



11th March 2022

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Planning Manager – Consents
Northern Office
Auckland Council
Private Bag 92300
Auckland 1142

Dear Sir / Madam

Ref : 7 Tamariki Avenue, Orewa

On behalf of our client, K Rd investments Limited, we attach their application for resource consent to redevelop the site with a multi-level mixed use building with retail at the ground level and residential apartments above, and to undertake the required site works, servicing and signage at the above address. This is a restricted discretionary activity.

Accompanying this application is the following information:

- a) Completed application form
- b) Lodgement deposit
- c) Assessment of environmental effects
- d) Legal title and relevant interests
- e) Supporting information including;
 - i. Proposed Development Plans
 - ii. Civil Engineering Report and Drawings
 - iii. Traffic Engineering Report
 - iv. Urban Design Report
 - v. AUP Planning Maps and Aerials

The writer is the contact person.

Yours faithfully
SFH Consultants Limited

A handwritten signature in black ink that reads 'D. Shaw'.

Daniel L. Shaw



Application

For : Resource Consent

To : Auckland Council

By : K Rd Investments Limited

To : Redevelop the site with a multi-level mixed use building with retail at the ground level and residential apartments above, and to undertake the required site works, servicing and signage

At : 7 Tamariki Avenue, Orewa

Date : March 2022



To : Auckland Council

K Rd Investments Limited applies for the resource consent described below:

1. **The names and addresses** of the owner and occupier (other than the applicant) of any land to which this application relates are as follows:
Great Castle Limited

2. **The Location** to which this application relates is :
7 Tamariki Avenue, Orewa
A more detailed description is referenced in the accompanying AEE Section 4.0

3. A description of the activities to which the application relates is :
To redevelop the site with a multi-level mixed use building with retail at the ground level and residential apartments above, and to undertake the required site works, servicing and signage (Reference AEE Section 5.0)

4. The type of resource consent being sought is a land use consent. (Reference AEE Section 6.0)

5. Attached is an assessment of any actual or potential effects that the activity may have on the environment. (Reference AEE Section 7.0).

6. Additional resource consents required, but not currently being sought, in relation to this proposal:
Not applicable.

7. No other information is required to be supplied by the district or regional plans or regulations.

8. Address for Service
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9. Address for Applicant
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2.0 Executive Summary

The applicant, K Rd Investments Limited, secured a sale and purchase agreement to purchase the property in late 2021 and are seeking resource consent to redevelop the site at 7 Tamariki Avenue in Orewa. This will include 73 apartments, 16 parking spaces, 6 mobility scooter parking spaces, and 90m² of ground floor retail within the Business – Town Centre zone. Demolition of the existing three level building will be undertaken, and the two separate vehicle crossings will be reduced to a single vehicle crossing. Access to the upper-level parking area associated with 8 Moana Street will be maintained via the existing ROW.

The Orewa Town Centre has been identified as area for growth and intensification. As a predominantly residential development, the proposal seeks to provide high density residential activities to support the existing town centre activities that surround it.

The site is also within the key retail frontage where pedestrian activity is a key focus. Pedestrian safety has been maintained by the site as well as the provision of a ground floor retail/café unit, which will provide for passive surveillance of the street during opening hours.

A unit title subdivision will be sought via a subsequent process.

The assessment contained within this report concludes that, subject to a range of conditions the actual and potential adverse effects on the environment will be less than minor and the proposal is not contrary to the relevant objectives and policies of the Auckland Unitary Plan.



Figure 1: Artists Perspective



Figure 2: Street View 1

3.0 Applicant and Property Details

Applicants Name:	K Rd Investments Limited
Site Address:	7 Tamariki Avenue, Orewa
Legal Description:	Lot 46 DP 18948
Site Area:	1037m²
Zoning:	Business – Town Centre Zone
AUP (OP) Precinct:	nil.
AUP (OP) Overlays:	nil.
AUP (OP) Controls:	Building Frontage – Key Retail Height Variation – Orewa 27m Coastal Inundation – 1m sea level rise Macroinvertebrate Community Index - Urban
AUP (OP) Designations:	nil.
Other:	Located within a flood plain Minor Overland flow path through rear of the site

4.0 Description of the Existing Environment

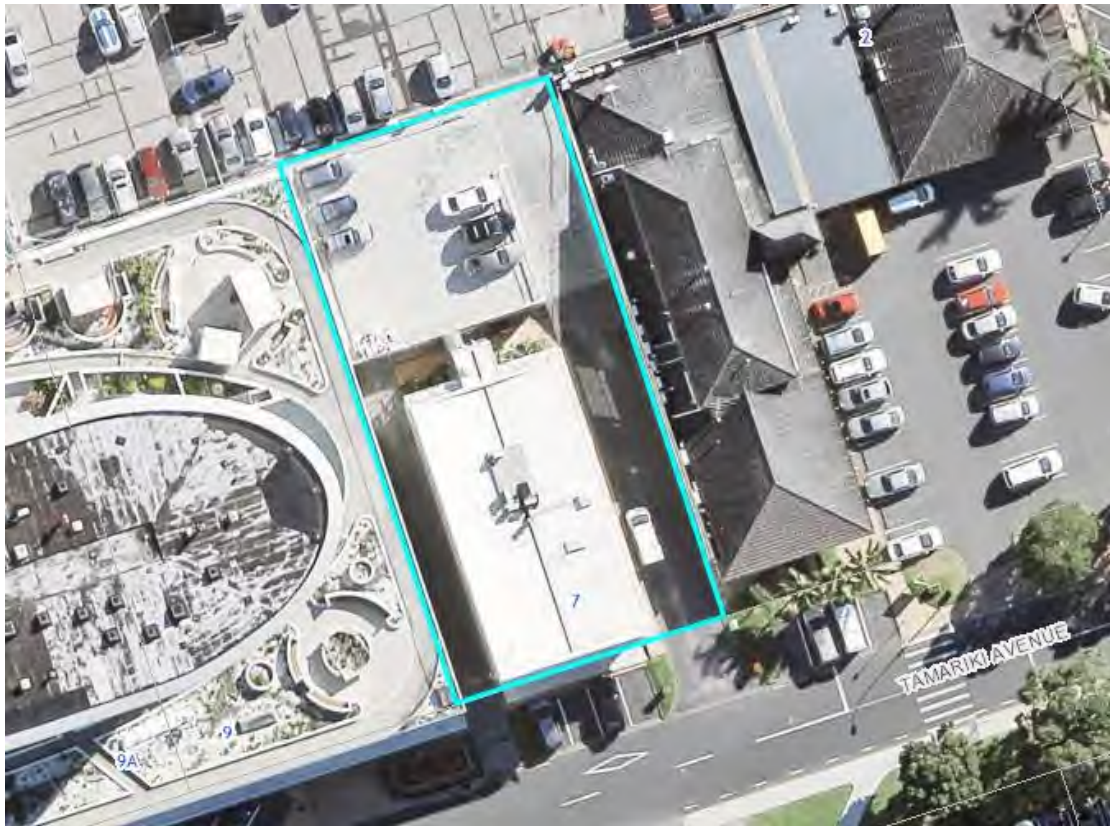


Figure 3: Aerial Photo of the Site (Auckland Council GIS Viewer)

The subject site, 7 Tamariki Avenue (Lot 46 DP 18948), is a 1037m² flat site. The existing building on site is known as 'Tamariki House' and currently provides for a variety of office, retail, and recreational land uses. The site has a rectangular shape with a length (north to south) of approximately 46m and width of approximately 22m. The site is very flat, average gradient of the site is approximately 0.6%.

A variety of contextual photographs are provided over the subsequent pages. The building is three storeys in height. The site is serviced by two vehicle crossings. Both are designed in a way which provides priority to vehicles rather than pedestrians.

A copy of the Record of Title and relevant interests are provided within **attachment A** of this Report. There are no interests registered that would impact the proposed development of the site. The right of way easement to the adjacent site will remain and is provided for.



Figure 4: Street Frontage of the Subject Site

The existing building has provided for a variety of land uses over recent years. This includes Curves, Kip McGrath, Office Products Depot and the National MP office of Mark Mitchell. Four parking spaces are located along the street front of the site, with an existing driveway and ramp providing access to an above floor parking area on the neighbouring site. A two-level parking structure is provided at the rear of the subject site. This provides the parking spaces related to the building. The lower parking level is accessed by the western crossing, while the upper level is accessed by the eastern crossing.

With a Business – Town Centre zoning, the site has a substantial uplift in development potential to provide for additional height, density and intensified land uses. Identified for growth and intensification, the site is also within a 27m height variation control which further emphasises the foreseen development potential of the site and appropriate for taller buildings.

The site is also within a key retail frontage control which limits vehicle access to the site and seeks to prioritise pedestrian safety and amenity.



Figure 5: Existing Access to the Rear and Upper Parking Level



Figure 6: Streetscape Looking Towards the Beach



Figure 7: Streetscape Looking Towards Centreway Road

The relevant AUP Planning Maps and Aerial Photographs are provided within **attachment B** of this Report.

Tamariki Avenue is an East-west Road between Hibiscus Coast Highway and arterial Centreway Road. The sites along Tamariki Avenue currently show a transition between higher density commercial and apartment style buildings, to lower density residential land uses in the West. Tamariki Avenue is a local road, and has a posted speed limit of 30km/h.

The street is also zoned to create a seamless transition of building heights and development intensities. From the Town Centre zone in the East, to mixed use in the West, the maximum permitted building height drops from 27m to 18m. This transition occurs East to West, leading back from Orewa Beach, and will seek to transition into the lower density residential areas that surround Orewa. This seeks to maintain the existing neighbourhood character and residential amenity in these lower density areas, while also enabling higher density development within centres.

As noted in the Urban Design Report, (**attachment I**), the town centre provides limited opportunities for taller buildings, as the increased height control is applied sparingly. The two supermarket sites take up a significant amount of favourably zoned land, which reduces opportunities for taller buildings, and the density/intensity of development envisaged within the centre.

The site is currently serviced by the public water, stormwater and wastewater network with capacity and additional requirements confirmed in the infrastructure report attached.

The front of the site is within an existing flood plain, alongside a minor overland flow path flowing through the rear of the site. This OLFP is unlikely to exist given the existing buildings.

The adjoining sites are generally limited to the following;

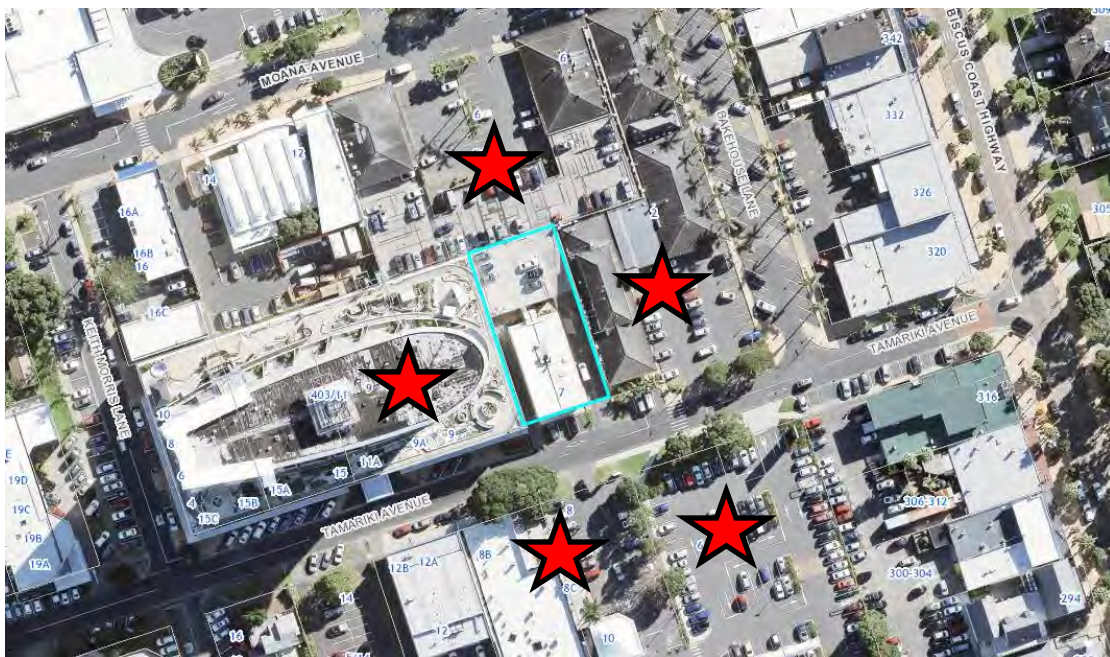


Figure 8: Aerial Photo of the Surrounds (Auckland Council GIS Viewer)

The adjoining sites include;

- 2-18 Bakehouse Lane
- 6 Tamariki Avenue
- 8-10 Tamariki Avenue
- 9-15 Tamariki Avenue
- 6-10 Moana Avenue

These sites are described below;

2-18 Bakehouse Lane:

Located directly East of the subject site, this 6225m² site provides for a variety of retail units and approximately 30 associated car parks. This includes a variety of land uses, including restaurants, healthcare, hairdressers, and health shops. The site is legally described as Lot 1 DP 101373, with vehicle access located on Tamariki Avenue.

The site and units are orientated towards the two streets rather than towards to development site.

A photo of the Tamariki Avenue frontage is illustrated below;



Figure 9: 2-18 Bakehouse Lane

6 Tamariki Avenue:

Located Southeast of the subject site, 6 Tamariki Avenue (Lot 55 DP 18948) is part of a larger parking area with 3 Moenui Avenue. At 1052m² in area, the site provides approximately 32 parking spaces and relevant manoeuvring space. These are related to the Orewa Countdown and other adjoining units, including Westpac, Orewa Medical Centre, Life Pharmacy Orewa and Trent Café.

This site provides a landscaped frontage to Tamariki Avenue, which helps to soften the impact of the large area of parking spaces. The large Pohutukawa Trees in the street berm are also noted.

A photo of the Tamariki Avenue frontage is provided below;



Figure 10: 6 Tamariki Avenue

8-10 Tamariki Avenue:

This double site is located directly South of the subject site, across Tamariki Avenue. Legally described as Lot 56 DP 18948 and Lot 57 DP 18948, the approximately 2122m² site includes a variety of retail and healthcare units. This includes, Trent Café, Orewa Medical Centre and Life Pharmacy Orewa. The site also includes at least 18 parking spaces for visitors.

A large Pohutukawa tree is located at the frontage near the commercial units.

A photo of the Tamariki Avenue frontage is illustrated below;



Figure 11: 8-10 Tamariki Avenue

9-15 Tamariki Avenue:

The four sites, legally described as Lot 2 DP 328298, Lot 43 DP 18948, Lot 44 DP 18948 and Lot 45 DP 18948 together form 'The Nautilus: Orewa Beach'. The 4-star hotel is set on a 4067m² directly West of the subject site, located on the corner of Tamariki Avenue and Keith Morris Lane. A variety of retail units are located along the ground floor with visitor amenities and accommodation located above.

