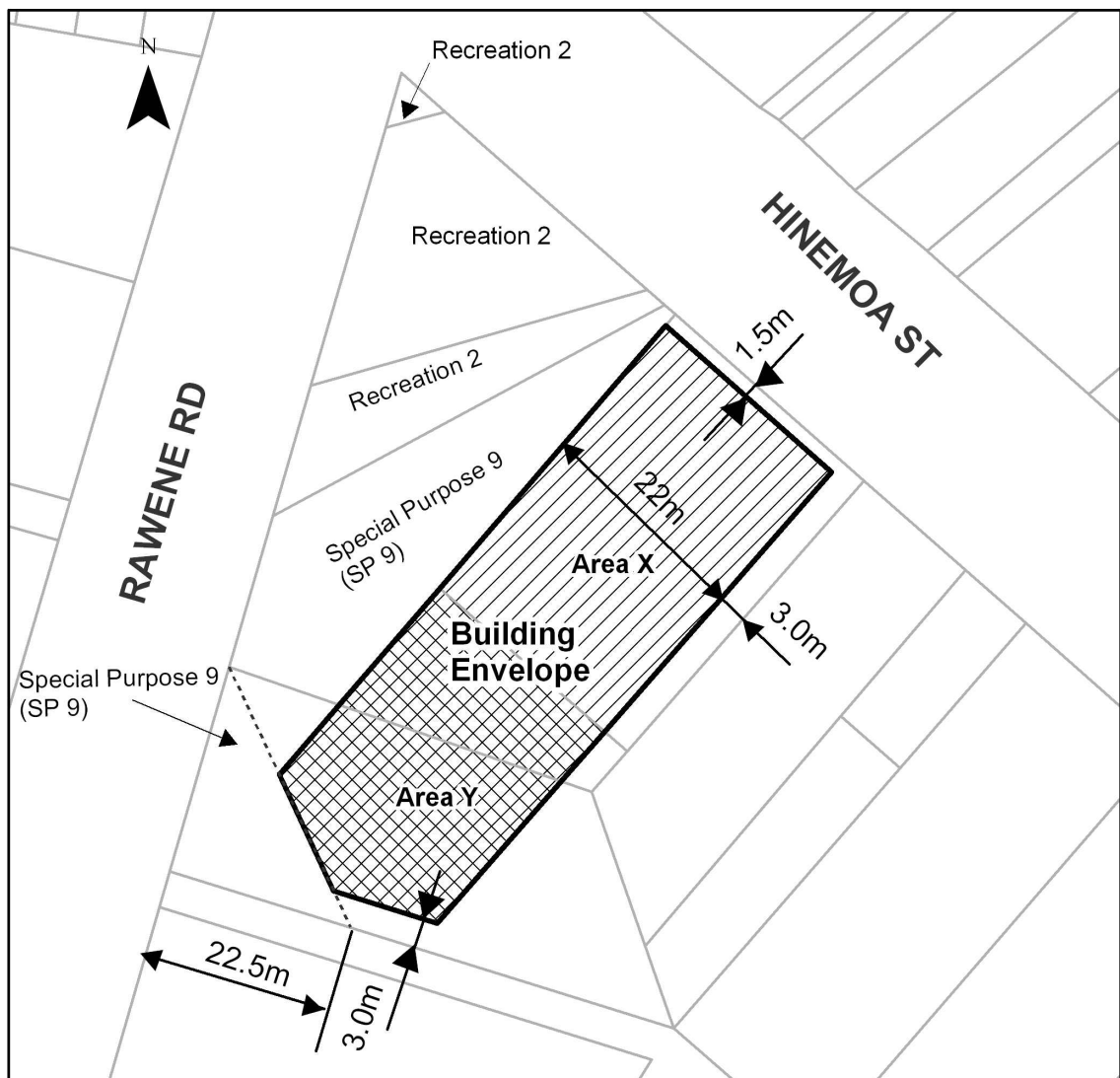


## Appendix 20E: North Harbour Stadium and Domain Stadium Complex Area








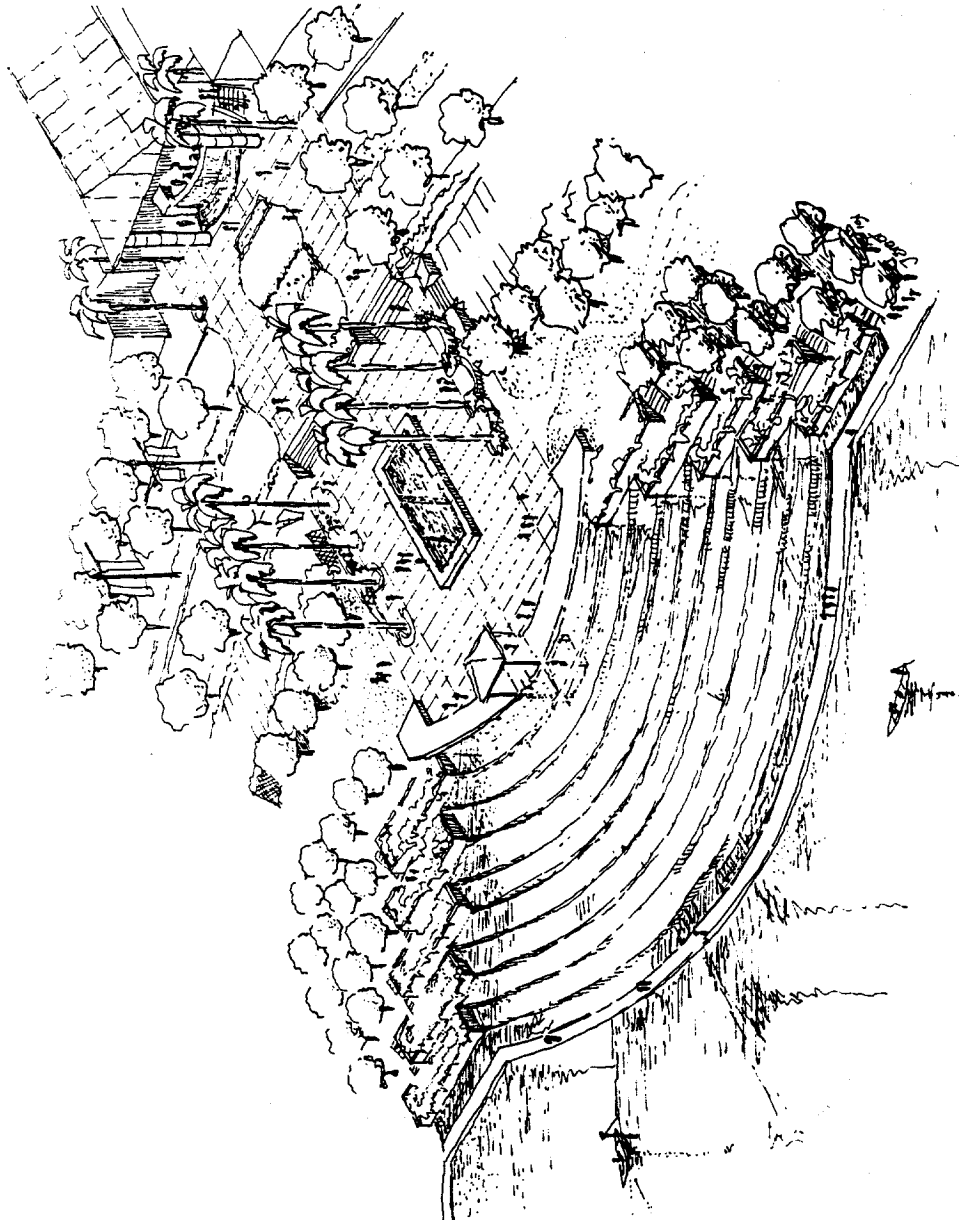
