

The Proposed Auckland Unitary Plan (notified 30 September 2013)

5.46 Smales 2

The activities, controls and assessment criteria of the underlying zones apply in the Smales 2 precinct unless otherwise specified below.

1. Activity table

1. The activity status for the Mixed Use zone shall apply to activities in Sub-precinct A and the activity status for the Mixed Housing Suburban zone shall apply to Sub-precinct B, except as specified in the activity table below.
2. For clarity:
 - a. In the Smales Sub-precinct A, the activity status of offices and retail activities marked * in the activity table replaces that for offices and retail activity in the underlying Mixed Use zone.
 - b. Where in the activity table permitted, restricted discretionary or discretionary activity status is specified for activities marked #, that activity status applies only after the approval of a framework plan. Any land use, development or subdivision activity prior to the approval of a framework plan is a non-complying activity.

| Activity | Sub-precinct A | Sub-precinct B within 10m of the western edge of the lakeside yard | Sub-precinct B further than 10m from the western edge of the lakeside yard |
|--|----------------|--|--|
| Framework Plans | | | |
| Any land use, subdivision, or development activity within the sub-precinct prior to approval of a framework plan, or not in compliance with an approved framework plan | NC | NC | NC |
| A framework plan, amendments to an approved framework plan or a replacement framework plan complying with clause 3 below | RD | RD | RD |
| A framework plan, amendments to an approved framework plan or a replacement framework plan, not complying with clause 3 below | NC | NC | NC |
| Accommodation | | | |
| Retirement villages # | NA | NC | RD |
| Supported residential care # | NA | NC | RD |
| Visitor accommodation # | NA | NC | RD |
| Commerce | | | |

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| | | | |
|--|----|----|----|
| Dairies up to 100m ² GFA per site within an existing building # | NS | NC | D |
| Offices for businesses associated with medical related goods and services* # | P | NA | NA |
| Offices (other than those for businesses associated with medical related goods and services) with an aggregate gross leasable area of 10,000m ² or less* # | P | NA | NA |
| Offices (other than those for businesses associated with medical related goods and services) with an aggregate gross leasable area in excess of 10,000m ² * | NC | NA | NA |
| Restaurants and cafés # | D | NA | NA |
| Retail limited to an aggregate gross leasable area of 2,000m ² *, provided that the area of an individual retail unit shall not exceed 450m ² # | P | NA | NA |
| Retail with an aggregate gross leasable area in excess of 2,000m ² * # | D | NA | NA |
| Supermarkets up to 3000m ² GFA per site | NC | NA | NA |
| Industry | | | |
| Industrial activities | NC | NC | NC |
| Mineral extraction activities | NC | NC | NC |
| Subdivision | | | |
| Any subdivision complying with an approved framework plan # | RD | RD | RD |
| Infrastructure | | | |
| Parking (non-accessory) # | RD | NC | NC |
| Development | | | |
| A single building in Area 1 with a height greater than 48m RL but no greater than 62m RL # | D | NC | NC |

2. Notification

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1. The council will consider restricted discretionary resource consent applications for framework plans (including amendments/replacement framework plans) without the need for public notification. However, limited notification may be undertaken, including to any land owner within the sub-precinct who has not provided written approval.
2. Buildings that do not comply with the following development controls will be subject to the normal tests for notification under the relevant sections of the RMA:
 - a. Building height
 - b. Height in relation to boundary
 - c. Yards
 - d. Walls on boundaries
 - e. Maximum building length
 - f. Building coverage
 - g. Landscaping
 - h. Outlook
 - i. Maximum tower dimensions in Area 1 of Sub-precinct A.

3. Framework plans

1. A resource consent application for a framework plan, amendments to an approved framework plan or a replacement framework plan must:
 - a. apply to the whole of the sub-precinct.
 - b. comply with:
 - i. the general rules and information requirements applying to framework plans specified at [clause 2.6](#) of the general provisions
 - ii. the special information requirements for framework plans specified in clause 7 below
 - iii. any relevant controls in this precinct.
 - c. seek consent for the following land uses (as a minimum):
 - i. bulk and location control infringements
 - ii. landscaping
 - iii. roads, accessways, (including widths and gradients) and service lanes
 - iv. works on a geological site.

4. Land use controls

The following land use controls apply in Sub-precincts A and B, in addition to the underlying zone controls.

4.1 Floor area controls: Sub-precinct A

1. Any framework plan (including any amendments to an approved framework plan and any replacement framework plan) and any development following the approval of a framework plan shall comply with the following land use controls:
 - a. An overall combined maximum gross floor area of 45,000m² occupied by business activities and up to a maximum of 68 dwellings. Provided that in the alternative, the area of gross floor area occupied by business activities may be reduced, and the gross floor area of dwellings (including the number of dwellings) increased proportionately.

