

I328. Ōrākei Point Precinct

I328.1. Precinct Description

The Ōrākei Point Precinct applies to land located along Ōrākei Road adjoining the coastal marine area. The precinct is bisected by the North Island Main Trunk Railway.

The purpose of the precinct is to enable a comprehensively planned, transit oriented community, with development undertaken generally in accordance with a master plan, and the staged provision of public facilities and infrastructure. The master plan is shown on I328.10.5 Ōrākei Point: Precinct plan 5.

The Ōrākei Point precinct is divided into Sub-precincts A to F for the purposes of the different standards that apply in these areas. The precinct plans seek to maximise the opportunities offered by the precinct, while respecting the sensitivities of its coastal location and geological and heritage values.

Under I328.10.5 Ōrākei Point: Precinct plan 5, the railway corridor is capped by a podium, reducing noise and allowing development and public access across the precinct. I328.10.5 Ōrākei Point: Precinct plan 5 also includes public plazas, a new Ōrākei train station, and a new loop road to re-enforce the public nature of the development. I328.10.5 Ōrākei Point: Precinct plan 5 provides for 80,000m² of gross floor area, equating to approximately 700 apartments and a maximum of 10,000m² for both retail and office activities.

The zoning is primarily Business – Mixed Use Zone, apart from the land adjoining the railway line within the railway designation which is zoned Strategic Transport Corridor Zone. Land between the coastal marine area and the precinct in the north and west is zoned Open Space – Informal Recreation Zone and Open Space – Conservation Zone. There is also a small area of Coastal – Coastal Transition Zone land included within this precinct.

I328.2. Objectives

- (1) Ōrākei Point is comprehensively developed for mixed-use activities which integrate well with the public transport network.
- (2) High quality public open spaces are created, both within Ōrākei Point and around its seaward perimeter.
- (3) Principles of sustainability are adopted in the development.
- (4) Adverse effects from the current and anticipated future operation of the North Island Main Trunk Railway Line are avoided and mitigated.

The provisions of the D10 Outstanding Natural Feature Overlay and H13 Business – Mixed Use Zone and H22 Strategic Transport Corridor Zone apply in addition to those specified above unless otherwise specified.

I328.3. Policies

Transit Orientated Community

- (1) Promote future growth and improvements to public transport through the construction of a new covered railway station.
- (2) Require staging of infrastructure and public places in a manner that compliments built development.
- (3) Enable other modes of transport other than private motor vehicle by providing connections to public transport, and limiting parking.

Development is undertaken in a comprehensive manner

- (4) Promote development that is generally consistent with I328.10.5 Ōrākei Point: Precinct plan 5.
- (5) Require new development and public places to achieve an appropriate interface between buildings, public spaces and Ōrākei Point's coastal setting.
- (6) Promote high urban design standards.

High quality public open space

- (7) Provide a wide range of public spaces, including green spaces for passive recreation around the perimeter of Ōrākei Point, urban plazas and a street network with a strong pedestrian focus.
- (8) Provide a green corridor along Ōrākei Road and Ōrākei Basin by creating new public space and requiring landscaping and setback requirements.
- (9) Provide public plazas on the northern seaward side of Ōrākei Point maximising public views and amenity.

Sustainability in new development

- (10) Integrate development with public transport.
- (11) Orientate development and open spaces northwards to maximise solar access.
- (12) Design buildings to be adaptable to other suitable activities over time.

Adverse effects from the North Island Main Trunk Line are avoided or mitigated

- (13) Require a minimum level of acoustic amenity for occupiers of buildings through the design and construction of buildings and services.
- (14) Avoid and mitigate vibration effects, and diesel fumes associated with current and future operation of the railway line through the design and construction of buildings.

The provisions of the D10 Outstanding Natural Feature Overlay and H13 Business – Mixed Use Zone and H22 Strategic Transport Corridor Zone apply in addition to those specified above unless otherwise specified.

I328.4. Activity table

Table I328.4.1 Activity Table specifies the activity status of land use activities in the Ōrākei Point Precinct pursuant to section 9(3) of the Resource Management Act 1991.

The activities in the D10 Outstanding Natural Features Overlay and Auckland-wide provisions apply unless otherwise specified.

The provisions in the underlying D13 Business – Mixed Use Zone and D22 Strategic Transport Corridor Zone apply unless otherwise specified.