A photo of the Tamariki Avenue frontage is illustrated below;



Figure 12: Nautilus

6-10 Moana Avenue:

Legally Described as Lot 1 DP 103368, the 3,114m² is located directly North of the subject site. The Site provides for a variety of retail units, predominantly food and beverage, and associated parking. Approximately 36 parking spaces are located at ground level, with an additional 52 spaces located above the retail units. Access to the above floor parking area is provided via the subject site and will be maintained as part of the redevelopment.

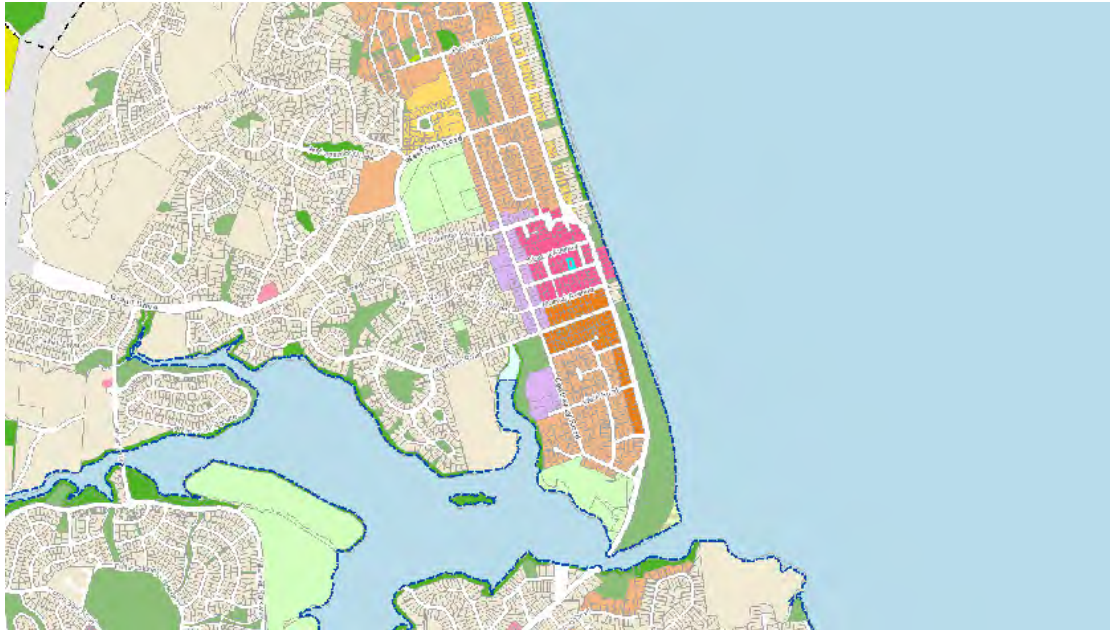


Figure 13: Wider Surrounding Area (AUP Planning Maps)

Overall, the surrounding area is consistent with that of a centre, providing a variety of land uses, amenities and services that encourage people to work live and play within a localised area. Orewa is also a popular tourist area in the North of Auckland, with many people travelling into Orewa to enjoy the beach, and local food and activities.

Further descriptions of the site and surrounding context are provided within the specialist reports, including the urban design report which provides a range of photos and images.

The proposal is illustrated in detail on the architectural plans enclosed as **attachment C**, which include the following:

The site is to be redeveloped to provide a higher density mix of residential and retail land uses within the Business Town Centre zone. A single building will provide 73 apartments, being a mixture of studio, one bedroom and two-bedroom units, 16 parking spaces, 6 mobility scooter parking spaces, and a single retail unit, over eight storeys. Dwellings are considered permitted activities as per Activity (A2), retail is permitted as per Activity (A14) and offices are permitted as per Activity (A13) and this is all confirmed within Table H10.4.1.

Proposed Building:

New buildings are considered a restricted discretionary activity within the Business Town Centre zone. This is noted in Activity (A35) of table H10.4.1.

The proposed new building will be some 29.9m tall. 46m long and 22.6m wide. The occupiable height and total height exceed the permitted standards by up to 3m in height, and this is a restricted discretionary activity.

The site is completely surrounded by other sites in the Business – Town Centre zone, and subsequently, standards such as H10.6.2 Height in relation to boundary and H10.6.6 Yards are not applicable.

Ground Level: refer to sheet RC102.

The ground floor area provides for a communal lobby and reception, bicycle parking and 16 covered car parking spaces. A 90m² retail/cafe unit is also provided on the ground floor, with outlook to, and access from, Tamariki Avenue. Offices associated with the apartments (lobby / reception) are also permitted as per Activity (A13) and Retail/café is permitted as per Activity (A14) of Table H10.4.1.

The existing two-way access driveway will be maintained, but re-designed for pedestrian priority. This is a width of 6.2m at the boundary and will provide access to both the ground floor parking

spaces within the site, and the continued access to the above floor parking area at Moana Avenue. The existing vehicle crossing in the west of the site will be removed and returned to a 1.8m wide public footpath and two new on-street parking spaces will also be added. A pedestrian canopy is proposed along the frontage to offer shelter from sun, wind and rain which increases pedestrian amenity along this key retail frontage.

Levels 2-3: refer to sheet RC103.

Floors 1-3 provide for the same residential layout, with 11 units per floor and 33 units in total. These units are connected to each other, and the internal stairs and lifts (x2), via an open breezeway. The first floor is also provided with a communal garden space for visual amenity.

The five studio units per floor are south facing towards the street. These units' range in size from 43m² to 50m². While there is no formal bedroom, all units exceed the minimum dwelling size of 30m² for studio dwellings (H10.6.11). Each unit is also provided with a 4m² bathroom and 9m² balcony with extensive views over the street and adjacent area.

The remaining six units on each of these three floors provide a single bedroom with sliding doors. These are one-bedroom units, with glazing being provided internally to enable views out through the living room and to the outdoor area. All units exceed the minimum dwelling size of both studio and one-bedroom units (H10.6.11). Each unit is also provided with a 4m² bathroom and 9m² balcony. The 6m outlook space is well within the subject site. Beach views will be enabled until the adjacent properties develop at some point in the future. The bathroom windows are separated from the breezeway by a void for privacy.

Levels 4-6: refer to sheet RC104.

Floors 4-6 also provide for 11 residential units each (total 33 units). With the same layout as the lower floors, the five units along the south, street front elevation, are studio units with one bathroom and a 9m² balcony. The six East facing units provide for one bedroom, one-bathroom, open plan living and a 14m² balcony each. The dwelling layout at these

levels provides for a habitable bedroom with glazing towards the western breezeway but is separated by the void for privacy. All units meet and exceed the minimum area requirements.

Level 7: refer to RC105

The penthouse level (Level 7) provides seven two-bedroom units. All units provide for 2 bedrooms, one bathroom and an open plan living area. The three units facing South are provided with a 17m² balcony, while the East facing units are provided with a 20m² balcony. All units at this level exceed the minimum dwelling size H10.6.11 and comply with all relevant outlook space requirements as per H10.6.10. these units are above the occupiable height (H10.6.1).

Roof Form: refer to sheet RC106 and the elevations

The roof form is a series of three mono pitched roof lines, with a flatter portion over the lift core. The roof level exceeds the total building height enabled (H10.6.1) by a maximum of 3m. This varied form provides for visual interest and reduces dominance. The additional height helps to define the centre as the focal point for community interaction.

Building design and materials: refer to elevations, perspectives and Urban Design report

In terms of urban design, the design of the building is considered to be of a high quality and provide a positive relationship with the public realm. The building design increases housing supply within the town centre and enables universal accessibility throughout.

The building is to be clad in a variety of high-quality materials. These materials have been used in linear patterns to accentuate and visually describe the multi-unit arrangement.

The main cladding materials for the building are typical of apartment buildings and will consist of composite and precast concrete panelling. This is accented by cedar weatherboards which will clad a large area of the penthouse level. Vertical timber screens and aluminium louvre screens will also seek to provide greater privacy between balconies and between the residents and adjoining properties when using their balconies. Given that the outdoor

living spaces are provided with glass balustrades, additional privacy is appreciated for functional means as well as visual interest. All glazing, including balustrades is to be framed with aluminium joinery. The amount of glazing is considered appropriate and unlikely to generate excessive glare.

Retail:

While the exact retail tenant is currently unknown, the intention is that it will be one of the permitted activities enabled within the zone. Any other use would be the subject of a future resource consent if needed. It is anticipated that the opening hours will be consistent with that of typical businesses found within centres with the potential of a late night, and/or weekend hours. The retail unit is provided with a large area of street front glazing and will provide passive surveillance of the street during hours of operation.

Signage: refer to sheet RC301

As a mixed use building a variety of signage is proposed. The ground floor retail/café unit will be provided with signage limited to the ground floor and under verandah area. This will display their business name and logo. The retail signage will be static and non-illuminated.

The building name will be displayed on the eastern elevation. This will read 'IVY'. This will be static but illuminated. Refer to sheet RC301.

Letter Boxes:

These will be located within the lobby, otherwise, people will use the PO boxes at the local post office.

Landscaping:

The site maintains 100% impervious coverage with covered parking provided at the rear of the retail unit. This reduces the view of parking to nil, and therefore does not require a landscaping buffer between parking areas and the street. For visual amenity purposes, a North and East facing communal garden is provided for the residents on the first floor of the building.

Lighting:

The site will be provided with lighting for safety and amenity of the residents and visitors. Their

positioning and intensity will be such that does not unreasonably illuminate adjacent properties and will comply with the standards in E24 and E27.6.3.7. The following condition is proposed;

Lighting Plan

x. Prior to commencement of the activity on the site, the consent holder shall provide a Lighting Plan to Council for written certification by Team Leader South Monitoring. This plan shall include proposed locations, lux levels and types of lighting (i.e. manufacturer's specifications once a lighting style has been determined).

The lighting shall be designed to prevent any glare or overspill to the neighbouring properties in compliance with the relevant bylaw provisions.

Advice note:

The purpose of this plan is to demonstrate that adequate lighting will be provided, particularly at the entrances to the buildings; pedestrian paths and car parking areas within the site for the visibility and safety of employees and visitors to the premises and passers-by outside the daylight hours.

x. Prior to commencement of the activity on the site, the consent holder shall implement the Lighting Plan required by condition x. above.

Rubbish:

An area for rubbish is provided at ground level, behind the retail unit. This will be managed by the owner/body corporate in conjunction with a waste management company.

Tracking curves demonstrating a rubbish truck can turn around onsite is provided – see section 5 and attachment B of the traffic report.

Transport Features:

These are provided and described in a detailed report by Commute transportation consultants enclosed within **attachment H**.

The site provides for 16 on site parking spaces which are accessed via the existing 2-way vehicle crossing (6.2m wide). The parking spaces are all 5m in length, with 2.5m width for standards carparks and 3.5m for the two accessible car parks. An aisle width of 8.5m is also provided with a flat gradient.

The existing two vehicle crossings will be reduced with the western crossing deleted and the eastern one retained. The deletion of the western crossing will enable the pedestrian footpath to be re-installed and also enables two additional on-street parking spaces. The two-way vehicle crossing is 6.2m wide and provides the required flat transition of gradient. Minimum driveway width is 5.5m Sightlines are provided in each direction of at least 150m to ensure safety and convenience, which is particularly important within a Town Centre and key retail frontage.

Separated pedestrian access is provided to the retail unit and to the lobby/reception area of the apartments, and via a fire exit too. This assists with pedestrian amenity and safety.

In total the site will provide for 16 on-site parking spaces. While there are no minimum or maximum parking requirements, this recognises a desire to park securely, even while living in high density areas. All parking spaces meet the permitted dimensions, and reverse manoeuvring within the site is achievable. This is especially important in this case as the site is subject to a key retail frontage which would restrict any new vehicle crossings, to prioritise pedestrian movements and pedestrian safety.

6 mobility scooter parking spaces are provided. This will ensure the needs of the older population/occupants are catered for.

Bicycle parking for 16 bicycles is also provided for on the ground floor. This area is located partially under the lower parts of the vehicle ramp.

No loading space is provided within the site, nor is it required. This is because the site is predominantly residential, and the retail ground floor area is less than 300m². While there is no loading space, there is sufficient space within the ground floor parking area for a rubbish truck to access the rubbish storage area, and manoeuvre to enter and exit the site in a forward gear.

Site Works:

The proposal requires very minor site works around the site to create the building platforms, access, parking and install services. These are illustrated on the civil drawings C200 and C210 and discussed in section 4 of the civil report. very limited works are proposed due to the ROW remaining, and the existing building platform being re-used and the existing site level remaining.

As per Activity (A5) and (A9) of table E12.4.1 the works are a permitted activity, as the area and volume is well below the permitted threshold.

ESCP:

Accompanying the site works, is a full suite of erosion and sediment control measures which comply with GD05. These are illustrated on the civil drawings C200 and C210 and discussed in section 4 of the civil report. The measures include;

- Silt fence,
- Stabilised construction access.

We recommend the Council impose the standard conditions requiring ESCP measures.

Servicing:

The proposed building is required to be connected to the full range of infrastructure services. These are described in full within the civil engineering report and illustrated on the civil drawings.

Water: It is proposed to utilise the existing water connection in described above to service the site. This connection will be upsized if required. Final details will be provided with Building Consent. Based on the proposed layout and the Watercare’s “Water and Wastewater Code of Practice for Land Development and Subdivision”, it is estimated that a peak hourly demand flow for the site will be 2.31 l/s.

Wastewater: It is proposed to discharge wastewater into the proposed public wastewater manhole on the southern boundary of the site via the new 150mm diameter public wastewater connection. Ultimately discharging to the existing 200mm diameter public wastewater line. A capacity check of the downstream network shows adequate capacity to reticulate the proposed development. The existing 100mm diameter wastewater connection will be capped and seal off at the property boundary.

Stormwater: It is proposed to discharge stormwater into the existing public 225mm diameter site stormwater connection. Ultimately discharging to the existing public stormwater manhole on the western boundary of the site. A capacity check of the existing site stormwater connection shows adequate capacity to reticulate the proposed development.

Utilities: The site is located within a developed area and power and telecommunication services are available at the road boundary. The service provider(s) will be contacted once the loading and point of connection are accurately determined.

Natural Hazard's:

The Council GIS Viewer notes that the site is subject to the 1% AEP flood plain, and this needs to be considered in terms of the at grade parking, new building and the use within the building.

However, the Civil Engineers note; Based on the existing site topographical survey and the commercial buildings around the site, we have determined that the site is not impacted by the overland flow path and associated flood plain.

This ensures that the new building, its use and the parking at ground level is appropriate and does not increase the risk to people or property.

Construction:

The proposed development will take several months to construct, and this will be managed by experienced contractors.

The applicant is accepting of the standard conditions relating to construction activities being imposed, and will assist in managing the construction activities including in relation to;

- Construction management plan
- Construction traffic management plan
- Construction noise and vibration management plan.