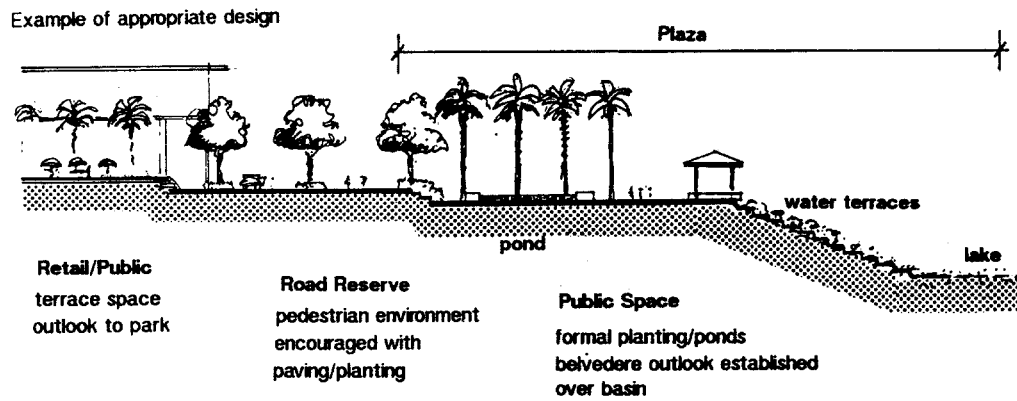
## Appendix 20F: Corner Rawene Road and Hinemoa Street Building envelope, height and yard controls