Table I328.4.1 Activity table

Activity		Activity status
Use		
Accommodation		
(A1)	Dwellings	P
(A2)	Home occupations	P
Commercial		
(A3)	Parking (non-accessory) in sub-precinct F	RD
(A4)	Entertainment facilities up to 500m ² gross floor area	P
(A5)	Entertainment facilities between 500m ² and 2000m ² gross floor area	D
(A6)	Food and beverage	P
(A7)	Garden centres	P
(A8)	Offices	P
(A9)	Parking up to 1750 spaces	P
(A10)	Parking between 1750 and 1950 spaces	RD
(A11)	Retail	P
(A12)	Taverns up to 500m ² gross floor area	P
(A13)	Visitor accommodation	P
Community		
(A14)	Community facilities up to 500m ² gross floor area	P
(A15)	Community facilities between 500m ² and 2000m ² gross floor area	RD
(A16)	Park and ride	D
(A17)	Road network	P
(A18)	Signs, structures and information boards associated with public pedestrian and cycling access in and around the coastal marine area	P
(A19)	Transport equipment	P

General		
(A20)	Artificial lighting	P
(A21)	Use of buildings complying with Standard I328.6.10	P
(A22)	Use of buildings not complying with Standard I328.6.10	RD
(A23)	Construction of public open space, public accessways, overpasses, plazas and accessory buildings (excluding roads)	RD
(A24)	Construction of road network	P
(A25)	Buildings and works within the Special Tree Protection Area shown on I328.10.3 Ōrākei Point: Precinct plan 3	RD

I328.5. Notification

- (1) The following activities will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991:
- (a) any application for buildings, excavation or related works within the Special Tree Protection Areas that result in:
- (i) removal of more than 5 per cent of the canopy of any tree located within the Special Tree Protection Area; or
 - (ii) removal of three or more trees located within the Special Tree Protection Area; or
 - (iii) significant adverse effects on three or more trees located within the Special Tree Protection Area caused by any physical works or activities within the Special Tree Protection Area.
- (2) Any application for resource consent for an activity that does not comply with Standard I328.6.10 Use of buildings will be limited notified to New Zealand Rail Corporation and Ports of Auckland Limited.
- (3) Any activity in Table I328.4.1 Activity table not otherwise listed above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (4) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I328.6. Standards

All activities listed as permitted in Table I328.4.1 Activity table must comply with the following standards.

The zone, Auckland-wide and overlay standards apply in this precinct unless otherwise specified.

I328.6.1. Parking

- (1) Parking within the precinct must not exceed 1950 spaces unless the 200 park and ride parking spaces have been disestablished.
- (2) Where parking for the 200 park and ride spaces has been disestablished, parking within the precinct must not exceed 2150 spaces.
- (3) Parking that does not comply with Standard I328.6.1(1) and/or I328.6.1(2) is a non-complying activity.

I328.6.2. Parking (non-accessory) within sub-precinct F

- (1) Parking (non-accessory) within Sub-precinct F must not exceed 400 spaces, and can only be undertaken prior to the completion of development within Sub-precinct F (excluding parking provided ancillary to a permitted or restricted discretionary activity).
- (2) Parking (non-accessory) that does not comply with Standard I328.6.2(1) is a non-complying activity.

I328.6.3. Garden centres

- (1) Garden centres, including an ancillary café must only occupy up to 20 per cent of the gross floor area, and/or up to 5 per cent of the outdoor area.
- (2) Garden centres that do not meet Standard I328.6.3(1) are a discretionary activity

I328.6.4. Offices

- (1) Offices must have a total cumulative gross floor area of between 5,000m² and 10,000m².
- (2) Offices that do not meet Standard I328.6.4(1) are a discretionary activity.

I328.6.5. Food and beverage

- (1) Food and beverage activities must not operate between 11.00pm and 7:00am.

I328.6.6. Park and ride parking

- (1) Park and ride parking must provide a maximum of 200 parking spaces.
- (2) Park and ride parking that does not meet Standard I328.6.6(1) is a discretionary activity.

I328.6.7. Retail premises

- (1) The gross floor area of any individual tenancy (including ancillary on-site warehousing and storage) must not exceed 500m².
- (2) A single large floor plate retail tenancy (including ancillary onsite warehouse and storage) must not exceed 2,000m².
- (3) The total cumulative gross floor area of retail premises in Standards I328.6.7(1) and I328.6.7(2) must not exceed 10,000m².

- (4) A minimum gross floor area of 5,000m² must be provided
- (5) Retail premises that do not comply with any of Standards I328.6.7(1) to (4) for retail premises are a discretionary activity.

I328.6.8. Taverns

- (1) Taverns must have a maximum gross floor area of 500m².

I328.6.9. Artificial lighting

- (1) Artificial lighting may be used on a site producing on luminance in excess of 150lux, measured at any point on the site containing the light source in a horizontal or vertical plain at ground level.
- (2) Lighting that does not comply with Standard I328.6.9(1) is a non-complying activity.

I328.6.10. Use of buildings

- (1) Use of buildings for any permitted activity in Table I328.4.1 where located 30m either side of the land designated for railway purposes must be subject to a restrictive non-complaints encumbrance in favour of New Zealand Railways Corporation and the Ports of Auckland, in accordance with Standard I328.6.10(2).
- (2) For the purposes of the Ōrākei Point precinct and Standard I328.6.10 (1) a "restrictive non-complaints encumbrance" is a restrictive encumbrance registered on the title to the property or a binding agreement of encumbrance, in favour of New Zealand Railways Corporation and Ports of Auckland Limited, by the landowner (and binding successors in title) not to complain as to the effects generated by the lawful operation of the North Island Main Trunk railway.
- (3) The requirement in Standard I328.6.10(2) does not require the encumbrance to forego any right to lodge submissions in resource consent applications or plan changes in relation to the operation of the railway line (although an individual restrictive non-complaints encumbrance may do so. Details of the existence of encumbrance documents may be obtained from New Zealand Railways Corporation, Ports of Auckland Limited, their solicitors, or in the case of registered encumbrance by searching the title to the property.)