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- b. The maximum gross floor area of 45,000m² of business activities, can include up to:
 - i. A maximum aggregate gross leasable floor area of 10,000m² of general office space, being offices for businesses not associated with medical related goods and services
 - ii. A maximum aggregate area of 2,000m² of retail and food and beverage space.

4.2 Controls on dwellings: Sub-precinct B

1. Any framework plan (including any amendments to an approved framework plan and any replacement framework plan) shall provide:
 - a. only for single dwellings within 10m of the western edge of the lakeside yard
 - b. for a maximum of 145 residential units within the sub-precinct.

5. Development controls

5.1 Part A: Sub-precinct A

The following development controls apply in Sub-precinct A following approval of a framework plan for the sub-precinct, in addition to the underlying zone controls. Prior to the approval of the framework plan, all the development controls of the Mixed Use zone apply to the sub-precinct.

5.1.1 Building height

Purpose: manage the effects of building height and enable greater height in those areas that are well separated from adjoining residential zones.

1. Buildings must not exceed the height and storey limits specified in the table below.

Table 1

| Area | Maximum height | Maximum storeys |
|---|----------------|-----------------|
| Within 20m of land zoned residential (Single House or Mixed Housing Suburban zones) and within 20m of Rangitira Avenue (This rule does not apply to the boundary between Sub-precincts A and B) | 15m | 4 |
| A single building within Area 1 defined on the Smales 2 Sub-precinct A - Precinct Plan (requires consent as a discretionary activity if over 48m RL) | RL 62m | NA |
| Elsewhere within the sub-precinct | RL 48m | NA |

* Maximum height and maximum storeys shall be measured in relation to the natural height of the ground at the closest sub-precinct boundary.

5.1.2 Height in relation to boundary

Purpose: require buildings to not dominate neighbouring zones where lower height limits apply.

1. Buildings must comply with the height in relation to boundary provisions in [clause 4.3](#) of the Business zone rules in respect to the Single House or Mixed Housing Suburban zone boundary.
2. [Clauses 4.6](#) and [4.7](#) of the Business zone rules do not apply.

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5.1.3 Yards

Purpose: require buildings to be set back from the road frontage and for that setback to be landscaped to:

- Enhance the appearance of the development as viewed from adjoining streets
 - Create a pleasant, human scale for pedestrians using the adjoining road reserve
 - Break up larger building mass
 - Create an appropriate interface with the residential zone on Rangitira Avenue.
1. Rangitira Avenue frontage: 5m
 2. Car parking must not locate within the required setback from the Rangitira Avenue frontage.
 3. The front yard setback from Rangitira Avenue must be fully planted with a combination of grass, trees, shrubs and ground cover plants along the frontage of sites not occupied by buildings or access points. Landscaping should be designed to create an attractive streetscape which complements the adjoining residential neighbourhood.

5.1.4 Side yards

Purpose: create an effective landscaped buffer with land zoned for residential purposes.

1. 5m where a boundary adjoins a residential zone.
2. The side yard setback must be fully planted in those parts not occupied by buildings or access points. A minimum width of 3m along the entire length of the boundary yard should be densely planted in shrubs and trees which will achieve a height of 3-5m on maturity. The balance width of 2m may be planted, grassed or paved.
3. On part of the eastern side boundary of the sub-precinct, previous quarry activities mean that planting may not be practicable in certain areas. However wherever practical landscaping should be provided within the side yard setback.

5.1.5 Landscaping

1. At least 15 per cent of the area of sub-precinct A must be landscaped.
2. Landscaping shall be provided in accordance with [clause 4.17](#) of the Business zone rules to the extent that it applies to the Mixed Use zone.

5.1.6 Maximum tower dimensions in Area 1

1. Refer to [clause 4.5.3 and 4.5.4](#) of the Business zone rules that applies to buildings in Area 1 as shown on the Smales 2 Precinct plan.

5.1.7 Verandahs

Purpose: provide pedestrians with weather protection, safety and amenity.

1. The ground floor of a building should include a verandah or similar weather protection at the main entrance to the building.
2. The verandah must have a minimum height of 3m and a maximum height of 4.5m.
3. Refer to [clause 4.1.11.3](#) of the Business zone rules for under-verandah lighting.

5.1.7 Dwellings, retirement villages, visitor accommodation and boarding houses

1. For dwellings other than retirement villages, visitor accommodation and boarding houses refer to

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clauses 9.10 - 21 of the Residential zone rules.