6.0 Resource Consents Sought

The reasons for consent are set out below;

6.1 Auckland Unitary Plan

This proposal requires resource consent under the Auckland Unitary Plan for the following rules:

H10 Business – Town Centre zone

1. H10.4.1(A35) New Buildings. All new buildings within the Business-Town Centre zone are considered to be a restricted discretionary activity and will require resource consent.
2. Rule H10.6.1 Building Height. The proposed building exceeds the maximum occupiable area by 0.7m and the overall building height by 2-3m. consent is sought as a restricted discretionary activity.
3. H10.6.3 Building setback at upper floors. The proposed building does not provide the 6m setback where the building exceeds 27m in height. Therefore, consent is required, and sought as a restricted discretionary activity.

E23 Signs

4. As per Activity (A53) of table E23.4.2 Comprehensive development signage associated with the proposed building and retail units requires a restricted discretionary activity. This is because the works exceeding 100,000 dollars. Consent is sought as such.

E27 Transport

5. As per Activity (A7) of table E27.4.1, the re-use of the vehicle crossing, and reduction from two to one crossing, where a key retail frontage control applies is a restricted discretionary activity. Consent is sought as such.

E36 Natural Hazards and Flooding

6. As per Activity (A25) of Table E36.4.1, Surface parking areas and above ground

parking areas in the 1 per cent annual exceedance probability (AEP) floodplain, that do not comply with Standard E36.6.1.7 are a controlled activity. consent is sought for the at grade parking areas.

7. As per Activity (A37) of Table E36.4.1, All other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain require consent as a restricted discretionary activity. Consent is sought for the new building.
8. As per Activity (A38) of Table E36.4.1, Use of new buildings to accommodate more vulnerable activities, and changes of use to accommodate more vulnerable activities within existing buildings located within the 1 per cent annual exceedance probability (AEP) floodplain requires consent as a restricted discretionary activity. Consent is sought as a restricted discretionary activity for the proposed use of the building.

The proposal complies with all other matters relating to H10, E12, E23, E24, E25, E27, E36, E38 and E40. The reasons for compliance are outlined in the table set out in **attachment D**.

6.2 Overall Activity Status

Overall, therefore, the proposal requires consent as a restricted discretionary activity.

7.0 Environmental Effects Assessment S104(1)(a)

This assessment of effects is in accordance with Clause 2(3)(c) of Schedule 4 RMA 1991, insofar as it includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

Accordingly, and having regard to the matters to be considered, and the reasons for which consent is required, it is our view that the main potential effects on the environment to be considered in this case can be summarised as follows:

- Positive effects,
- Character and amenity effects,
- Site works and servicing effects,
- Traffic engineering effects,
- Construction effects,
- Cumulative effects.

The actual and potential effects are discussed in the following sections below.

7.1.1 Permitted Baseline

Section 104(2) of the Act provides a discretion to Council (for the purposes of forming an opinion as to actual or potential effects) to disregard any adverse effects of the proposed facility on the environment if the Plan permits an activity with that effect.

The permitted baseline includes;

- Lawful activities occurring on site
- Permitted hypothetical activities (not being fanciful)
- Activities authorised by unimplemented resource consents

The purpose of the permitted baseline test is to define the environment so as to gauge the level of effects of allowing the proposed activity (over and above those permitted).

The Town Centre zone enables dwellings, retail and office as permitted activities.

Moreover, all commercial services, offices and retail are considered to be permitted as per activities (A7), (A13) and (A14) respectively.

The permitted development controls including height, HIRB, yards, coverage are also relevant considerations. The site is compliant with most of these standards, however, the standards relating to height (total and occupiable) and the setback above 27m (6m setback) are not compliant and will require resource consent under the AUP. Moreover, any new buildings also require consent.

The site works and land disturbing activities are permitted, given compliance with the area and volume thresholds and the permitted standards.

The noise and vibration effects are within the permitted baseline and reasonably anticipated to occur being similar to the intensity of development enabled as permitted within the town centre zone.

In terms of vehicle standards, the proposal is fully compliant and therefore within the scope of permitted baseline effects, aside from the re-use of the existing vehicle crossing; we note here, there is a reduction in crossings proposed.

It is our view that the permitted baseline involves at least some effects which are relevant to this application. Furthermore, we consider that Council should use their discretion to disregard these effects in their assessment of the proposal.

7.1.2 Positive Effects

It is important to note the positive effects on the environment of the proposal. The positive effects include, but are not limited to;

The proposed development will increase the economic benefit of the owner. This includes either the continued rent, or one-off sale of the residential apartments.

The community is also positively impacted by the proposed development. This includes an increase in neighbourhood amenity and passive surveillance throughout the day and night. This will contribute to a safer and more walkable residential area,

especially given the number of amenities and public transport opportunities that are provided within a walkable distance.

Moreover, the under-croft parking and servicing area including the waste collection area are located behind the street level unit which helps to screen them from view.

The development will also contribute to the housing supply and variety within the suburb of Orewa. The apartment designs offer a range of living choices with each apartment typology carefully planned to offer living spaces adjacent to the outdoor spaces and well-proportioned bedrooms.

New residents will increase the demand for goods and services within the Town Centre which will increase business viability and centre vitality.

What was once a multi-unit office and retail space will now provide 73 dwellings, adding to the residential density within Orewa. Given the land within the centre that is zoned for taller buildings and higher intensity is significantly reduced by the number of large car parking areas and single level supermarket use, the proposed development is a rare opportunity to maximise the controls intent and implement the zone intent. This is a more efficient use of land and existing local amenities.

Continued development within Auckland also helps to support the design and construction industries.

Throughout the construction and development process, the continued employment of these skilled workers will not only contribute to the economic benefit of the companies, but also the social and economic wellbeing of the employees and their families.

The provision of mobility scooter parking spaces helps to development to meet diverse needs of older people who may not own a car or want to walk.

The reduction in vehicle crossings from two to one is a positive effect on pedestrian safety and amenity.

The provision of a canopy over the footpath is a positive effect on pedestrian amenity, enabling

people to move across the site frontage in all weather conditions.

Establishing a re-designed vehicle crossing that affords priority for pedestrians on the street rather than vehicles is a positive impact on pedestrian safety and amenity, which is particularly positive in key retail areas.

The increase in on-street parking spaces (2 additional) is a positive effect on the supply of on-street parking in the Town Centre. This is positive because there is a huge demand for on-street parking spaces to support the users of the town centre.

The provision of new commercial premises is a positive effect and will offer new modern space for a new business or one of the businesses currently onsite.

These are all considered to be positive effects on the environment and as per Clause C1.8(3) of the AUP(OP) should be taken into account in the overall assessment of the environmental effects of the activity.

7.1.3 Character and Amenity

The RMA defines amenity as those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes.

Actual and Potential Effects on the Wider Environment:

The AUP clearly sets out within the zone description and objectives and policies that within the Business - Town Centre zone, there is an intent to enable a variety of land use activities at a high intensity. This includes, but is not limited to, residential, commercial, community and leisure. Identified as an area of growth and intensification, there is ample development potential, including additional building height provisions in strategic locations.

While there has been some level of redevelopment within the Orewa Town Centre, many of the surrounding sites have the potential for

development at a similar scale, intensity and density to this proposal. It is reasonably anticipated that this will occur more frequently over time.

The proposal is in-keeping with the anticipated elements of the Orewa Town Centre zone including height, scale and intensity and activities. As the neighbourhood is serviced by an established public transport network, large green spaces and beach areas, and a range of amenities (commercial, community, social, recreational), the area is not only desirable to live in, but also does not require large private back yards or multiple parking spaces per household. Apartment style living better aligns with modern living arrangements reduces the consumption of land per unit and increases the availability of more affordable housing typologies in the area. As part of this, additional amenities such as parks, public transport etc. are provided to ensure a high quality of life can be maintained. This all ensures that high density/intensity development is appropriate.

New buildings

The proposed building occupies eight stories which is considered to be within the generally anticipated scale and intensity of the zone. Design features such as the varied roof line and changes in shape and floor area can create structural interest in a building which positively contributes to its overall high quality visual appearance. The cladding materials also provide visual interest and contribute to a high amenity streetscape where pedestrians feel safe to use local streets throughout the day and night.

The elevations are clad with a range and variety of materials and architectural design features such that blank walls are avoided, and visual interest is ensured. This manages the potential for adverse effects from blank walls such as large areas of untreated pre-cast panels.

The ground floor retail area includes a high level of glazing which provides passive surveillance at street level throughout opening hours. In the evening and night hours a number of upper level units overlook Tamariki Avenue and will enhance the level of passive surveillance.

The ground level arrangement provides effective screening of car parking and servicing areas which are not able to be viewed from the public street.

The building provides universal accessibility to the residential floors above by both stair and lift access. Similarly, the balconies are of an appropriate size to allow for easy movement and enjoyment by residents and visitors.

Given that the site is less than 200m from Orewa Beach, the buildings design has also been oriented to take in the views of the ocean. Most residential units, especially those on the higher floors will be able to take advantage of the views which increase the amenity of the units and their outdoor balconies. It is however acknowledged that should the neighbouring site at 5 Tamariki Drive choose to develop in a similar way, residents may lose their view of the sea.

Outdoor living

The balcony outdoor living spaces are accessible directly from the living room of each unit. This increases their functionality and usability and provides for indoor outdoor flow, which is a modern living concept. The proposed outdoor spaces are of an area between 9m² and 20m². This exceeds the minimum requirements for each size of unit provided within the building. While the balconies are lined up next to each other on the South and East elevations of the building, privacy walls are provided between each balcony to ensure they can be used privately and enjoyed by residents. These areas are overall a high amenity area and meet the functional day to day requirements of the occupants in a low maintenance way.

Shading and Dominance:

The proposal will result in a different extent of shading and dominance for adjacent properties compared to what currently exists onsite. However, this is as anticipated at this location given that all of the adjoining sites are also within the Business Town Centre Zone, there are no yard or height in relation to boundary requirements. While the proposed upper-level units will be provided with ocean views to the East, redevelopment of the surrounding sites could result in changes to the amenity of the site. It is subsequently anticipated that shading and building along boundary lines will occur and

generate some degree of shading and dominance effects in the future.

As the residential amenity of the residents can only be guaranteed by the internal design of the site, it is important to recognise that the site design has ensured all habitable outlook space is provided within the site and/or over Tamariki Avenue. This will continue to maintain an appropriate level of sunlight access, outlook and privacy should the surrounding site redevelop in a similar way to the subject site.

Visual Privacy:

Similar to that mentioned above, while visual privacy has been a priority to maintain a high level of residential amenity, there is no way of predicting what may occur on the surrounding sites. The western breezeway and eastern vehicle access maintain a decent setback from surrounding sites. Glazing has also been strategically placed to ensure that privacy can be maintained on site, should the surrounding sites choose to redevelop in a similar way.

Streetscape character and amenity:

The site is accessed by vehicles via a shared private driveway. This accessway is existing and also provides ramped vehicle access to the above ground carparking level at 8 Moana Avenue. No new vehicle crossings are to be established within the key retail frontage. The reduction in the number of vehicle crossings at this location is a positive effect and contributes to anticipated character and amenity at this location. The prioritisation of pedestrian movement across the site frontage will improve streetscape character and amenity.

The streetscape character is maintained by providing visual interest and passive surveillance throughout the day and night. While a communal lobby/reception is provided at the ground floor for residents, it is the ground floor retail/café unit that will provide the main street activation and passive surveillance during daytime hours.

A high level of glazing is provided along the street frontage. This provides for the interaction between activities inside the unit and on the street.

Access between the building and the street is provided directly and conveniently enabling easy access into and out of the retail unit and the lobby to the apartments above.

The proposed canopy over the footpath at the front of the site will add positively to the streetscape amenity and benefit the public and pedestrians, providing weather protection.

The streetscape is also defined by the 33 residential units that will also overlook the street from seven above ground floors. This will provide an additional level of passive surveillance, especially during the evening and night-time hours. The southern elevation of the building will also contribute to the streetscape amenity through the design features and materials which provide further visual interest and amenity to those using the street.

Urban Design:

In terms of Urban Design, the assessment and conclusions in the supportive Urban Design Assessment concludes;

The proposal represents an opportunity to develop a site to a high standard. In terms of urban design the proposal should be supported because:

- The architecture is good quality, varied and maintains a human scale.
- The proposal will result in the supply of additional housing choice in a location and form that supports sustainable development principles.
- The physical effects of development are well managed.
- The semi-public and public interface spaces are well considered and include durable quality hard finish materials.
- The pedestrian is well considered with attention paid to ensuring good degrees of accessibility.
- Adverse urban design effects have been avoided, remedied or mitigated through the design decisions made; and
- Positive urban design effects will result, anchored around the design quality of the proposal and its positive relationship to the public realm.

Conclusions on the wider character and amenity effects:

In terms of the wider environment, the proposal is overall a restricted discretionary activity, and as per A1.7.3. Restricted Discretionary Activity, “Activities are classed as restricted discretionary where they are generally anticipated in the existing environment...” This means that from the wider environment, the proposal is as reasonably anticipated and there are no adverse effects outside the immediate environment surrounding the site.

Overall, the proposed development is consistent with the anticipated density of development, bulk and form, which ensures the proposal is in keeping with the reasonably anticipated character and amenity of the Town Centre zone. We therefore consider that any adverse effects on the environment will be minor.

Actual and Potential Amenity Effects on the Immediate Neighbours:

2-18 Bakehouse Lane

Having regard to the site description and photo within section 4.0 of this AEE, the following is noted;

As the proposed development is larger than that which is existing, it is anticipated that additional shading and overlooking will be generated at this site in the afternoons. The proposed development is located West of the site at 2-18 Bakehouse Lane, between this site and the Nautilus Hotel. Given the size and height of the Nautilus it is considered unlikely that the proposed development will generate noticeably more shading than that which is already cast by the existing Nautilus building.

It is further considered unlikely that the proposed development will generate other additional adverse amenity effects on the site, as the small retail units are oriented to the associated parking area and Bakehouse Lane to the East. A blank concrete wall is located on the site boundary with little visual relationship between the existing retail units and the subject site.

While the site is currently developed with one storey retail units, the potential development of the site in the future has been considered. To ensure that amenity of both sites, residential units have been set back from the boundary to ensure outlook and daylight can be maintained within the subject site.

As noted above, additional residents nearby will increase the viability of businesses and centre vitality due to increase potential clients and customers.

Construction, traffic and noise effects are considered in a section below.

Overall, given the location of the site and nature of the activities carried out, we consider the owners and occupiers of this site will be affected to a less than minor degree.

6 Tamariki Avenue

Having regard to the site description and photo within section 4.0 of this AEE, the following is noted;

The site is part of a larger parking area associated with the Countdown supermarket and provides a number of parking spaces. While this site is located to the South of the subject site, and likely to experience additional shading, as a parking area the loss of amenity is less likely to be noticed. The overlooking from the apartments is likely to increase the perceived safety due to passive surveillance.