I328.6.11. Building height

- (1) Buildings within an identified building platform must not exceed the maximum number of floors above the podium shown on I328.10.1 Ōrākei Point: Precinct plan 1, provided that the overall height of the building (including roofs and roof top projections) must not exceed the maximum height (above datum) in meters also specified for that building platform.
- (2) For the purposes of the control above, the 'maximum number of floors' must be measured in each case as being above a nominal podium level of RL12.5, with the podium level storey counting as the first floor.

- (3) Buildings within that area identified as 'podium level' on I328.10.1 Ōrākei Point: Precinct plan 1 must not exceed the height above datum shown on the Plan for that section of the podium, provided that this height limit must not apply to the following buildings and structures located on or over the podium level:
- (a) balconies over roads and plazas which meet the assessment criteria in I328.8.2(1)(a) to (c);
 - (b) seating, bus shelters, pedestrian shelter structures, balustrades, light poles, signs or public artwork on roads or plazas; or
 - (c) buildings and structures associated with temporary activities.
 - (d) The "RL" shown on I328.10.1 Ōrākei Point: Precinct plan 1 must be Auckland Datum 1946 (mean sea level).

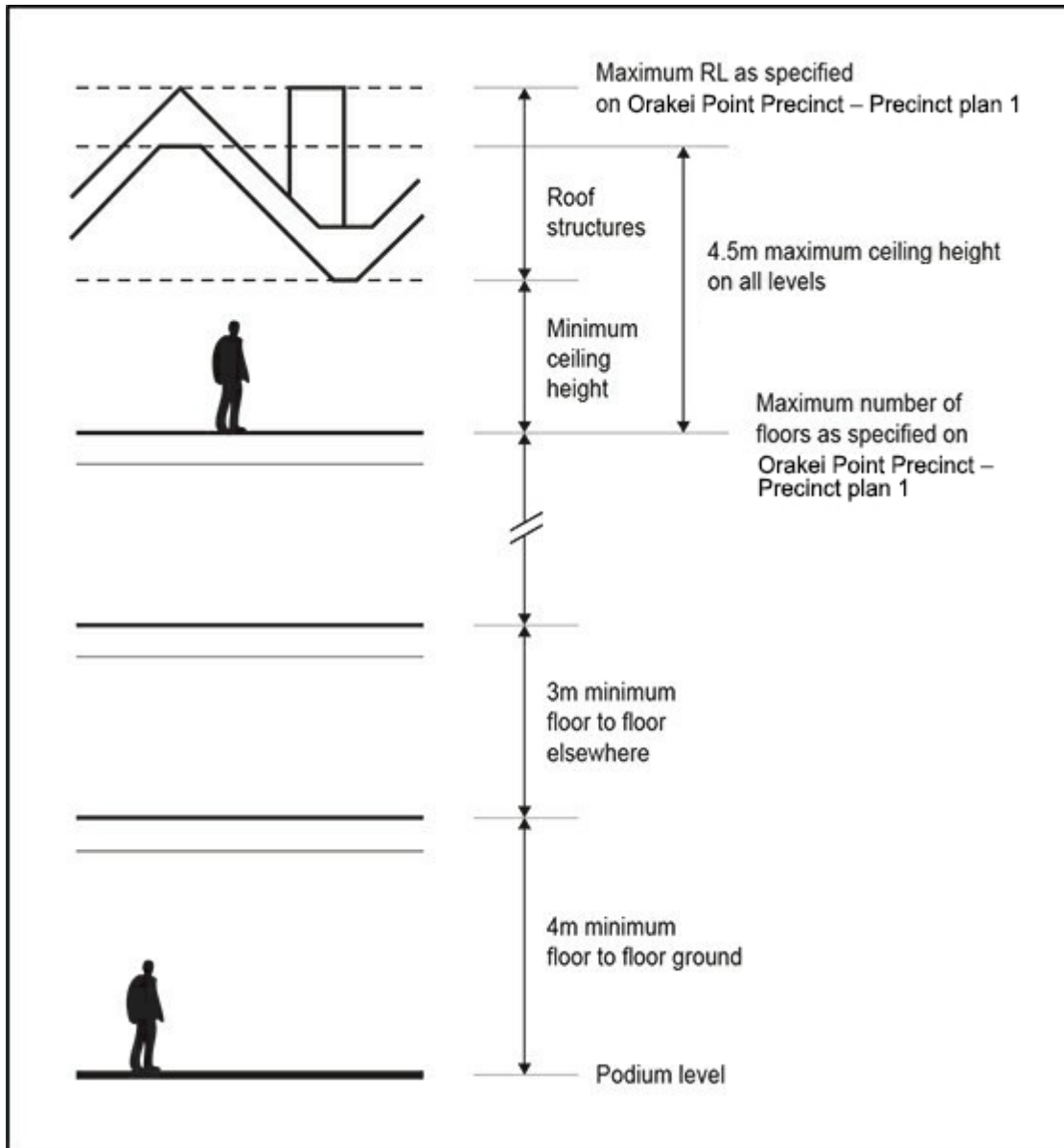
I328.6.12. Floor to floor height within buildings