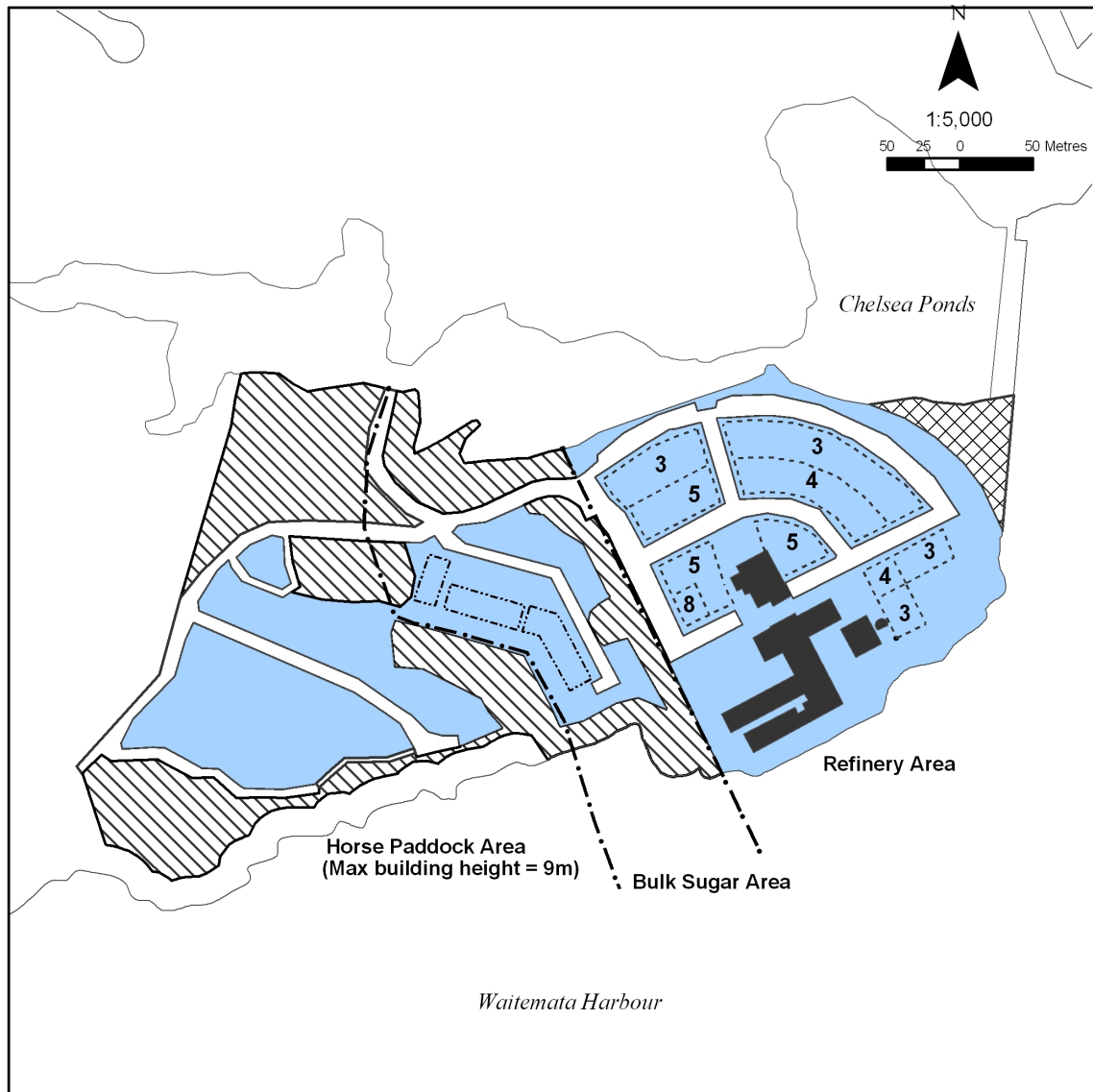
### Legend

-  Area X - Maximum permitted height limit 9m plus 2m by limited discretionary activity
-  Area Y - Maximum permitted height limit 9m. No control flexibility
-  Building Envelope









## Appendix 20G: Design Example: Central Plaza interface with Special Purpose 11 Zone



# **Appendix 20H: Chelsea Concept Plan - Chelsea Heritage and Conservation Future Use Zone (see 20.13 A, 15.4.7, 9.4.1.2, 9.4.1.4, 9.4.8.8, 9.5.1 and 9.7.3.13)**



## **Legend**

	Scheduled Buildings as identified in Appendix 11C and 11D of the District Plan		Conservation Areas		Indicative roading / access pattern
	Building platform areas and maximum number of storeys (ground included)		Future Use Areas		Open Space / Ferry Parking
	Demarcation line defining named areas		Building platform areas (max. building height = 25m)		