- For visitor accommodation and boarding houses refer to clause 9.10 of the Residential zone rules.
- For retirement villages refer to clauses 3.9 and 3.10 of the Retirement Village zone rules.

5.2 Part B: Sub-precinct B

The following development controls apply in Sub-precinct B following approval of a framework plan for the sub-precinct, in addition to the underlying zone controls. Prior to the approval of the framework plan, all the development controls of the Mixed Housing Suburban zone apply to the sub-precinct.

5.2.1 Building height

Purpose: to manage the scale of development to provide for lower level development close to Lake Pupuke and close to other land zoned for residential purposes, and for medium rise terrace and apartments elsewhere within the sub-precinct.

- Buildings shall not exceed the following:

Table 2

| Location | Maximum height | Maximum storeys |
|---|----------------|-----------------|
| Within 10m of land zoned residential (Single House or Mixed Housing Suburban zones) | 8m | |
| Within 10m of the Lakeside Yard | 8m | |
| Elsewhere | 14.5m | 4 |

5.2.2 Building height in relation to boundary

- Buildings must comply with the height in relation to boundary provisions in clause 6.3 of the Residential zone rules in relation to the sub-precinct boundary with residential zoned land.

5.2.3 Yards

Purpose: To manage the bulk and scale of buildings, and reduce the visual dominance on Lake Pupuke and Northcote Road.

- Yards must comply with the minimum distances specified in the table below.

Table 3

| From | Distance |
|---|----------|
| Northcote Road | 7m |
| Sub-precinct boundary with land zoned Residential | 3m |
| Carriageway of internal roads | 2.5m |
| Lakeside Yard | 30m |

5.2.4 Maximum impervious area, building coverage and landscaping

- Refer to clauses 9.7-9 of the Residential zone rules.

5.2.5 Dwellings, retirement villages, visitor accommodation and boarding houses

- For dwellings other than retirement villages, visitor accommodation and boarding houses refer to clauses 9.10-21 of the Residential zone rules.

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2. For visitor accommodation and boarding houses refer to [clause 9.10](#) of the Residential zone rules.
3. For retirement villages refer to [clauses 3.9](#) and [3.10](#) of the Retirement Village zone rules.

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6. Assessment

6.1 Restricted discretionary activities

6.1.1 Matters of discretion

1. The council will restrict its discretion to the matters below for retirement villages, supported residential care and visitor accommodation listed as restricted discretionary in Sub-precinct B in the activity table, in addition to any matters specified for the activity in the underlying zone:
 - a. intensity and scale
 - b. noise, lighting and hours of operation
 - c. traffic
 - d. effects on Lake Pupuke, Northcote Road and the adjoining residential area.
2. The council will restrict its discretion to the matters below for retail activity listed as restricted discretionary in Sub-precinct A in the activity table, in addition to any matters specified for the activity in the underlying zone:
 - a. intensity and scale
 - b. centre vitality
 - c. traffic
 - d. design of car parking, access and servicing
 - e. hours of operation.
3. The council will restrict its discretion to the matters below for subdivision listed as restricted discretionary in the activity table, in addition to any matters specified for the activity in the general subdivision rules applicable to the underlying zone:
 - a. framework plan.

6.1.2 Assessment criteria

1. When assessing resource consent applications for retirement villages, supported residential care and visitor accommodation in Sub-precinct B, the council will consider the assessment criteria in the underlying zone relevant to visitor accommodation.
2. When assessing resource consent applications for retail activity in sub-precinct A, the council will consider the assessment criteria in the underlying zone relevant to retail greater than 450m² in the General Business and Local Centre zone.
3. When assessing resource consent applications for subdivision, the council will consider the assessment criteria below, in addition to any relevant assessment criteria in the Auckland-wide rules - subdivision:
 - a. The subdivision should comply with the most recently approved framework plan.

6.2 Development control infringements

6.2.1 Matters of discretion

1. Refer to [clause 11.1](#) in the Residential zone rules for development control infringements in Sub-precinct B.
2. Refer to [clause 7.1](#) in the Business zone rules for development control infringements in Sub-precinct A.

6.2.2 Assessment criteria

1. When assessing resource consent applications for development control infringements in Sub-precinct B the council will consider the relevant assessment criteria in [clause 11.2](#) in the Residential zone rules.

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2. When assessing resource consent applications for development control infringements in Sub-precinct A the council will consider the relevant assessment criteria in [clause 7.2](#) in the Business zone rules.