- (1) The minimum floor to floor height within buildings must be 4m for the ground level of a building, provided that no minimum floor to floor height will apply to the ground or basement levels of buildings within Sub-precinct A, where those floors contain residential or parking.
- (2) The minimum floor to floor height for all other levels within a building must be 3m other than parking levels or to levels below the podium where no minimum floor height applies.
- (3) Standard I328.6.21(3) and (4) minimum floor to ceiling heights for residential units must be met.
- (4) The maximum floor to ceiling height limit on all levels within a building must be 4.5m, except that the maximum floor to ceiling height limit does not apply to:
 - (a) ground levels;
 - (b) other building levels used for entrance lobbies, circulation or foyers or as public entry and access to the covered railway station;
 - (c) parking levels;
 - (d) levels used for the rail station, lines and ancillary activities; or
 - (e) levels incorporating mezzanine floors.

I328.6.13. Roof-top control

- (1) Rooftop projections including lift towers, machinery rooms and plant which exceed the height of all parts of a parapet surrounding a roof on which the projections are located, must be enclosed in a structure or structures designed as an integral part of the roof of the building, refer to Figure I328.6.13.1 Ōrākei Point height controls .

Figure I328.6.13.1 Ōrākei Point height controls



Explanation:

Buildings are limited to the building platforms shown on the precinct plans to ensure development is consistent with I328.10.5 Ōrākei Point: Precinct plan 5. Building platforms are positioned to concentrate development on the inner and northern part of Ōrākei Point, thereby generally avoiding its Ōrākei Road and Ōrākei Basin edge and ensuring the greatest intensity of development closest to the railway station. Building platforms also provide for buildings to define and enclose public streets open spaces.

Appropriate building heights have been determined with reference to the landform of the wider visual and physical catchment. Maximum building heights have been determined for each of the building platforms, with reference to the landscape sensitivities of Ōrākei Point and I328.10.5 Ōrākei Point: Precinct plan 5. A range of building heights are specified to ensure variation in the roof profile of the overall

development and to have building heights at a scale appropriate to other buildings and adjoining roads and public open spaces. This is achieved by a combination of a maximum number of floors and a maximum RL, the later being set higher than the former to provide for and encourage pitched and varied roof forms rather than flat roofs.

Maximum heights of RL12.5, RL 16 and RL 14.5 are applied to the plaza podium levels, representing the top of the plaza and road level. The maximum height of RL16 is applied to one portion of the podium to allow the road to slope up from the general podium level of RL12.5 to meet Ōrākei Road at grade. A maximum height of RL5.5 is applied to the lower podium levels.

Minimum floor to floor heights have been applied to residential and commercial buildings to allow buildings to be adaptable to alternative uses and provide amenity for occupants.

Maximum floor to floor heights have been applied to ensure that buildings adhere to the scale allowed by the specified floor limits. Lobbies, foyers and public space within buildings have been excluded from the maximums to encourage such spaces to have generous volumes. The rail corridor has also been excluded from the maximum height limit in recognition of its functional need.

I328.6.14. Ōrākei Road recession plane and building landscaping

- (1) Buildings within the building platforms identified on I328.10.1 Ōrākei Point: Precinct plan 1 as being subject to the Ōrākei Road recession plane and building landscaping control must comply with the following:
 - (a) no part of the building must project through a plane starting at the level of Ōrākei Road, measured at the boundary of the site, and rising at 45° to its baseline parallel with the street boundary of the site;
 - (b) the face of the building to Ōrākei Road must be landscaped and must have sufficient soil depth and drainage to ensure proper plant growth;
 - (c) the building and landscaping must either be a terraced profile or have a modulated form so as to create a natural hill profile, to generally screen the bulk of buildings behind when viewed from Ōrākei Road level and must not be a literal regression of the 45° angle;
 - (d) no part of the building must exceed an overall height of RL 30 above Auckland Datum 1946 (mean sea level); and
 - (e) the upper most edge and sides of the sloping or terraced building face to Ōrākei Road must be fenced in a manner that satisfies the requirements of the Building Act 2004 and any subsequent amendments.

Explanation:

The Ōrākei Road Recession Plane and Building Landscaping control is applied to the buildings adjoining Ōrākei Road. The control ensures that the buildings maintain a

green face to Ōrākei Road and are set back from the road so as to maintain its open character.

I328.6.15. Site intensity

- (1) The maximum gross floor area within each sub-precinct must not exceed the area in Table I328.6.15.1.