**Appendix 20I: Special Purpose 15: HMNZ Dockyard - Open areas identified for Rule 20.15.2(iii)**

**Appendix 20I HMNZ DOCKYARD  
Open areas identified in Rule 20.15.21(iii)**

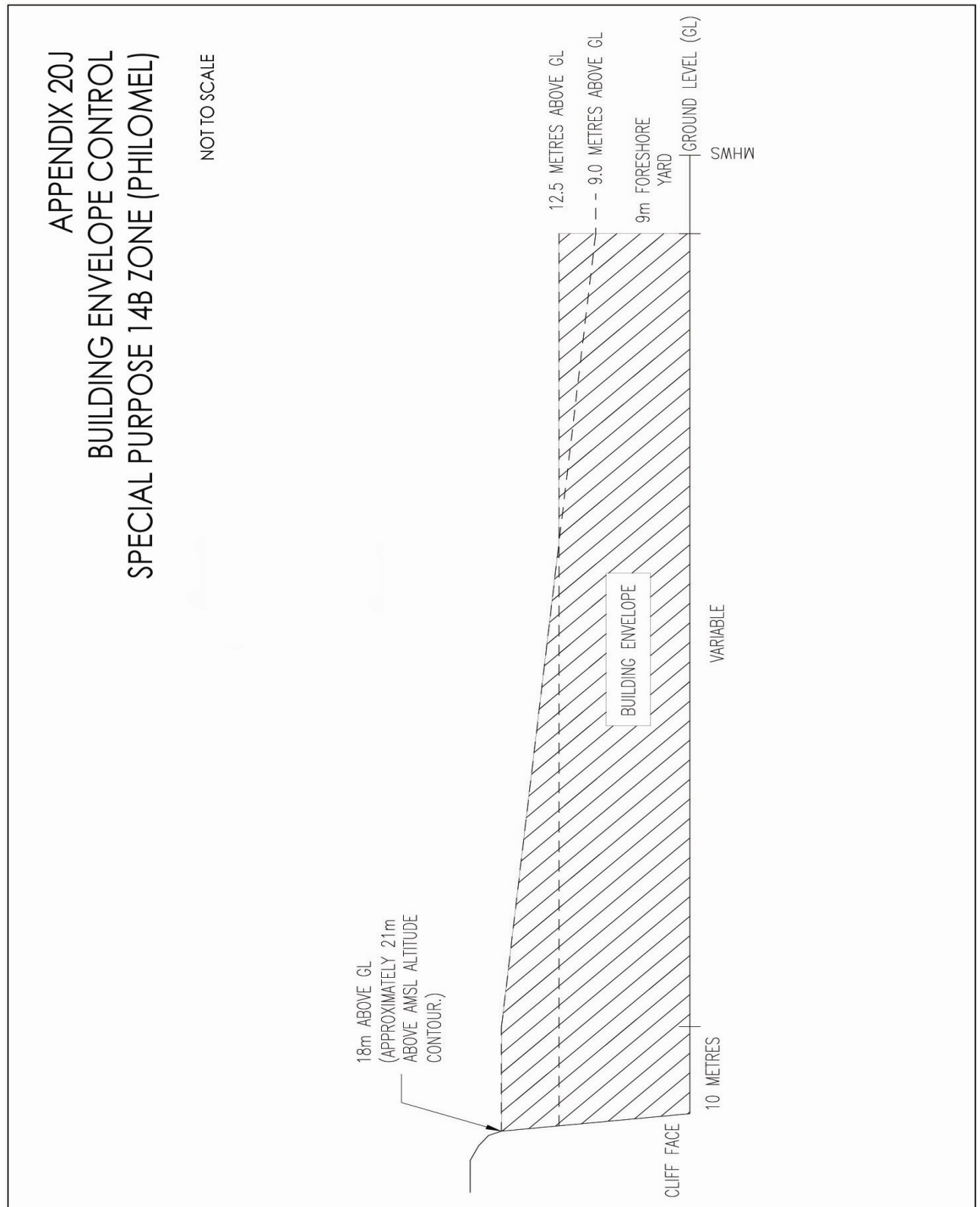


Open areas identified by Rule 20.15.21(iii)



## Appendix 20J

### Special Purpose 14B: Devonport Naval Base (Philomel) - Building Height Control



## Appendix 20K Special Purpose 15: HMNZ Dockyard - Building Height Control

### APPENDIX 20K BUILDING ENVELOPE CONTROL SPECIAL PURPOSE 15 ZONE (HMNZ DOCKYARD)

NOT TO SCALE