Construction, traffic and Noise effects are considered in a section below.

Overall, given the location of the site and nature of the activities carried out, we consider the owners and occupiers of this site will be affected to a less than minor degree.

8-10 Tamariki Avenue

Having regard to the site description and photo within section 4.0 of this AEE, the following is noted;

The site will experience additional shading at certain times of the day, however it is not a significant issue given the scale of development potential anticipated at this site, and having regard to the nature of the activities being retail and healthcare activities which are not sensitive to the effects of shading, and largely internally focussed with minimal glazing. Both healthcare and retail will likely experience more business given the increase in residents located directly across the street.

As noted above, additional residents nearby will increase the viability of businesses and centre vitality due to increase potential clients and customers.

Construction, traffic and noise effects are considered in a section below.

Overall, given the location of the site and nature of the activities carried out, we consider the owners and occupiers of this site will be affected to a less than minor degree.

9-15 Tamariki Avenue

Having regard to the site description and photo within section 4.0 of this AEE, the following is noted;

The proposed development will have amenity effects on people who own and reside at the Nautilus apartments. The nature and scale of the effects will vary depending on the location of the apartment unit, with the east facing units being impacted greater than those facing north, south and west.

The amenity impacts will relate to shading, dominance and privacy. However, in noting these effects, one must keep in mind the zone intent, development controls and the reasonably anticipated effects that accompany the

Given the podium style design of the Nautilus the lower floors of the building are dedicated to parking and servicing and present a blank wall towards the development site. These levels are also uninhabited. We therefore consider that the lower floors will not

experience any adverse effects as a result of the proposed development.

Privacy/outlook: Privacy is managed in accordance with the development controls as a result of each window in the development providing the required outlook space (H10.6.10) within the subject site. The main privacy effects will be temporary in nature and duration, associated with residents/occupant moving along the breezeway. Given the outlook towards the beach is on the opposite side of the building, it is unlikely that the breezeway will be used by occupants for any significant period of time. This helps to reduce the significance of the effect.

Dominance: Dominance of the proposed building in relation to the Nautilus is reduced by way of the high-quality building design, varied facades, variety of materials, the interesting roof form as well as the sufficient setbacks from the common boundary. Moreover, the building is significantly smaller than the Nautilus and therefore cannot be seen to be dominated by the proposed bulk or location.

Shading: The proposed building will generate shading effects that will be felt at this site. The timing and duration of shading will be limited to the morning hours, and is as generally anticipated by the zone, which provides for tall buildings with little to no setback from adjacent sites.

At above floors where both buildings are for residential living and hotel stays there will be some units that lose their direct ocean view as a result of the development. While this is unfortunate, these views are not protected, and the proposed development is of a height and scale that is reasonably anticipated within the town centre zone. Where the units are located at a similar height, the proposed development has managed the potential effects of privacy and overlooking within the proposed design. This includes minimal glazing on the western elevation, use of a suitably distanced setback breezeway to provide access to units. Breezeways are not habitable spaces, and it is considered unlikely that residents will loiter in these spaces to generate overlooking or privacy effects on the adjacent hotel rooms.

As noted above, additional residents nearby will increase the viability of businesses along the ground level of this building and centre vitality due to increase potential clients and customers.

Construction, traffic and noise effects are considered in a section below.

Overall, while there are some units that have their direct beach views impacted by the proposed development, they maintain views to the north and south and beach front views across the subject site are not protected. While the occupants of the units may consider the effects to be significant, my professional opinion is that the resultant character and amenity effects are within the realm of reasonably anticipated, are managed by the design and materials of the proposal and are of a less than minor scale and significance.

6-10 Moana Avenue

Having regard to the site description and photo within section 4.0 of this AEE, the following is noted;

These one to two storey retail units are located north of the subject site and are therefore less likely to experience any adverse shading effects as a result of the proposed development. The vehicle access ramp through the subject site is maintained as part of the development and will continue to provide access to approximately 52 parking spaces on this site.

As noted above, additional residents nearby will increase the viability of businesses and centre vitality due to increase potential clients and customers.

Construction, traffic, and noise effects are considered in a section below.

Overall, given the location of the site and nature of the activities carried out, we consider the owners and occupiers of this site will be affected to a less than minor degree.

Conclusion on character and amenity effects on adjoining properties:

Overall, any adverse character and amenity effects on the people (owners or occupiers) of adjacent properties will be less than minor and as reasonably anticipated by the Auckland Unitary Plan.

7.1.4 Earthworks/Infrastructure Effects

Enclosed within **attachment F** to this Assessment is a Civil Engineering Report which provides an analysis of the civil effects of the proposal. This was completed by a suitably qualified and experienced civil engineer. This assessment concludes that the proposal is acceptable from a civil engineering perspective, in particular;

The site works are acceptable and will be undertaken in a manner that minimises the potential effects of dust, nuisance erosion and sediment laden water leaving the site. The proposed ESCP measures are in accordance with GD05.

The proposed development will be connected to the range of services including water, wastewater and stormwater. The increased demand on public services will be offset by development contributions, and the upgrades are done at the cost of the consent holder.

The Civil Engineers have assessed the site in relation to the identified natural hazards. In their opinion, the potential scale and significance of the effect is less than minor and acceptable. The proposal reduces the amount of ground floor retail/office space and does not increase the number of parking spaces or sensitive activities at ground level. Any sensitive uses are located above ground level and free from any kind of natural hazards. This ensures that the risk to people and property is not increased.

Overall, relying on the assessment of the civil engineer, any adverse effects from earthworks, infrastructure and natural hazards will be less than minor.

7.1.5 *Transportation Effects*

Enclosed within **attachment G** to this Assessment is a Traffic Impact Assessment which provides an analysis of the traffic safety and amenity effects of the proposal. This was completed by a suitably qualified and experienced traffic engineer. This assessment concludes that the proposal is acceptable from a traffic engineering perspective, in particular;

As noted in the sections above, the site has currently been provided with two existing vehicle crossings. The eastern vehicle crossing will remain, in its current width at 6.2m wide, and provide access to the site and neighbouring above ground parking area. The western vehicle crossing will be disestablished and returned to kerb and footpath will be reinstated and two additional on street parking spaces are proposed.

While the site is within the key retail frontage area, these proposed access arrangements are considered compliant and appropriate with the AUP. In this regard to proposal reduces the number of vehicle crossings, re-designs the crossing to provide priority for pedestrians, and installs a canopy above the footpath for amenity.

The traffic generated by the development is considered to be readily accommodated for within the current road network. As the town centre is already well developed the vehicle volumes within the street are considered unlikely to noticeably change. The nearest intersection is 100m east of the site, and sightlines from the site exceeds 150m (five time that which is required). This will enable ease of movement into and out of the street while having little to no effect on the road network, flow of traffic, and/or potential queueing at intersections.

While there are no longer any minimum or maximum requirements, the number of proposed parking spaces are considered appropriate, meeting some demand from residents, and is consistent with the Auckland Unitary Plan. The 62 car parks at 8 Moana Avenue and the ramp access will remain as existing to service those activities.

On site manoeuvring is considered to be appropriate for both cars and rubbish trucks

servicing the site. Reverse manoeuvring at 8 Moana Avenue will also mean that all vehicles can enter and exit the site in a forward gear.

The removal of the western vehicle crossing will improve pedestrian safety along the public footpath. As will the re-design of the vehicle crossing to prioritise pedestrian movement across the driveway. The provision of a retail/café unit on the ground floor will also continue to provide for ground floor passive surveillance throughout the day.

Other traffic related recommendations include the following:

- Construction activities can be managed to ensure any generated traffic effects are appropriately mitigated.
- Rubbish collection activities are undertaken outside of peak periods; and
- A Construction Traffic Management Plan (CTMP) should be required as a condition of consent.

The traffic engineers at Commute confirm; *“there are no traffic engineering or transportation planning reasons that would preclude the development of the subject site as proposed.”* Page 9

Relying upon the results of the Traffic Impact Assessment, we consider that the effects of the proposal on traffic safety, efficiency and amenity will be less than minor.

7.1.6 Construction Effects

Construction effects have the potential to generate adverse effects on the environment and for people. These can relate to the hours and days of construction, noise and vibration and traffic, plus health and safety and cumulatively from the overall duration of the works. Conditions relating to construction effects and the requirement for detailed construction management plans can be imposed on this consent as is usually the case.

Hours and days of construction:

Construction will predominantly occur within traditional trading hours Monday-Friday, and limited hours on Saturdays. Conditions relating to this matter could be imposed.

Noise and Vibration:

The noise and vibration caused by the development is unlikely to generate significant adverse effects as construction noise is to be anticipated within reasonable hours. Conditions relating to this matter, including the requirement for a construction noise and vibration management plan should be imposed.

Health and Safety:

The health and safety measure related to construction will be outlined in the contractor's health and safety requirements with nothing indicating that this site or project is unusual or highly risky.

Overall, the proposal will generate temporary construction effects that are reasonably anticipated to occur with the development of centre zoned sites and will be managed in line with best practice construction methodology as is usually the case in medium rise centre zoned development. In this regard the temporary construction effects are of a less than minor scale and significance and as reasonably anticipated.

7.1.7 Cumulative Effects

The potential effects from the accumulation of the effects of the multi-storey, mixed use development as a whole is not such that challenges the general zoning strategy of the town centre zone or of the AUP(OP) as a whole, the proposal is not contrary to the objectives and policies and any adverse effects are acceptable. It is therefore our opinion that there are no adverse cumulative effects.

7.1.8 Effects Conclusion

As a result of the assessment provided above, it is our opinion that any adverse effects of the activity for which resource consent is sought will result in minor adverse effects on the environment and will adversely affect people of adjacent properties in a less than minor way. Therefore, the proposed development will be acceptable in this particular context of Orewa Town Centre.

8.0 Relevant Provisions of Planning Instruments – S104(1)(b)

8.1 Auckland Unitary Plan

8.1.1 Objectives and Policies

The relevant objectives and policies are located in chapters H10, E12, E23, E24, E25, E27, E36, E38 and E40 and are outlined within **attachment E**.

H10 Business – Town Centre zone:

Appendix 1 of the Urban Design Report (page 18-26) provides assessment against each of the objectives and policies from the Town Centre zone.

We agree and rely on this assessment and consider it sufficient to confirm consistency with the zone intent. Moreover, the proposal is not contrary to any directive objectives or policies.

E12 Land Disturbance:

Land disturbance activities are required to facilitate this proposed development. This area and volume of land works is reasonably anticipated and mitigates the potential effects included in E12.3.(2). This includes limiting the works which may increase the likelihood of discovering sensitive materials or disturbing any unknown areas of value to Mana Whenua. It should also be noted that any accidental discoveries will be managed as per E12.3(4).

As per E12.3(3), the proposed earthworks are considered necessary to improve and develop the existing site, and better provide for the social and economic needs of owners/residents. The required earthworks are mainly in relation to creating the foundations for the new residential building.

The erosion and sediment control methods in accordance with TP90/GD05 which will be applied on site to control and mitigate the potential sediment laden runoff of the site. As per E12.3(6) this helps to maintain the stability and safety of the site and surrounding sites.

Additionally, the accidental discovery protocols, which can be included as a condition of consent (or advice note), will ensure any effects on unidentified features will be avoided.

E23 Signs:

The proposed building signage relates to the naming of the building “IVY” and retail tenancy sign. This is located on the eastern elevation of the building and is to be used for landmark and navigation purposes from the beach and main road (E23.2(1)). Signage related to the ground floor retail unit/café is limited to within the immediate receiving environment. This is contained within the ground floor façade and under the verandah. This signage is considered appropriate and does not seek to detract from the exterior of the buildings and its architectural features as per E23.3(2). Given its location it is also unlikely that this sign will be visible from drivers on the street, and thus limiting the potential effect on pedestrian safety as per E23.2(4). For the above reasons, the proposal is compliant with the intent of the signage objectives and policies with no visual clutter or traffic safety issues resulting.

E24 Lighting:

The proposal will provide lighting to the required intensity to ensure the safety and security of the car park users and pedestrians onsite (E24.2(1), E24.3(1)). This will be controlled so that the lighting spill does not adversely affect road users or any sensitive activities that may be in the vicinity (although we have not identified any particularly sensitive activities) as per E24.2(2) and E24.3(2). For these reasons we consider the proposal is consistent with the objectives and policies noted above.

E25 Noise and Vibration:

The range of activities proposed are not such that would indicate excessive noise being generated from the site (or any infringement to noise standards within the Business – Town Centre zone) this is consistent with E25.2(1) and E25.3(1). The mechanical plant required to service the building will be sized, located and screened to ensure there are no issues for adjacent properties consistent with

policies E25.3(2) and (3). In terms of construction noise and vibration, these will be managed suitably through construction management plans covered by appropriately worded conditions of consent and to be submitted at a later date consistent with E25.2(4) and E25.3(10). For these reasons we consider the proposal is consistent with the noise objectives and policies.

E27 Transport:

The proposal fully complies with the transportation requirements of the plan. With reference to the findings within the traffic report;

- Trip generation: is not such that compromises the local transport network or intersections. Moreover, the site is located within a centre which is the focus of commercial, community and business activities, and where trip generation is encouraged.
- Parking: provides for the reasonable demand of the business activities onsite. The parking spaces are of a location, size and gradient that are suitable. The proposal therefore aligns with Objective 3 and Policies E27.3(3), (6), (9) and (17)-(18).
- Loading: is provided in a way that responds to the demand from onsite activities and is of a location, size and gradient that are suitable. This remains the same as existing and consented. The proposal therefore aligns with Policies E27.3(15)-(18).
- Access: the number of vehicle crossings are reduced, and the remaining vehicle crossing will be re-designed to provide priority for pedestrians. The access is of an appropriate width, gradient and location with less than minor effects on the network or pedestrians.

As such, the proposal will operate in a safe and efficient manner with no additional adverse effects on the transport network.

Therefore, we consider the proposal to be consistent with the transportation objectives and policies.

E36 Natural hazards:

With reference to the Auckland Council GIS Viewer, the site is partially subject to a Flood Plain and a minor overland flow path. The Civil Engineering assessment has considered these factors and concludes the proposed re-development of this site does not increase the risk to people or property from flooding or coastal inundation.

There is a reduction in ground level activities that might be vulnerable to the effects of flooding, and this reduces the potential impact. The residential activities are limited to the upper levels of the building which are well above any potential flood levels.

The accessway is maintained as existing and this does not increase any risk from flooding.

For the above reasons, and relying on the conclusions in the Civil Report, we consider the proposed re-development is consistent with the relevant objectives and policies relating to natural hazards.

E40 Temporary Activities:

The temporary construction activities on site will contribute to a more vibrant urban environment and contribute to the social and economic well-being of the neighbourhood. Waste litter and construction vehicles will be contained within the site or where appropriate and noise will be minimized within permitted levels.