Table I328.6.15.1 Maximum gross floor areas in sub-precincts

Sub-precinct	Maximum gross floor area
Sub-precinct A	16,000m ²
Sub-precinct B	18,000m ²
Sub-precinct C	9,000m ²
Sub-precinct D	13,000m ²
Sub-precinct E	9,000m ²
Sub-precinct F	15,000m ²
Total gross floor area	80,000m ²

- (2) The maximum gross floor area within each sub-precinct must be calculated as the combined total gross floor area of both existing and consented buildings within each of the identified building platforms, with:
- (a) 'consented buildings' meaning buildings for which resource consent has been granted, but not given effect to; and
 - (b) resource consents which have expired or lapsed, or which have been surrendered, not being used in the calculation of maximum gross floor area.
- (3) In addition to the matters excluded in the definition of gross floor area, the following must also be excluded from the calculation of gross floor area:
- (a) all outdoor balcony or deck space, whether enclosed or not;
 - (b) floor area used for parking, including associated access ramps, stairs, lifts and plant, where that floor area is:
 - (i) for Sub-precinct A, below RL 18 (measured above Auckland Datum 1946 (mean sea level));
 - (ii) for Sub-precincts B – F, below the podium levels shown on I328.10.1 Ōrākei Point: Precinct plan 1;
 - (iii) contained within the Ōrākei Road building(s) within the building platform shown on I328.10.1 Ōrākei Point - Precinct plan 1 as being subject to the Ōrākei Road Recession Plane and Building Landscaping Control; or
 - (iv) outdoor floor areas associated with garden centres.

Explanation:

The site intensity control limits the amount of gross floor area achievable within each of the sub-precinct areas. Maximum gross floor areas have been established to allow the development of appropriate densities of development (in terms of apartment numbers and commercial floor area) to create a vibrant transit oriented community which supports patronage of public transport, within the constraints imposed by the building platforms and height limits.

Maximum gross floor areas are identified on a sub-precinct basis. The development of individual building areas within each sub-precinct will need to be assessed at the time of resource consent application with reference to the quantum of gross floor area already taken up within the sub-precinct, by both existing and consented development.

Overall, the gross floor areas provided for within the precinct equates to a floor area ratio of approximately 1.8:1 of the entire area of the precinct.

I328.6.16. Verandah/Colonnade requirement

- (1) For buildings within building platforms identified as subject to a verandah/colonnade control on I328.10.2 Ōrākei Point - Precinct plan 2 a verandah/colonnade must be provided and must comply with all of the following:
 - (a) the verandah/colonnade must provide continuous pedestrian cover within the site along the entire building platform frontage identified as subject to a colonnade requirement;
 - (b) the verandah/colonnade must have a minimum height of 3.4m above the footpath immediately below;
 - (c) any colonnade must have a minimum unobstructed horizontal width of 2m;
and
 - (d) any verandah must comply with relevant bylaws relating to verandahs.

Explanation:

A verandah/colonnade is required along the western side of the loop road to provide for pedestrian cover between Ōrākei Road and the lee plaza and railway station entrance.

A verandah/colonnade is also required around the southern edge of the lee plaza to provide pedestrian cover to and around the plaza and to enhance the pedestrian amenity of the plaza.

I328.6.17. Pedestrian links

- (1) Pedestrian links connecting the road, plazas and open space land must be provided generally at the locations shown on I328.10.3 Ōrākei Point - Precinct plan 3 and must comply with all of the following:
 - (a) have a minimum width of 2m;

- (b) create a direct and logical pedestrian link through the site between public road, plaza and open space land;
- (c) be open to the sky or be covered with transparent glazing, except for a pedestrian link beneath the rail line; and
- (d) comply with relevant Crime Prevention Through Environmental Design principles.

Explanation:

Pedestrian links are required in the locations specified to provide for mid-block linkages between roads, plazas and public open space and to allow permeability through the site and development.

I328.6.18. Frontage height and activity control

- (1) Any building shown on I328.10.3 Ōrākei Point - Precinct plan 3 subject to a frontage height and activities control must comply with all of the following:
 - (a) the façade of the building must generally abut the building platform boundary identified as being subject to the frontage height control;
 - (b) the number of floors along that building platform boundary must be no less than the maximum number of floors specified on I328.10.1 Ōrākei Point - Precinct plan 1, except on the building platform subject to the Ōrākei Road Recession Plane and Building Landscaping Control where Standard I328.7.8(1)(b) does not apply; and
 - (c) 'frontage' shall be interpreted as meaning the external wall of a building which occupies the length of the road boundary and which rises from that boundary to a height no less than the minimum specified, but excludes vehicle entrances, loading bays, pedestrian entrances and lobbies, window and balcony recesses and similar architectural modulations.
- (2) Activities occupying the ground floor frontage of a building on a site identified on I328.10.3 Ōrākei Point - Precinct plan 3 must be limited to the following:
 - (a) entertainment facilities;
 - (b) garden centres;
 - (c) food and beverage;
 - (d) retail;
 - (e) taverns;
 - (f) community facilities; or
 - (g) offices.