6.3 Framework Plan

6.3.1 Matters of discretion

1. The council will restrict its discretion to the matters below for an application for a framework plan (including amendments to an approved framework plan or replacement framework plan) as a restricted discretionary activity:
 - a. siteworks
 - b. building location and form
 - c. location and design of open spaces, landscaping and screening
 - d. amenity of adjoining residentially zoned land, Lake Pupuke and public open space
 - e. location and design of vehicle access and circulation
 - f. location and design of parking and loading
 - g. pedestrian and cycle access, including amenity, safety and convenience
 - h. traffic management
 - i. geological features
 - j. infrastructure and servicing
 - k. stormwater management
 - l. the general matters of discretion for framework plans specified in clause 2.6 of the general provisions.

6.3.2 Assessment criteria

1. When assessing a resource consent application for a framework plan (or amendment to or replacement for an existing framework plan) the council will consider the following assessment criteria:
 - a. Siteworks should be managed to avoid significant adverse effects on the amenity and environmental values of Lake Pupuke and to mitigate adverse effects on the surrounding area and should seek to retain as far as is practicable the existing contours within Sub-precinct A.
 - b. Buildings within Sub-precinct A should be located and designed to provide a variety of footprint sizes and building heights within an integrated development.
 - c. The location of buildings within Sub-precinct B should seek to manage effects on the amenity values of Lake Pupuke and public open spaces, including Northcote Road.
 - d. Landscaping should contribute to the on-site amenity for residents, workers and visitors (including pedestrians and cyclists), and to the visual amenity of development on the site when viewed from roads, public spaces (including Lake Pupuke) and adjoining properties.
 - e. Safe and convenient vehicle access should be provided into and within both sub-precincts, with one access only between Northcote Road and Sub-precinct B, and access provided between Sub-precinct A and both Northcote Road and Rangitira Avenue.
 - f. Parking and loading spaces should be provided convenient to the activities they serve.
 - g. Development should be designed to facilitate and encourage the use of alternative means of travel, including public transport, walking and cycling. Travel management plans should be provided to demonstrate how this will be achieved. Safe and convenient pedestrian and cycle access should be provided into, through and within each sub-precinct, including at least one pedestrian and cycle

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route providing a convenient connection between Northcote Road and Rangitira Avenue through Sub-precinct A.

- h. Significant geological features should be protected and/or made accessible for on-going study.
- i. Adequate infrastructure and servicing should be provided.
- j. Stormwater management (including during construction) should be designed to avoid adverse effects on the water quality of Lake Pupuke and post construction.
- k. The general assessment criteria for framework plans specified in [clause 2.6](#) of the general provisions also applies.

7. Special information requirements

1. Any resource consent application for a framework plan (including an amended or replacement framework plan) must include:
 - a. Site boundaries
 - b. Site works methodology
 - c. Indicative final contours and floor levels : including the relationship of finished contours with floor levels, the relationship between the levels of vehicle and pedestrian access routes and access into buildings and the relationship with levels on adjoining sites
 - d. The proposed subdivision pattern
 - e. Indicative building footprints and the general height, bulk and mass of buildings
 - f. If the framework plan relates Sub-precinct A, the nature of the activities proposed within buildings in the sub-precinct
 - g. The location of open spaces and their purpose
 - h. A landscape concept design including the identification of any existing landmark trees to be retained
 - i. Location of parking areas and the number of parking spaces
 - j. Proposed vehicle access to and from the site and internal circulation with information on levels to demonstrate that safe and convenient access can be provided
 - k. Traffic effects including:
 - i. The location and design of vehicle access in to the precinct from the surrounding road network, including widths and gradients and the effect of the access on the safety and efficiency of the adjoining roads
 - ii. The road improvements recommended in the 2013 Integrated Transport Assessment for the Smales 2 precinct, including but not limited to provision of traffic lights and a pedestrian crossing at the Rangitira Road intersection
 - iii. The location and design of the internal vehicle routes, parking areas, service access, pedestrian links, pedestrian areas and cycle routes including widths and gradients
 - iv. The location of pedestrian and cycle routes into and through Sub-precincts A and /or B as the case may be, including widths and gradients. Pleasant, safe, practical and convenient pedestrian and cycle access shall be provided from Rangitira Avenue to Northcote Road
 - v. Travel management plan to demonstrate how alternative means of travel to the precinct will be provided for and encouraged
 - l. Proposed pedestrian and cycle access

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- m. The location of significant geological features and measures for protection and/or accessibility. It is expected that the framework plan will be accompanied by a resource consent application to alter an Outstanding Natural feature (a geological site) so that an integrated assessment of effects can be undertaken
- n. Proposals for providing infrastructure services to the site, including a stormwater management plan (both during and post construction)
- o. Location of existing and proposed site boundaries
- p. The likely staging of development.

8. Precinct plan

Precinct plan: Sub-precinct and area 1



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