Objectives and Policies Conclusion:

Overall, on the basis of the discussion above, the advice and assessment contained within the specialist reports, and the assessment contained within the balance of this AEE, it is concluded that the proposal is not inconsistent or contrary to the relevant objectives and policies of the Auckland Unitary Plan: Operative in Part.

8.1.2 Standards

As outlined in **attachment D**, the proposal generally complies with the applicable standards aside from those identified within section 6.1 of this AEE.

8.1.3 Matters of Discretion / Assessment Criteria

The above range of matters are discussed within the sections above in the AEE, and we do not propose to address these any further except to say that the proposal does not interfere or conflict with any of the above matters.

H10 Business – Town Centre zone

(2) new buildings and alterations and additions to buildings not otherwise provided for:

(a) the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:

(i) the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;

(ii) the maintenance or enhancement of amenity for pedestrians using the public space or street;

(iii) the provision of convenient and direct access between the street and building for people of all ages and abilities;

(iv) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and

(v) the effectiveness of screening of car parking and service areas from the view of people using the public space;

(b) the provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time;

(c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:

(i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;

(ii) the degree of visibility that it provides between the public space and the building interior; and

- (iii) the opportunities for passive surveillance of the street from the ground floor of buildings;
- (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
- (e) the application of crime prevention through environmental design principles to the design and layout of buildings adjoining public spaces;
- (f) the effects of creation of new roads and/or service lanes on the matters listed above;
- (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
- (h) taking an integrated stormwater management approach; and
- (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;

(6) buildings that do not comply with the standards:

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the amenity of neighbouring sites;
- (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (f) the characteristics of the development;
- (g) any other matters specifically listed for the standard; and
- (h) where more than one standard will be infringed, the effects of all infringements.

Land Disturbance:

E12.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

(1) all restricted discretionary activities:

- (a) compliance with the standards;
- (b) effects of noise, vibration, odour, dust, lighting and traffic on the surrounding environment;
- (c) effects on the stability and safety of surrounding land, buildings and structures;
- (d) effects on overland flow paths and flooding;

- (e) protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin;
- (f) the treatment of stockpiled materials on the site including requirements to remove material if it is not to be reused on the site;
- (g) staging of works and progressive stabilisation;
- (h) information and monitoring requirements;
- (i) timing and duration of works;
- (j) term of consent;
- (k) potential effects on significant ecological and indigenous biodiversity values;
- (l) risk that may occur as a result of natural hazards;
- (m) protection of or provision of network utilities and road networks.
- (n) potential effects on the natural character and values of the coastal environment, lakes, rivers and their margins, where works encroach into riparian or coastal yards; and
- (o) positive effects enabled through the land disturbance.

Signs:

Signs

E23.8.1. Matters of discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary resource consent application:

- (1) visual amenity;
- (2) scale and location;
- (3) lighting and traffic and pedestrian safety;
- (4) duration of consent; and
- (5) cumulative effects.

Transport:

E27.8.1. Matters of discretion

(10) use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):

- (a) effect on the transport network; and
- (b) street and pedestrian amenity.

Natural Hazards:

E36.7.1. Matters of control

(1) for surface parking areas and above ground parking areas (excluding parking on roads) in the 1 per cent annual exceedance probability (AEP) floodplain:

- (a) the effects of the location and design of parking;

- (b) actions necessary to protect people in flood events; and
- (c) the design of containment structures.

E36.8.1. Matters of discretion

(9) for new structures and buildings (and external alterations to existing buildings) with a gross floor area up to 10m² within the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with standard E36.6.1.9; and all other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain:

- (a) the effects of the location of the structures and building platforms;
- (b) the effects of flood hazards on the structural integrity of a building or structure;
- (c) the effects of storage of outdoor goods and materials;
- (d) the effects of the location and design of roads, accessways and parking areas;
- (e) the extent of any associated earthworks;

(10) for use of new buildings to accommodate more vulnerable activities, and changes of use to accommodate more vulnerable activities within existing buildings located within the 1 per cent annual exceedance probability (AEP) floodplain:

- (a) the type of activity being undertaken and its vulnerability to flood events;
- (b) the likelihood and consequences of a flood event in relation to more vulnerable activities;
- (c) the possible effects on public safety and other property resulting from the proposed development or activity;
- (d) the effects on landscape values, associated earthworks and land form modifications;
- (e) the effects on public access;
- (f) the methods provided to manage activities and uses within the site, including safe egress from buildings and structures or the site and the management of people and property during a flood event;
- (g) any exacerbation of an existing flood hazard or creation of a new flood hazard as a result of the proposed activity or development and possible effects on public safety and other property;
- (h) the proposed use of, necessity for and design of hard engineering solutions to mitigate the hazard;

- (i) the ability to relocate buildings or structures, including the proposed duration of occupation of the buildings or structures, taking into account the long term likely effects of climate change; and
- (j) the ability to design, construct and maintain buildings or structures so that they are resilient to the effects of the hazard.

9.0 Other Matters – S104(1)(c)

It is considered that there are no other matters considered relevant to the consideration of this proposal.

10.0 Resource Management Act

10.1 Part II of the Act

Having considered the matters set out in Part 2 of the Act, it is concluded that:

- The sustainable management of the zone, as anticipated by the Plan, will be promoted and the adverse effects on the existing and reasonably anticipated amenity values adequately avoided, remedied or mitigated.
- From the discussion provided earlier in this report, it is considered that the proposal will not adversely affect any matters of national importance.
- The proposal will not compromise any of the other matters identified under section 7. In particular, the proposal will;
 - Use land efficiently,
 - Maintain the quality of the environment,
 - Maintain amenity values.
- The proposal does not have any implications on the application of the principles of the Treaty of Waitangi (section 8).

The proposal is therefore considered to meet the purpose of the Act and will be a sustainable use and development of natural and physical resources, whilst ensuring any adverse effects on the

environment as a result will be appropriately avoided, remedied or mitigated.

10.2 Notification

10.2.1 Public Notification Assessment (Sections 95A, 95C-95D)

A consent authority must follow the steps set out in this section, in the order given, to determine whether to publicly notify an application for a resource consent.

- *Step 1: mandatory public notification in certain circumstances*

Public notification is not mandatory because the applicant does not seek public notification, it is not required due to s95C, and the applicant is not related to a joint application to exchange reserve land.

- *Step 2: if not required by step 1, public notification precluded in certain circumstances*

The application is not precluded from public notification because there are no rules that preclude public notification entirely, and the application is not a controlled activity or a boundary activity.

- *Step 3: if not precluded by step 2, public notification required in certain circumstances*

The application does not require public notification under step 3 because there are no rules that require public notification and based on the assessment undertaken within this application and the specialist reports, we consider public notification is not required due to S95D as the effects on the environment are minor.

- *Step 4: public notification in special circumstances*

We consider that there are no special circumstances for this application as the site is zoned for higher density apartment / mixed use development, in the form of tall apartment

buildings, and the site works to facilitate the development are minimal with no cumulative or long-term adverse effects.

As such, the application should not be described as being out of the ordinary and giving rise to special circumstances.

For these reasons, we do not consider there to be any special circumstances that would warrant public notification of this proposal.

Conclusion on Public Notification

Based on the assessment contained within this AEE, and the specialist reports, the proposal results in less than minor adverse effects, there are no special circumstances and therefore public notification is not required, nor is it desirable.

10.2.2 Limited Notification Assessment (Sections 95B, 95E – 95G)

- *Step 1: certain affected groups and affected persons must be notified*

The proposal does not require limited notification due to step 1 because there are no affected customary rights groups or customary marine title groups who are affected. Moreover, the proposal does not adversely affect any persons who have land with statutory acknowledgement to the extent that requires them to be notified.

- *Step 2: if not required by step 1, limited notification precluded in certain circumstances*

Limited notification is not precluded due to step 2 because there are no rules that preclude limited notification overall, and the activity is not a controlled activity or a prescribed activity.

- *Step 3: if not precluded by step 2, certain other affected persons must be notified*

The proposal does not require limited notification to any adjacent landowners because, having regard to the assessment contained within this AEE and the specialist reports, we consider the owners and occupiers

of adjacent land to be affected to a less than minor extent.

- *Step 4: further notification in special circumstances*

We consider that there are no special circumstances for this application as the site is zoned for higher density apartment / mixed use development, in the form of tall apartment buildings, and the site works to facilitate the development are minimal with no cumulative or long-term adverse effects.

As such, the application should not be described as being out of the ordinary and giving rise to special circumstances.

For these reasons, we do not consider there to be any special circumstances that would warrant limited notification of this proposal.

Conclusion on Limited Notification

Based on the assessment contained within this AEE, and the specialist reports, the proposal results in less than minor adverse effects, and there are no special circumstances that warrant limited notification of any person.

10.2.3 Non-Notification

Accordingly, the application could appropriately proceed on a non-notified basis.

10.3 Section 104 and 104C

The proposal has been considered in terms of the relevant provisions of Sections 104 and 104C with regard to restricted discretionary activities. This assessment has concluded that the proposal will have no more than minor effects on the environment and is consistent with relevant objectives and policies of the Auckland Unitary Plan.

10.4 Section 108 – Conditions

The applicant undertakes to avoid, remedy or mitigate the potential adverse effects of the

proposal on the environment, including those effects likely to arise during the construction period. Nevertheless, and in accordance with section 108 of the Act, the applicant accepts the imposition of the Council's standard conditions of consent relating to the matters for which consent is required in this case.

It would be appreciated if you could please send a copy of the draft conditions to Daniel Shaw daniel@sfhconsultants.co.nz prior to a decision being released so that we can review and accept to avoid any objections being lodged as a result of concerns arising post decision.

10.5 Section 125 – Lapsing of Consent

Section 125 of the RMA provides that if resource consent is not given effect to within five years of the date of the commencement (or any other time as specified) it automatically lapses unless the consent authority has granted an extension. In relation to this proposal, the applicant seeks the standard timeframe of five years to give effect to the resource consent once granted.

11.0 Conclusion

The applicant seeks resource consent for the re-development of the site providing for the multi-level, mixed use development and associated site works, and services at 7 Tamariki Avenue, Orewa.

The assessment contained within this report concludes that, subject to a range of conditions the actual and potential adverse effects on the environment will be less than minor and the proposal is not contrary to the relevant objectives and policies of the Auckland Unitary Plan.

As such, this report concludes that consent could be granted, subject to conditions, because the proposal meets the provisions of 104, 104C and Part 2 RMA and is acceptable.

Attachment A – Record of Title and Interests



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier NA1315/17
Land Registration District North Auckland
Date Issued 27 June 1956

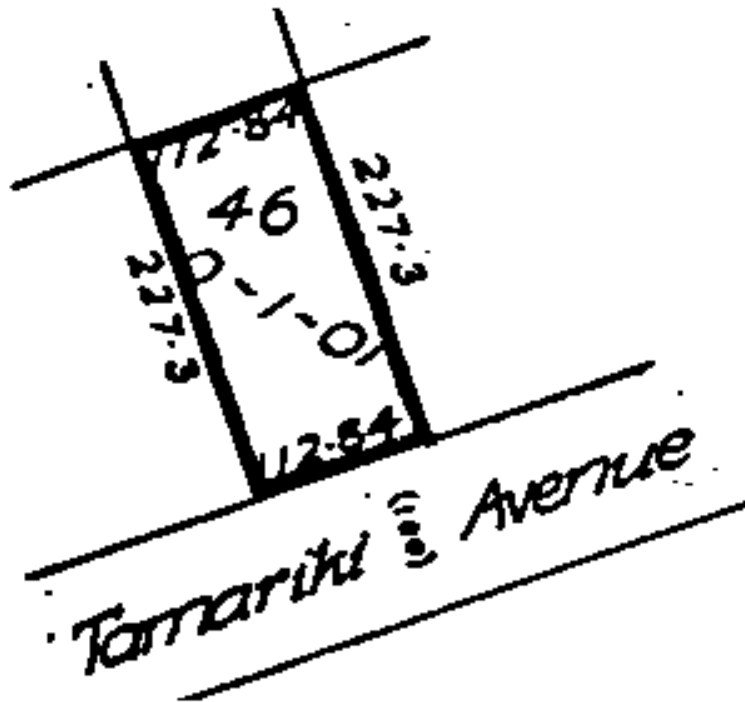
Prior References
NA819/209

Estate Fee Simple
Area 1037 square metres more or less
Legal Description Lot 46 Deposited Plan 18948
Registered Owners
Great Castle Limited

Interests

Subject to a right of way over part marked A on Plan 104038 created by Transfer B370828.1 - 17.1.1985 at 2:47 pm
11683291.3 Mortgage to Kookmin Bank - 17.3.2020 at 4:29 pm
12314813.1 CAVEAT BY K RD INVESTMENTS LIMITED - 26.11.2021 at 11:40 am

EQUIVALENT METRIC
AREA IS 1037m²
1037m²





View Instrument Details

Instrument Type	Caveat against dealings with land under Section 138 Land Transfer Act 2017
Instrument No	12314813.1
Status	Registered
Date & Time Lodged	26 November 2021 11:40
Lodged By	Van Velthooven, Ben Andrew Hendrik

Affected Records of Title	Land District
NA1315/17	North Auckland

Registered Owner
Great Castle Limited

Caveator
K Rd Investments Limited

Estate or Interest claimed
Agreement for Sale and Purchase dated 18/11/2021 between the Registered Owner Great Castle Limited as vendor and the Caveator K Rd Investments Limited as purchaser

Notice
Take notice that the Caveator forbids the registration of any instrument, or the recording of any matter in the register that transfers, charges, or prejudicially affects the estate or interest protected by this caveat until this caveat is withdrawn by the Caveator, removed by order of the High Court, or until the same has lapsed under the provisions of section 143 of the Land Transfer Act 2017.

Address for Service of Caveator
K Rd Investments Limited
C/- Claymore Partners
PO Box 1382 Shortland Street
Auckland
New Zealand
1140

Address for Registered Owner
Great Castle Limited
C/- Morrison Kent Lawyers
PO Box 222 Shortland Street
Auckland
New Zealand
1010

Caveator Certifications



View Instrument Details

Caveator Certifications

I certify that I have the authority to act for the Caveator and that the party has the legal capacity to authorise me to lodge this instrument

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Ben Andrew Hendrik Van Velthooven as Caveator Representative on 26/11/2021 11:39 AM

*** End of Report ***

Approved by the Registrar-General of Land, Wellington, No. 367635.80
Approved by the District Land Registrar, North Auckland, No. 4363/80

B370828.1

\$10
TE

Under the Land Transfer Act 1952

Memorandum of Transfer

THE RODNEY COUNTY COUNCIL (hereinafter called "the Transferor")

of an estate in fee simple

being registered as proprietor

02N084 15522 QTY *****\$10.00

NEW ZEALAND STAMP DUTY MKB

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in all that piece of land situated in the Land District of North Auckland containing 1037 Square Metres

✓ more or less being Lot 46 Deposited Plan 18948 and being part Allotment 95 Parish of Waiwera and being all the land comprised and described in Certificate of Title Volume 1315 Folio 17 (North Auckland Registry) (called "the Servient Tenement") BEING SUBJECT TO: Caveat B.532920.1

IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) (the receipt of which sum is hereby acknowledged) paid to it by BIG BAY DEVELOPMENTS LIMITED at Orewa (called "the Transferee") being registered as proprietor of those estates in fee simple described in the schedule hereto called "the Dominant Tenements")

HEREBY TRANSFERS and grants to the Transferee to be forever appurtenant to the Dominant Tenements an easement of Right-Of-Way over that part of the Servient Tenement above described shown marked (A) on Deposited Plan No. 104038) The registered proprietor of the Dominant Tenements or if there shall be more than one the registered proprietors in their respective shares that they shall be registered as proprietors of the Dominant Tenements shall maintain and repair the carriageway formed on the Servient Tenement provided always that the registered proprietor of the Servient Tenement shall be responsible to maintain and repair the carriageway in the event that such maintenance or repairs are required as the direct result of the wrongful act or omission of the registered proprietor of the Servient Tenement; and any dispute as to the liability of the parties under this covenant shall be determined by arbitration under the Arbitration Act 1908.