- (3) Activities occupying the ground floor frontage of a building on a site identified on I328.10.3 Ōrākei Point - Precinct plan 3:
- (a) must occupy not less than 80 per cent of the length and not less than 10m of the depth of the ground floor road frontage of an identified site; and
 - (b) up to 20 per cent of the length of the frontage of identified sites may be occupied by building entrances, services entrances, vehicle access and service functions.

Explanation:

The frontage height and activities control is applied to certain building frontages to ensure that new buildings appropriately address and define roads and plazas through specified minimum number of floors appropriate to the scale and character of the streets and plaza they adjoin, while excluding certain building elements to provide for flexibility in design and avoiding potential visual monotony of regimented frontage forms.

On such identified frontages, ground floor activities are limited to entertainment, garden centres, restaurants, cafes and other eating places, retail and taverns to activate the road and plaza.

I328.6.19. Noise

- (1) Buildings within the Ōrākei Point precinct must be designed and constructed to ensure the internal noise limits in Table I328.6.19.1 Internal noise limits will not be exceeded.

Table I328.6.19.1 Internal noise limits

Receiving environment	L_{Aeq}, 1 hour
Residential – bedroom	35 dB
Residential – habitable rooms	40 dB
Commercial – offices	40 dB
Conference facilities and care centres	40 dB
Retail	45 dB

- (2) Sound insulation calculations must be based on external noise levels derived from 3D acoustic modelling software (Soundplan or Predictor) using:
- (a) a train sound power level of LWA127 dB as a point source travelling at 40 km/hr, and 4 trains per hour, and using the spectrum in Table I328.6.19.2 sound spectrum; and

Table I328.6.19.2 Sound spectrum

	Octave Band Centre Frequency (Hz)						
	63	125	250	500	1k	2k	4k
Sound Power Level (dB)	133	131	127	123	123	119	114

- (b) road traffic noise at the façade must be calculated with 3D modelling software and the current traffic flow rates on Ōrākei Road between 10.00 pm and 11.00 pm.
- (3) Sound from a moving point source (which propagates in the same manner as line source) can be modelled as such in 3D modelling software.
- (4) In addition to meeting Standard I328.6.19 (1) to (3) all bedrooms and other habitable spaces must be adequately ventilated or air conditioned, as determined by a suitably qualified mechanical engineer, to achieve reasonable internal temperatures during all but the extreme summer conditions and at a minimum meet the requirements of Clause G4 of the Building Regulations 1992.
- (5) Residential accommodation must not be located closer than 80m to any exposed rail line unless a report from a suitably qualified acoustic consultant demonstrates that the external criterion of LAeq,1hr 60 dB can be achieved within any primary outdoor living area using the source levels detailed in Standard I328.6.19 (2) (a).

I328.6.20. Noise emission

- (1) The noise level arising from any activity within the Ōrākei Point precinct must not exceed the following levels;
- (a) at the façade of any habitable space within the Ōrākei Point precinct the noise level in Table I328.6.20.1 Noise level at the façade of habitable spaces;

Table I328.6.20.1 Noise level at the façade of habitable spaces

Time	Noise level
7.00 am to 10.00 pm	LA10 60 dB
10.00 pm to 7.00 pm	LA10 55 dB L63 Hz 10 60 dB L125Hz 10 55 dB LAm _{ax} 75 dB

- (b) within the boundary of any residentially zoned property outside of the Ōrākei Point precinct, the noise level in Table I328.6.20.2 Noise level within the boundary of any residential zoned property outside of the Ōrākei Point precinct; and

Table I328.6.20.2 Noise level within the boundary of any residential zoned property outside of the Ōrākei Point precinct

Time	Noise level
7.00 am to 10.00	L _{A10} 50 dB
10.00 pm to 7.00	L _{A10} 40 dB L _{Amax} 75 dB

- (c) noise levels must be measured and assessed in accordance with the requirements of NZS6801:2008 Acoustics – Measurement of Environmental Sound and NZS6802:2008 Acoustics – Environmental Noise.

Explanation:

The purpose of this control is to provide a minimum level of internal acoustic amenity for occupants of buildings from the external noise sources generated by activities with the Ōrākei Point precinct (including the transport network) and to provide a maximum level of noise that activities other than residential activities can generate.

A general noise control is also applied to the Ōrākei Point precinct to avoid excessive noise occurring for a continuous period or duration so as to be damaging to public health or have an adverse effect on the amenity of the receiving environment.

I328.6.21. Standards for residential units

- (1) Residential units must comply with the minimum gross floor area in Table I328.6.21.1 Minimum gross floor area for residential units.

Table I328.6.21.1 Minimum gross floor area for residential units

Residential unit	Minimum gross floor area
One bedroom	45m ²
One bedroom plus study	55m ²
Two bedrooms	70m ²
Three bedrooms or more	90m ²

- (2) Minimum balcony sizes of at least 8m² must be provided in addition to the minimum gross floor area requirements in Table I328.6.21.1 Minimum gross floor area for residential units, and all balconies must be internalised (i.e. not projecting) for improved privacy, flexibility of use and protection from windy aspects.
- (3) The minimum floor to ceiling height for habitable rooms (including servicing) must be 2.4m except for multi-level or split-level apartments and mezzanine levels, in which case at least 50 per cent of the apartment

floor area must comply with the minimum 2.4m floor to ceiling height requirements.

- (4) Kitchens, bathrooms, hallways, toilets, lobbies, laundries and service areas must have a 2.3m minimum floor to ceiling height.
- (5) The minimum width of common area corridors is 1.5m.
- (6) The minimum width of a corridor/lobby space immediately adjacent to the lift is 2.7m, measured at 90° to the lift doors, for the full combined width of the lift doors.
- (7) Residential units must be designed to achieve the following minimum daylight standards:
 - (8) living rooms and living/dining areas must have a total clear glazed area of exterior wall no less than 20 per cent of the floor area of that space;
 - (9) bedrooms must have a total clear glazed area of exterior wall no less than 20 per cent of the floor area of that space; and
 - (10) entrance halls, kitchens, kitchen/dining rooms, bathrooms, toilets, and laundries may rely on borrowed or artificial light, other than where such building elements contain a window placed in an exterior wall parallel to a site boundary, other than the street boundary, then that window/wall must be set back from the boundary by a minimum of 1m.

Explanation:

Minimum unit standards are imposed within the Ōrākei Point precinct to ensure that each unit has an adequate level of amenity for the occupants. Such amenity includes the provision of minimum areas for apartments, floor to ceiling heights, widths of corridors and daylight standards. These standards are designed to ensure that apartments at Ōrākei Point are a desirable place to live.

I328.6.22. Mix of residential units

- (1) The combined number of one bedroom, one bedroom plus study and two bedroom units within the Ōrākei Point precinct must not exceed 80 per cent of the total number of residential units in the precinct.
- (2) No single building must comprise entirely one bedroom units and no more than:
 - (a) 10 per cent of units within the precinct can be one bedroom; and
 - (b) 15 per cent of units within the precinct can be one bedroom plus study.
- (3) The total number of residential units in the precinct must be calculated as the combined total of units in both existing and consented buildings where:
 - (a) 'consented buildings' means buildings for which resource consent has been granted, but not given effect to; and

- (b) resource consents which have expired or lapsed, or which have been surrendered must not be used in the calculation of residential units.

Explanation:

A mix of unit sizes is required to ensure that the housing stock within the Ōrākei Point precinct can provide for a variety of household types. The mix of unit sizes ensures that no one apartment size dominates and will provide for a wide demographic mix of occupants, including families, through setting minimums on the number of one bedroom apartments allowed. No provision is made for smaller studio units in the precinct under the gross floor area requirements for residential units.

I328.6.23. Private open space

- (1) All residential units must have an outdoor living area no less than 8m².
- (2) An outdoor living area must:
 - (a) have convenient access from a living room;
 - (b) may consist of either an exclusive area at ground level, a balcony (including a recessed or semi enclosed balcony or part of the balcony) or a roof top space exclusively available to that residential unit; and
 - (c) must comprise one continuous area rather than comprise the cumulative total of smaller areas.

Explanation:

Outdoor living areas are required to ensure that each unit has an adequate level of amenity for the occupants in the form of useable private open space.

I328.6.24. Visual privacy

- (1) Where the habitable room windows of a dwelling or a guestroom within visitor accommodation are less than 6m away, and have direct views of the habitable room windows of other residential units or a guestroom within a tourist facility within the same or adjacent sites, they must:
 - (a) be offset a minimum of 1m (horizontally or vertically) from the edge of one window to the edge of the other;
 - (b) have sill heights of 1.6m above floor level;
 - (c) have fixed obscure glazing in any part of the window below 1.6m above floor level; or
 - (d) be on the ground floor level and separated by a suitable screening device, including landscaping, of 1.6m minimum height.

Explanation:

This rule provides a balance between allowing the windows of upper storeys of new developments to have reasonable daylight and outlook while limiting intrusive overlooking of habitable rooms of units on adjoining sites.

I328.6.25. Residential outlook space

- (1) A residential outlook space must be provided:
 - (a) from each face of the building containing windows to principal living areas, (“principal living area” meaning the main communal living space within an accommodation unit for entertainment, recreation and relaxation), or bedrooms of any residential unit; and
 - (b) where windows to a principal living area or bedroom are provided from two or more faces of a building, outlook space must be provided to the face with the greatest window area of outlook.
- (2) The minimum dimensions for outlook space for principal living areas and for bedrooms is 6m, measured perpendicular to the exterior face of the building.
- (3) An outlook space may be over:
 - (a) the site on which the building is located;
 - (b) legal road;
 - (c) public open space;
 - (d) an area otherwise shown on I328.10.1 Ōrākei Point - Precinct plan 1 as being podium or open space and not a building platform above the podium levels;
 - (e) another site, where more than one building may share an outlook space, provided that:
 - (i) the outlook space must be secured in perpetuity for the benefit of the building by a legal instrument to be put in place prior to the commencement of construction; and
 - (ii) written approval of the owner of the adjoining site for the outlook space must be provided when the application for resource consent is lodged.
- (4) Balconies that have direct access from the principal living area or bedroom and are recessed within the exterior face of the building may be included in the calculation of outlook space to a maximum depth of 3m.