S

SCHEDULE

An estate in fee simple containing 1037 Square Metres more or less being Lot 21 on a plan deposited in the Land Registry Office at Auckland as No. 18948 (Town of Orewa Extension No. 14) and being part of Allotment 95 of the Parish of Waiwera and being all the land comprised and described in Certificate of Title Volume 737 Folio 168 (North Auckland Registry)
BEING SUBJECT TO: Sections 16 and 17 of the Land Act 1924, Drainage and other rights created by Transfer No. 210744, Agreement as to Fencing contained in Transfer No. 327716, Memorandum of Mortgage No. B.297334.3, B327679.3.

An estate in fee simple containing 1037 Square Metres more or less being Lot 22 on a plan deposited in the Land Registry Office at Auckland as No. 18948 (Town of Orewa Extension No. 14) and being part Allotment 95 of the Parish of Waiwera and being all the land comprised and described in Certificate of Title Volume 784 Folio 42 (North Auckland Registry)
BEING SUBJECT TO: Sections 16 and 17 of the Land Act 1924, Drainage rights created by Transfer No. 210744, Fencing Agreement in Transfer No. 341935, Memorandum of Mortgage No. B.297334.2, B327679.3.

An estate in fee simple containing 1037 Square Metres more or less being Lot 23 on a plan deposited in the Land Registry Office at Auckland as No. 18948 (Town of Orewa Extension No. 14) and being part Allotment 95 of the Parish of Waiwera and being all the land comprised and described in Certificate of Title Volume 743 Folio 227 (North Auckland Registry)
BEING SUBJECT TO: Sections 16 and 17 of the Land Act 1924, Drainage rights created by Transfer 210744, Fencing Agreement in Transfer No. 333848, Memorandum of Mortgage No. B.297334.2, B327679.3.



KNIGHT COLDICUTT & CO.
barristers & solicitors

Denis Samuel Knight LL.B.
Addison John Hilary Coldicutt LL.B.

Central Theatre Building
73 St. George St. Papatoetoe, N.Z.

Telephone 278-8192
P.O. Box 23-138, Papatoetoe.

The District Land Registrar,
Land Transfer Office,
AUCKLAND

17th January, 1985

Attention: Mrs C.B. Williams

Dear Sirs,

re: Abstracts B.362032, B.358158 & B.350430 - Big Bay Developments
Limited and Rodney County Council

We refer you to the attached above abstract dealings, all of which have been rejected and the attached registration. We confirm our telephone conversation with Mrs Williams of 16th January to the effect that the production slip in respect of Certificate of Title 1315/17 was filed with our first dealing but has subsequently been mislaid between our respective offices. Attached to the documentation is an authority from Messrs Butler, White & Hanna authorising us to register against that production slip and quoting the number of same. We would be grateful if you could register the documents as a matter of urgency. We understand it will be possible to register against the copy production slip being held on your file with respect to Certificate of Title 1315/17.

PLEASE RING 278-8192 IF THERE ARE ANY PROBLEMS.

Yours faithfully,
KNIGHT COLDICUTT & CO.

A.J.H. Coldicutt

PARTNERS

HANNA, LL.M.
CAMERON
D. N. LEE, LL.B.
B. K. G. SANDERSON, LL.B., NOTARY PUBLIC
R. W. WORTH, M. JUR.
N. R. CAMERON, LL.B. (HONS) LL.M.
R. J. KATZ, LL.B. (HONS)
J. R. FLAWS, M. JUR.
M. L. S. COOPER, M. JUR.

CONSULTANT

B. L. MACEDO, LL.B.

BUTLER, WHITE & HANNA

BARRISTERS AND SOLICITORS

17 ALBERT STREET
AUCKLAND
NEW ZEALAND

TELEPHONE: (09) 770-989

P.O. BOX 46, AUCKLAND 1.

TELEX: NZ 2678

FAX: (09) 32-533 GIII

DX 11

WHEN REPLYING OR CALLING
PLEASE REFER TO

C.C.G. Bradley
369055

17 January 1985

Messrs Knight, Coldicutt & Co.,
Solicitors,
DX 700.

FOR: MRS NICHOLSON

Dear Sirs,

BIG BAY DEVELOPMENTS LIMITED - THE RODNEY COUNTY COUNCIL

We enclose a photocopy of our production notice. We authorise you to register the right of way transfer and look forward to receipt of the title following registration of the transfer.

Yours faithfully,
BUTLER WHITE & HANNA



C.C.G. BRADLEY

Encl. -

T0004X/5

NOTICE OF PRODUCTION OF INSTRUMENTS

L & D 107

The District Land Registrar

Private Bag

For office use only

Date

00 06 NOV 84 Number 021077

AUCKLAND

The following are produced
instruments Produced by Number or C.T. Reference

CT 1315/17

To enable registration of:

- 1. A TRANSFER from RODNEY COUNTY to BIG BAY DEVELOPMENTS
- 2. A CREATING RIGHT from COUNCIL LTD
- 3. A OF WAY from
- 4. A from

After Registration Instruments Listed Above To Be Returned To:

BUTLER WHITE & HANNA (CCGB)
SOLICITORS LTD BOX 24
AUCKLAND

JM

This copy to be returned to firm producing as its receipt.

Received Above Instruments
For D.L.R. / /

WESTPAC FINANCE LIMITED and WESTPAC SECURITIES LIMITED, both
duly incorporated companies having their registered offices at
Auckland, and both being the Caveator under Caveat No. B.332920.1
(North Auckland Registry) HEREBY CONSENT to the within transfer
granting a right of way easement.

DATED this

10th

day of

December

1984.

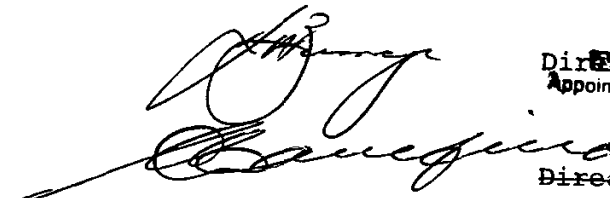
THE COMMON SEAL of)
)
WESTPAC FINANCE LIMITED)
)
was hereto affixed in)
)
the presence of:-)




~~Director~~
Appointed Officer
Director/Secretary

THE COMMON SEAL of)
)
WESTPAC SECURITIES LIMITED)
)
was hereto affixed in the)
)
presence of:-)




~~Director~~
Appointed Officer
Director/Secretary

Office use only

In Consideration of

(the receipt of which sum is hereby acknowledged)

Do hereby Transfer to the said

all

estate and interest in the

said land above described

In witness whereof these presents have been executed this

14

day

of August

19 84

The Common Seal of

~~Signed by the above named~~

RODNEY COUNTY COUNCIL

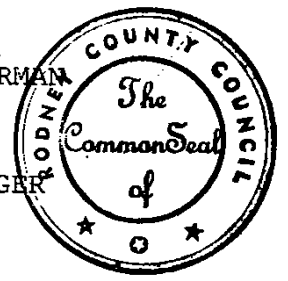
was hereunto affixed
in the presence of:—

[Signature]

COUNTY CHAIRMAN

[Signature]

COUNTY MANAGER

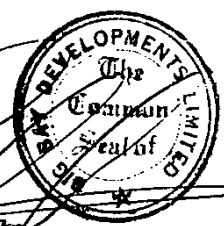


THE COMMON SEAL of BIG BAY

DEVELOPMENTS LIMITED was

hereunto affixed in the
presence of:

[Signature]



No...

TRANSFER OF

Correct for the purposes of the Land Transfer Act.

Solicitor for the Transferee.

THE RODNEY COUNTY COUNCIL Transferor

I HEREBY CERTIFY THAT THIS TRANSACTION DOES NOT CONTRAVENE THE PROVISIONS OF PART (IIA) OF THE LAND SETTLEMENT PROMOTION AND LAND ACQUISITION ACT 1952.

SOLICITOR FOR THE TRANSFEREE

BIG BAY DEVELOPMENTS LIMITED Transferee

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

Assistant / District Land Registrar

of the District of



2.47 17 JAN 85 B 370828
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCKLAND
ASST. LAND REGISTRAR

13/5/17
737/168
784/42
743/227

KNIGHT COLDICUTT & CO.,
SOLICITORS,
PAPATŌTŌE



Solicitors for the Transferee

AUCKLAND DISTRICT LAW SOCIETY

Attachment B – AUP Planning Maps and Aerials

Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

Address

7 Tamariki Avenue Orewa 0931

Legal Description

Lot 46 DP 18948

Appeals

Modifications

Zones

Business - Town Centre Zone

Precinct

Controls

Controls: Building Frontage Control - Key Retail Frontage

Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise

Controls: Height Variation Control - Orewa, 27m

Controls: Macroinvertebrate Community Index - Urban

Overlays

Designations



pub lic

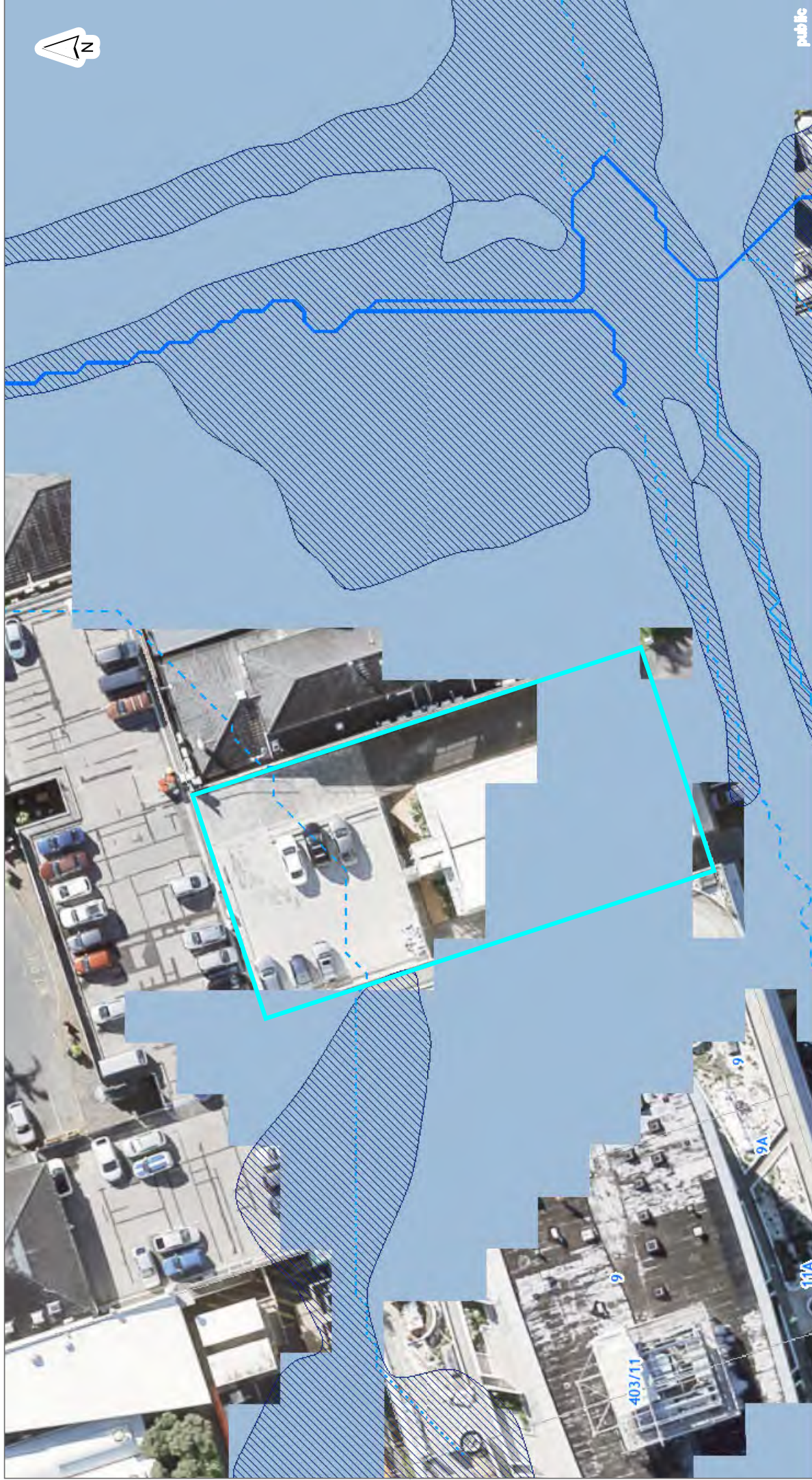


0 3.5 7 10.5
Metres

Scale @ A4
= 1:500

Date Printed:
11/03/2022

DISCLAIMER: This map/plan is illustrative only and all information should be independently verified on site before taking any action. Copyright Auckland Council. Land Parcel Boundary information from LINZ (Crown Copyright Reserved). Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and plan completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information. Height datum: Auckland 1946.




0 3.5 7 10.5
Meters
Scale @ A4
= 1:500
Date Printed:
11/03/2022


DISCLAIMER:
This map/plan is illustrative only and all information should be independently verified on site before taking any action. Copyright Auckland Council. Land Parcel Boundary information from LINZ (Crown Copyright Reserved). Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and plan completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information. Height datum: Auckland 1946.


NOTATIONS

Appeals to the Proposed Plan

 Appeals seeking changes to zones or management layers

Proposed Plan Modifications to Operative in part Plan

 Notice of Requirements

 Proposed Plan Changes

Tagging of Provisions:

[i] = Information only

[rp] = Regional Plan




[rcp] = Regional Coastal Plan

[rps] = Regional Policy Statement

[dp] = District Plan (only noted when dual provisions apply)

ZONING



Residential

-  Residential - Large Lot Zone
-  Residential - Rural and Coastal Settlement Zone
-  Residential - Single House Zone
-  Residential - Mixed Housing Suburban Zone
-  Residential - Mixed Housing Urban Zone
-  Residential - Terrace Housing and Apartment Buildings Zone








Business

-  Business - City Centre Zone
-  Business - Metropolitan Centre Zone
-  Business - Town Centre Zone
-  Business - Local Centre Zone
-  Business - Neighbourhood Centre Zone
-  Business - Mixed Use Zone
-  Business - General Business Zone
-  Business - Business Park Zone
-  Business - Heavy Industry Zone
-  Business - Light Industry Zone

Open space

-  Open Space - Conservation Zone
-  Open Space - Informal Recreation Zone
-  Open Space - Sport and Active Recreation Zone
-  Open Space - Civic Spaces Zone
-  Open Space - Community Zone
-  Water [i]



Rural

-  Rural - Rural Production Zone
-  Rural - Mixed Rural Zone
-  Rural - Rural Coastal Zone
-  Rural - Rural Conservation Zone
-  Rural - Countryside Living Zone
-  Rural - Waitakere Foothills Zone
-  Rural - Waitakere Ranges Zone


Future Urban

-  Future Urban Zone
-  Green Infrastructure Corridor (Operative in some Special Housing Areas)

Infrastructure

-  Special Purpose Zone - Airports & Airfields
Cemetery
Quarry
Healthcare Facility & Hospital
Tertiary Education
Māori Purpose
Major Recreation Facility
School
-  Strategic Transport Corridor Zone

Coastal

-  Coastal - General Coastal Marine Zone [rcp]
-  Coastal - Marina Zone [rcp/dp]
-  Coastal - Mooring Zone [rcp]
-  Coastal - Minor Port Zone [rcp/dp]
-  Coastal - Ferry Terminal Zone [rcp/dp]
-  Coastal - Defence Zone [rcp]
-  Coastal - Coastal Transition Zone













Precincts

--- Rural Urban Boundary


















--- Indicative Coastline [i]

Overlays









Natural Resources

-  Terrestrial [rp/dp]
 -  Marine 1 [rcp]
 -  Marine 2 [rcp]
 -  Water Supply Management Areas Overlay [rp]
 -  Natural Stream Management Areas Overlay [rp]
 -  High-Use Stream Management Areas Overlay [rp]
 -  Natural
 -  Urban
 -  High-Use Aquifer Management Areas Overlay [rp]
 -  Quality-Sensitive Aquifer Management Areas Overlay [rp]
 -  Wetland Management Areas Overlay [rp]
- } Significant Ecological Areas Overlay








Natural Heritage

-  Verified position of tree
 -  Unverified position of tree
 -  Group of Trees
 -  Outstanding Natural Features Overlay [rcp/dp]
 -  Outstanding Natural Landscapes Overlay [rcp/dp]
 -  Outstanding Natural Character Overlay [rcp/dp]
 -  High Natural Character Overlay [rcp/dp]
 -  Viewshafts
 -  Height Sensitive Areas
 -  Regionally Significant Volcanic Viewshafts Overlay Contours [i]
 -  Locally Significant Volcanic Viewshafts Overlay [rcp/dp]
 -  Locally Significant Volcanic Viewshafts Overlay Contours [i]
 -  Modified
 -  Natural
 -  Local Public Views Overlay [rcp/dp]
 -  Extent of Overlay
 -  Subdivision Schedule
- } Notable Trees Overlay
- } Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
- } Waitakere Ranges Heritage Area Overlay
- } Ridgeline Protection Overlay


Infrastructure

-  Airport Approach Surface Overlay
 -  Aircraft Noise Overlay
 -  City Centre Port Noise Overlay [rcp / dp]
 -  Quarry Buffer Area Overlay
 -  National Grid Subdivision Corridor
 -  National Grid Substation Corridor
 -  National Grid Yard Compromised
 -  National Grid Yard Uncompromised
- } National Grid Corridor Overlay


Historic Heritage & Special Character

-  Historic Heritage Overlay Place [rcp/dp]
-  Historic Heritage Overlay Extent of Place [rcp/dp]
-  Special Character Areas Overlay Residential and Business
-  Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]
-  Auckland War Memorial Museum Viewshaft Overlay Contours [i]
-  Stockade Hill Viewshaft Overlay – 8m height area
-  Stockade Hill Viewshaft [i]












Mana Whenua












-  Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]

Built Environment

-  Identified Growth Corridor Overlay

Controls

-  Key Retail Frontage
 -  General Commercial Frontage
 -  Adjacent to Level Crossings
 -  General
 -  Motorway Interchange Control
 -  Centre Fringe Office Control
 -  Height Variation Control
 -  Parking Variation Control
 -  Level Crossings With Sightlines Control
 -  Arterial Roads
 -  Business Park Zone Office Control
- } Building Frontage Control
- } Vehicle Access Restriction Control

-  Hazardous Facilities
 -  Infrastructure
 -  Macroinvertebrate Community Index
 -  Flow 1 [rp]
 -  Flow 2 [rp]
 -  Subdivision Variation Control
 -  Indigenous Vegetation 749.7 ha
 -  Freshwater Wetland 14.6 ha
 -  Surf Breaks [rcp]
 -  Cable Protection Areas Control [rcp]
 -  Coastal Inundation 1 per cent AEP Plus 1m Control
- } Emergency Management Area Control
- } Stormwater Management Area Control
- } Kawau Island Rural Subdivision SEAs Control

Designations

-  Designations

-  Airspace Restriction Designations



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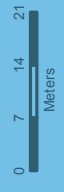
Built Environment

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Meters
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= 1:1,000
 Date Printed:
11/03/2022





309A



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Date Printed: 11/03/2022

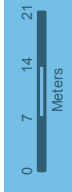


Historic Heritage and Special Character

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Infrastructure

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Mana Whenua

0 7 14 21
Meters

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Natural Heritage

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Natural Resources

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Precincts

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Attachment C – Proposed Development Plans

Attachment D – Compliance with Standards

H10 Business – Town Centre Zone			
Reference	Control	Details	Compliance
H10.6.0	Activities within 30m of a residential zone	(1) The following activities are restricted discretionary activities where they are located within 30m of a residential zone and are listed as a permitted activity in the activity table: (a) bars and taverns; (b) drive-through restaurants; (c) outdoor eating areas accessory to restaurants; (d) entertainment facilities; (e) child care centres; and (f) animal breeding and boarding. This standard only applies to those parts of the activities subject to the application that are within 30m of the residential zone.	Not Applicable – site is more than 30m from the nearest residential
H10.6.1	Building height	25m occupiable 27m total	Infringed – The proposed occupiable height is 25-26m, which is an infringement of around 1-2m. Refer to sheet RC301, RC302, RC303, ad RC401.
H10.6.2	Height in relation to boundary	Not Applicable	
H10.6.3	Building setback at upper floors	At 27m in building height all other zones require a minimum setback of 6m	Infringed – there is no 6m setback of the building after 27m in height. Refer for Sheet RC106 for the roof plan.
H10.6.4	Maximum tower dimension and tower separation	Not Applicable	
H10.6.5	Residential at ground floor	Dwellings including units within an integrated residential development must not locate on the ground floor of a building where the dwelling or unit has frontage to public open spaces including streets.	Complies
H10.6.6	Yards	Not Applicable	
H10.6.7	Landscaping	(1) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car	No parking visible from the street front

		parking, loading, or service areas which are visible from the street frontage. This rule excludes access points. (2) The required landscaping in Standard H10.6.7(1) above must comprise a mix of trees, shrubs or ground cover plants (including grass).	
H10.6.8	Maximum impervious area in the riparian yard		Not Applicable
H10.6.9	Wind	(1) A new building exceeding 25m in height and additions to existing buildings that increase the building height above 25m must not cause: (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H10.6.9.1 and Figure H10.6.9.1 below; (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m/second; and (c) an existing wind speed which exceeds the controls of Standard H10.6.9(1)(a) or Standard H10.6.9(1)(b) above to increase	Compliance will be confirmed at the detailed design stage.
H10.6.10	Outlook Space	Principal Living 6mD x 4mW Principal Bedroom 3mD x 3mW Other Habitable 1mD x 1mW	Complies
H10.6.11	Minimum Dwelling Size	(1) Dwellings must have a minimum net internal floor area as follows: (a) 30m ² for studio dwellings. (b) 45m ² for one or more bedroom dwellings.	Complies
E12 Land Disturbance - District			
Reference	Control	Details	Compliance
E12.6.1	Accidental Discovery Rule	Despite any other rule in this Plan permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the standards and procedures set out in this rule must apply.	Noted.
E12.6.2.	General standards	(1) Land disturbance within riparian yards and coastal protection yards	Not applicable as there are no

		are limited to: (a) operation, maintenance and repair (including network utilities); (b) less than 5m ² or 5m ³ ; for general earthworks; (c) less than 10m ² or 5m ³ for the installation of new network utilities; (d) installation of fences and walking tracks; or (e) burial of marine mammals.	riparian yards required at this site.
		(2) Land disturbance must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.	Noted.
		(3) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.	Noted.
		(4) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.	Noted.
		(5) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.	Noted, ESCP measures are proposed in accordance with GD05
		(6) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.	Not Applicable
		(7) Land disturbance around Transpower NZ Ltd electricity transmission line poles must: (a) be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire; and (b) be no deeper than 750mm within 2.2 to 5m of a transmission pole support structure or stay wire; except that (c) vertical holes not exceeding 500mm diameter beyond 1.5m from the outer edge of a pole support structure or stay wire are exempt	Not Applicable

		from Standards E12.6.2(7)(a) and E12.6.2(7)(b) above.	
		(8) Land disturbance around Transpower NZ Ltd electricity transmission lines towers must: (a) be no deeper than 300mm within 6m of the outer visible edge of a transmission tower support structure; and (b) be no deeper than 3m between 6-12m from the outer visible edge of a transmission tower support structure.	Not Applicable
		(9) Land disturbance within 12m of a Transpower NZ Ltd electricity transmission line pole or tower must not: (a) create an unstable batter that will affect a transmission support structure; or (b) result in a reduction in the ground to conductor clearance distances as required by New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001.	Not Applicable
		(10) Only cleanfill material may be imported and utilised as part of the land disturbance.	Noted.
		(11) Earthworks (including filling) within a 100 year annual exceedance probability (AEP) flood plain: (a) must not raise ground levels more than 300mm, to a total fill volume up to 10m ³ which must not be exceeded through multiple filling operations; and (b) must not result in any adverse changes in flood hazard beyond the site. Note1 This standard does not limit excavation and replacement of fill to form building platforms, where those works do not raise ground levels.	Not Applicable
		(12) Earthworks (including filling) within overland flow paths must maintain the same entry and exit point at the boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.	Not Applicable

		(13) Temporary land disturbance and stockpiling of soil and other materials within the one per cent annual exceedance probability (AEP) flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.	Not Applicable
		(14) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities on a site or places of Significance to Mana Whenua must be limited to the area and depth of earth previously disturbed or modified.	Not Applicable
		(15) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within the Historic Heritage Overlay must not extend more than 300 mm below the surface where additional rules for archaeological sites or features apply as listed in Schedule 14 Historic Heritage Schedule, Statements and Maps.	Not Applicable
		(16) Earthworks associated with a temporary activity on a site or place of significance to Mana Whenua shall be limited to the area of earthwork previously disturbed or modified.	Not Applicable
		(17) Earthworks/land disturbance for the planting of any tree within the Historic Heritage Overlay must not be undertaken where additional rules for archaeological sites or features apply as listed in Schedule 14 Historic Heritage Schedule, Statements and Maps, other than as a replacement for a pre-existing tree; and, within the area previously occupied by the root plate of the pre-existing tree.	Not Applicable
E23 Signs			
Reference	Control	Details	Compliance
	There are no standards relating to comprehensive development signage.		
E25 Noise and vibration			
Reference	Control	Details	Compliance

E25.6.2	Maximum noise levels in residential zones	Monday to Saturday 7am to 10pm & Sunday 9am to 6pm: 50dBLAeq All other times: 40dBLAeq 75dBLAFmax	Complies – We don't expect that a residential apartment would infringe the noise standards.
E25.6.27.1	Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone	Various Refer to noise level table	Complies – we recommend that conditions are imposed to ensure the construction noise and vibration is compliant.
E27 Transport			
Reference	Control	Details	Compliance
E27.6.1	Trip Generation	Residential dwellings up to 100 units	Not Applicable
E27.6.2.4	Parking Rates – Area 1	THAB zone: No Minimum No Maximum	Complies
E27.6.2.5	Required bicycle parking rates	Developments of 20 or more dwellings: Visitor (short-stay): 1 per 20 dwellings Secure (long-stay): 1 per dwelling without dedicated garage	Not Applicable
E27.6.2.6	Required End of Trip Facilities	Not Applicable	Not Applicable
E27.6.2.7	Minimum Loading Space Requirements	Not Applicable	Not Applicable
E27.6.3	Design of Parking and Loading Spaces	Size and Location of Parking Spaces	Complies Refer to sheet RC102
		Size and Location of Loading Spaces	Not Applicable
		Access and Manoeuvring	Complies Refer to sheet RC102
		Reverse Manoeuvring	Complies – refer to traffic report.

			Refer to sheet RC102
		Vertical Clearance	Complies Refer to sheet RC102
		Formation and Gradient; (1) All-weather surface, (2) N/A (3) The gradient for the surface of any parking space must not exceed: (a) 1 in 25 in any direction for accessible spaces for people with disabilities; or (b) 1 in 20 (five per cent) in any direction for other spaces. (4) The gradient for the manoeuvring area must not exceed 1 in 8.	The proposal complies with (1) as the driveways and spaces are completed in an all-weather surface. Refer to sheet RC102.
		Lighting	Complies To be provided and detailed at the building consent stage. A condition has been proposed.
E27.6.4	Access	Vehicle Access restrictions	Infringed – the site is subject to the key retail frontage. Consent is required to re-use the existing two-way vehicle crossing. Refer to traffic report.
		Width and Number of Vehicle Crossings	Complies Refer to sheet RC102
		Width of vehicle access and queuing requirements	Complies Refer to sheet RC102

		E27.6.4.4.(1) The gradient of the access must not be steeper than specified in Table E27.6.4.4.1: (T156A) Vehicle access serving one residential rear site 1 in 4 (25 per cent)	Complies Refer to sheet RC102.
		E27.6.4.4.(2) To avoid the underside of the car striking the ground, as illustrated in Figure E27.6.4.4.2, access with a change in gradient exceeding 1 in 8 (greater than 12.5 per cent change) at the summit or a 1 in 6.7 (15 per cent change) at a sag must include transition sections to achieve adequate ground clearance, refer to Figure E27.6.4.4.3. Typically, a transition section requires a minimum length of 2m.	Complies Refer to sheet RC102.
		E27.6.4.4.(3) All vehicle access must be designed so that where the access adjoins the road there is sufficient space onsite for a platform so that vehicles can stop safely and check for pedestrians and other vehicles prior to exiting. This is illustrated in Figure E27.6.4.4.4. The platform must have a maximum gradient no steeper than 1 in 20 (5 per cent) and a minimum length of 4m for residential activities and 6m for all other activities.	Complies Refer to sheet RC102
		Sightlines for road/rail level crossings	Not Applicable

E36 Natural hazards and flooding

Reference	Control	Details	Compliance
Permitted Activities			
E36.6.1.7.	Surface parking areas and above ground parking areas within the 1 per cent annual exceedance probability (AEP) flood plain	(1) Surface parking areas and vehicle entry and exit points to above ground parking areas in the 1 per cent annual exceedance probability (AEP) floodplain must be located where the depth of flood waters in a 1 per cent annual exceedance probability (AEP) event does not exceed 200mm above ground level.	

E36.6.1.9.	New structures and buildings with a gross floor area of up to 10m ² within the 1 per cent annual exceedance probability (AEP) floodplain	(1) The structure or building is to be located where the depth of flood waters in a 1 per cent annual exceedance probability (AEP) event does not exceed 300mm above ground level.	
Controlled Activities			
E36.6.2.1.	Surface parking areas and above ground parking areas in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.7	(1) Surface parking areas and above ground parking areas (excluding parking on roads) within the 1 per cent annual exceedance probability (AEP) floodplain: (a) must be located where depth of flood waters in a 1 per cent annual exceedance probability (AEP) event does not exceed 500mm above ground level; and (b) vehicles can be contained within the site during the flood event.	
E40 Temporary activities			
Reference	Control	Details	Compliance
	There are no relevant standards related to the temporary activities sought in this application		

Attachment E – Relevant Objectives and Policies

Relevant Objectives and Policies

E12 Land disturbance – District

E12.2. Objectives

(1) Land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies or mitigates adverse effects on the environment.

E12.3. Policies

(1) Avoid where practicable, and otherwise, mitigate, or where appropriate, remedy adverse effects of land disturbance on areas where there are natural and physical resources that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character.

(2) Manage the amount of land being disturbed at any one time, to: (a) avoid, remedy or mitigate adverse construction noise, vibration, odour, dust, lighting and traffic effects; (b) avoid, remedy or mitigate adverse effects on accidentally discovered sensitive material; and (c) maintain the cultural and spiritual values of Mana Whenua in terms of land and water quality, preservation of wāhi tapu, and kaimoana gathering.

(3) Enable land disturbance necessary for a range of activities undertaken to provide for people and communities social, economic and cultural well-being, and their health and safety.

(4) Manage the impact on Mana Whenua cultural heritage that is discovered undertaking land disturbance by: (a) requiring a protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin; (b) undertaking appropriate actions in accordance with mātauranga and tikanga Māori; and (c) undertaking appropriate measures to avoid adverse effects, or where adverse effects cannot be avoided, effects are remedied or mitigated.

(5) Design and implement earthworks with recognition of existing environmental site constraints and opportunities, specific engineering requirements, and implementation of integrated water principles.

(6) Require that earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings and structures.

E23 Signs

E23.2. Objectives [rcp/dp]

(1) Appropriate billboards and comprehensive development signage contribute to the social and economic well-being of communities through identifying places, providing information including for convenience and safety purposes, and advertising goods and services.

(2) Billboards and comprehensive development signage are managed to maintain traffic and pedestrian safety, historic heritage values and the visual amenity values of buildings and the surrounding environment

E23.3. Policies [rcp/dp]

(1) Require billboards and comprehensive development signage to meet the relevant permitted activity standards (for example building height) that apply in the zone in which they are located.

(2) Require the placement, location and size of billboards and comprehensive development signage on buildings to not significantly detract from the profile or appearance of a building, or cover any significant architectural features on the façade of a building.

(3) Enable billboards and comprehensive development signage while avoiding signs creating clutter or dominating the building or environment by controlling the size, number and location of signs.

(4) Require traffic and pedestrian safety standards to apply to billboards and comprehensive development signage, particularly to the wording, lighting and location of signs, and changeable message, illuminated, flashing or revolving signs.

(5) Manage the effects of billboards and comprehensive development signage to maintain the values of scheduled historic heritage places and visual amenity values.

(6) Limit the duration of consents for billboards where future land use and/or transport network changes are likely to result in the billboard being inappropriate from a site development or traffic safety perspective.

E24 Lighting

E24.2. Objectives [rcp/dp]

(1) Artificial lighting enables outdoor activities and the security and safety of people and property.

(2) The adverse effects of outdoor lighting on the environment and safety of road users are limited.

E24.3. Policies [rcp/dp]

(1) Provide for appropriate levels of artificial lighting to enable the safe and efficient undertaking of outdoor activities, including night time working, recreation and entertainment.

(2) Control the intensity, location and direction of artificial lighting to avoid significant glare and light spill onto adjacent sites, maintain safety for road users and minimise the loss of night sky viewing.

(3) Use area or activity specific rules where the particular functional or operational needs of the area or activity make such rules appropriate.

E25 Noise and Vibration

E25.2. Objectives [rcp/dp]

- (1) People are protected from unreasonable levels of noise and vibration.
- (2) The amenity values of residential zones are protected from unreasonable noise and vibration, particularly at night.
- (3) Existing and authorised activities and infrastructure, which by their nature produce high levels of noise, are appropriately protected from reverse sensitivity effects where it is reasonable to do so.
- (4) Construction activities that cannot meet noise and vibration standards are enabled while controlling duration, frequency and timing to manage adverse effects.

E25.3. Policies [rcp/dp]

- (1) Set appropriate noise and vibration standards to reflect each zone's function and permitted activities, while ensuring that the potential adverse effects of noise and vibration are avoided, remedied or mitigated.
- (2) Minimise, where practicable, noise and vibration at its source or on the site from which it is generated to mitigate adverse effects on adjacent sites.
- (3) Encourage activities to locate in zones where the noise generated is compatible with other activities and, where practicable, adjacent zones.
- (4) Use area or activity specific rules where the particular functional or operational needs of the area or activity make such rules appropriate.
- (5) Prevent significant noise-generating activities other than roads and railway lines from establishing in or immediately adjoining residential zones.
- (6) Avoid activities sensitive to noise from establishing in industrial zones where adverse effects (including reverse sensitivity effects) arise that cannot be otherwise appropriately remedied or mitigated.
- (7) Require activities to be appropriately located and/or designed to avoid where practicable or otherwise remedy or mitigate reverse sensitivity effects on: (a) existing or authorised infrastructure; (b) adjacent Business – Light Industry Zone and Business – Heavy Industry Zone; (c) existing lawfully established rural production activities; (d) major recreation facilities; (e) existing lawfully established commercial activities within Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone; or (f) regionally significant mineral extraction activities.

Construction, demolition and maintenance activities

- (10) Avoid, remedy or mitigate the adverse effects of noise and vibration from construction, maintenance and demolition activities while having regard to: (a) the sensitivity of the receiving environment; and (b) the proposed duration and hours of operation of the activity; and (c) the practicability of complying with permitted noise and vibration standards. Events and activities
- (11) Recognise that activities occurring in the Open Space – Sport and Active Recreation Zone may generate high levels of noise and ensure that adverse effects are avoided, remedied or mitigated having regard to the sensitivity of the receiving environment.

E27 Transport

E27.2. Objectives

- (1) Land use and all modes of transport are integrated in a manner that enables: (a) the benefits of an integrated transport network to be realised; and (b) the adverse effects of traffic generation on the transport network to be managed.
- (2) An integrated transport network including public transport, walking, cycling, private vehicles and freight, is provided for.
- (3) Parking and loading supports urban growth and the quality compact urban form.
- (4) The provision of safe and efficient parking, loading and access is commensurate with the character, scale and intensity of the zone.
- (5) Pedestrian safety and amenity along public footpaths is prioritised.

E27.3. Policies

- (1) Require subdivision, use and development which: (a) generate trips resulting in potentially more than minor adverse effects on the safe, efficient and effective operation of the transport network; (b) are proposed outside of the following zones: (i) the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone; (ii) Residential – Terrace Housing and Apartment Buildings Zone; (iii) the Centre Fringe Office Control as shown on the planning maps; or (c) do not already require an integrated transport assessment or have been approved based on an integrated transport assessment to manage adverse effects on and integrate with the transport network by measures such as travel planning, providing alternatives to private vehicle trips, staging development or undertaking improvements to the local transport network

Parking

- (3) Manage the number, location and type of parking and loading spaces, including bicycle parking and associated end-of-trip facilities to support all of the following: (a) the safe, efficient and effective operation of the transport network; (b) the use of more sustainable transport options including public transport, cycling and walking; (c) the functional and operational requirements of activities; (d) the efficient use of land; (e) the recognition of different activities having different trip characteristics; and (f) the efficient use of on-street parking.
- (8) Require all other subdivision, use and development to provide a minimum level of on-site parking in recognition of the more limited alternatives to private vehicle travel unless it can be demonstrated that a lesser amount of on-site parking is needed for a particular site or proposal or the provision of on-site parking would be inconsistent with the protection of Historic Heritage or Special Character overlays.
- (9) Provide for flexible approaches to parking, which use land and parking spaces more efficiently, and reduce incremental and individual parking provision.

Design of parking and loading

- (17) Require parking and loading areas to be designed and located to: (a) avoid or mitigate adverse effects on the amenity of the streetscape and adjacent sites; (b) provide safe access

and egress for vehicles, pedestrians and cyclists; (c) avoid or mitigate potential conflicts between vehicles, pedestrians and cyclists; and (d) in loading areas, provide for the separation of service and other vehicles where practicable having regard to the functional and operational requirements of activities.

Access

(20) Require vehicle crossings and associated access to be designed and located to provide for safe, effective and efficient movement to and from sites and minimise potential conflicts between vehicles, pedestrians, and cyclists on the adjacent road network.

E40 Temporary activities

E40.2. Objectives [rcp/dp]

- 1) Temporary activities and events contribute to a vibrant city and enhance the social, environmental, economic and cultural well-being of communities.
- 2) Temporary activities are located and managed to mitigate adverse effects on amenity values, communities and the natural environment.
- 3) Temporary activities are managed to minimise any adverse effects on the use and enjoyment of open space.
- 4) Temporary activities involving large numbers of people predominantly occur in the Business – City Centre Zone, the Business – Metropolitan Centre Zone and the Auckland Domain.
- 5) Temporary activities for training purposes are undertaken in appropriate locations so that amenity values are maintained and any adverse effects are avoided, remedied or mitigated.

E40.3. Policies [rcp/dp]

- 1) Enable temporary activities and associated structures, provided any adverse effects on amenity values are avoided, remedied or mitigated, including by ensuring: noise associated with the activity meets the specified standards; activities on adjacent sites that are sensitive to noise are protected from unreasonable or unnecessary noise; noise from outdoor events using electronically amplified equipment is controlled through limiting the times, duration and the frequency of events; waste and litter are effectively managed and minimised; and any restrictions on public access or other users of open space areas are minimised, and any adverse effects are mitigated.
- 2) Enable temporary activities for filming purposes, including associated film sets, while managing any adverse effects.
- 3) Control traffic generated by a temporary activity, including heavy traffic, so that it does not detract from: the capacity of the road to safely and efficiently cater for motor vehicles, pedestrians and cyclists; and the well-being of residents and reasonable functioning of businesses on surrounding sites.
- 4) Require any disturbance of the foreshore or seabed from a temporary activity to be remedied, unless this can be achieved by natural processes.
- 5) Require temporary activities involving large numbers of people to locate in areas where there is: capacity to safely host large numbers of people; sufficient parking where necessary; sufficient road network capacity for the event; capacity in the public transport network to service the event, or the ability for the event to be temporarily

serviced by mass passenger transport; and the ability to avoid, remedy or mitigate adverse effects on the environment.

- 6) Manage the effects of temporary activities so that the values of any scheduled ecological, natural character, natural features, landscape, historic heritage or Mana Whenua areas are maintained, and any adverse effects on the natural environment are avoided, remedied or mitigated.
- 7) Manage the noise effects of temporary military training activities, and any adverse effects from other temporary training activities, so that amenity values are maintained.

H10 Business – Town Centre Zone

H10.2. Objectives

General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.
- (2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.
- (3) Development positively contributes towards planned future form and quality, creating a sense of place.
- (4) Business activity is distributed in locations, and is of a scale and form, that: (a) provides for the community's social and economic needs; (b) improves community access to goods, services, community facilities and opportunities for social interaction; and (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity.
- (5) A network of centres that provides: (a) a framework and context to the functioning of the urban area and its transport network, recognising: (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities. (b) a clear framework within which public and private investment can be prioritised and made; and (c) a basis for regeneration and intensification initiatives.

Business Town Centre Zone objectives

- (6) Town centres are the focus of commercial, community and civic activities for the surrounding area and which provide for residential intensification.
- (7) The scale and intensity of development in town centres is increased while ensuring development is in keeping with the planning and design outcomes identified in this Plan for the relevant centre.
- (8) Town centres are an attractive place to live, work and visit with vibrant and vital commercial, entertainment and retail areas.

(9) Key Retail Frontage streets are a focus for pedestrian activity, with General Commercial Frontage streets supporting this role.

H10.3. Policies

General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to: (a) planning and design outcomes identified in this Plan for the relevant zone; (b) the visual quality and interest of streets and other public open spaces; and (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.
- (4) Encourage universal access for all development, particularly medium to large scale development.
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.
- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.
- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.
- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.
- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.
- (12) Recognise the functional and operational requirements of activities and development.
- (13) In identified locations within the centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height: (a) is an efficient use of land; (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy; (c) considering the size and depth of the area, can

be accommodated without significant adverse effects on adjacent residential zones; and (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre.

(14) In identified locations within the centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or amenity.

Business – Town Centre Zone policies

(15) Provide for town centres including new town centres of different scales and locations, that: (a) service the surrounding community's needs for a range of uses, such as commercial, leisure, tourist, cultural, community and civic activities; and (b) support a range of transport modes including, public transport, pedestrian and cycle networks and the ability to change transport modes.

(16) Enable significant growth and intensification in town centres, except for those centres where it would compromise the planning outcomes identified in this Plan for the relevant centre.

(17) Manage development in town centres so that it contributes to the function and amenity of the centre.

(18) Require those parts of buildings with frontages subject to the Key Retail Frontage Control to maximise street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.

(19) Require those parts of buildings with frontages subject to the General Commercial Frontage Control to achieve street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.

(20) Encourage the location of supermarkets and department stores within town centres by recognising: (a) the positive contribution these activities make to centre viability and function; (b) the functional and operational requirements of these activities; and (c) where preferred built form outcomes are not achieved, the development needs to achieve a quality built environment by positively contributing to public open space, including the activation of streets.

(21) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.

(22) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, water quantity and amenity values are avoided or mitigated.

Attachment F – Civil Engineering Report and Plans

Attachment G – Traffic Report

Attachment H – Urban Design Report