Explanation:

The purpose of this control is to safeguard outlook, daylight, sunlight and privacy for occupants of residential buildings. It is noted this is not a view protection control.

I328.6.26. Vibration

- (1) Occupied buildings within the Ōrākei Point precinct must be designed and constructed to ensure the levels of vibration in Table I328.6.26.1 Levels of vibration from trains will not be exceeded based on the procedures specified in the Norwegian Standard NS 8176E: 2nd edition September 2005 Vibration and Shock Measurement of Vibration in Buildings from Land Based Transport and Guidance to Evaluation of its Effects on Human Beings.

Table I328.6.26.1 Levels of vibration from trains

Receiving Environment	Maximum Weighted Velocity, V^w , ⁹⁵
Residential Accommodation	0.3 mm/s
Commercial/Retail Areas	0.6 mm/s

I328.6.27. Screening

- (1) Where any outdoor storage, refuse disposal area, service or parking area adjoins or directly faces land that is in an open space or residential zone, other than the outdoor area of a garden centre used for the display and sale of plants, pots, garden ornaments and outdoor furniture, a solid wall screen must be erected, to the following heights:
- (a) front boundary: 1.2m;
 - (b) side and rear boundaries: 1.8m; and
 - (c) the solid wall screen must be densely planted behind with vegetation and shrubs that will screen the areas during the year.

Explanation:

The purpose of this control is to ensure that unsightly outdoor storage, refuse disposal and parking areas are adequately screened to adjoining open space zoned land.

I328.6.28. Parking

- (1) The Auckland-wide rules in Chapter E27 Transport apply with the exception of the parking standards where the following rules apply:
- (a) where a site is located within the Ōrākei Point precinct the number of parking spaces must not exceed the maximum number of spaces in Table I328.6.28.1 Maximum permitted parking spaces;

Table I328.6.28.1 Maximum permitted parking spaces

Activity	Maximum permitted parking
Residential	One space per residential unit up to one bedroom (including one bedroom units plus study) Two spaces per residential unit two bedrooms or more
Offices	One space per 60m ² of gross floor area
Retail	One space per 40m ² of gross floor area
Garden Centre, including an ancillary café that incorporates up to 20 per cent of the gross floor area, and/or up to 5 per cent of the outdoor area	Garden Centre: one space per 40m ² of gross floor area plus one space per 100m ² of outdoor area Café: one space for every 4 café seats
All other activities	One space per 60m ² of gross floor area

- (2) The overall parking spaces within the Ōrākei Point precinct must be no more than 1750 spaces.
- (3) A minimum parking threshold of 75 per cent of the maximum parking requirement must apply.
- (4) The overall parking spaces in the precinct must be calculated as the combined total of spaces in both existing and consented buildings, with:
 - (a) 'consented buildings' meaning buildings for which resource consent has been granted, but not given effect to; and
 - (b) resource consents which have expired or lapsed, or which have been surrendered, not being used in the calculation of maximum gross floor area.
- (5) Parking may either be provided on the same site as the activity to which it relates, or on another site within the Ōrākei Point Precinct.
- (6) No minimum parking standards apply within the Ōrākei Point Precinct.
- (7) Podium level public on-street parking is not subject to the maximum permitted parking limitations or total overall parking in Standard I328.6.28(1)(a) or I328.6.28(2).
- (8) Park and ride parking up to a maximum of 200 spaces is not subject to the maximum permitted parking limitations or total overall parking in Standard I328.6.28(1)(a) or I328.6.28(2).
- (9) The loading standards in Chapter E27 Transport apply, except that loading requirements for individual buildings may be waived where a common

loading space or spaces are provided and are available and accessible to all buildings and activities within a particular sub-precinct.

- (10) No off-street loading is required for buildings and activities within Sub-precinct F.

Explanation:

The Ōrākei Point Precinct restricts the amount of parking which may be provided in recognition of the access limitations of Ōrākei Road and carrying capacity of the surrounding road network. There are no minimum parking requirements to allow the flexibility to provide as little parking as necessary to meet the requirements of a development. This recognises that the site is extremely well connected by public transport and acts as an incentive to developers to consider reducing parking in light of the other transport options that are available to Ōrākei Point.

I328.6.29. Staging and provision of public facilities, infrastructure, traffic and road improvements

- (1) Public facilities, infrastructure, traffic and road improvements must be established as a pre-requisite to development of each sub-precinct in accordance with Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct and ‘the link road’, ‘lee plaza’ and ‘waterfront plaza’ must be as shown on I328.10.5 Ōrākei Point - Precinct plan 5.

Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct

Column I	Column II	Column III	Column IV
Sub-precinct	Staging requirements	Public facilities and infrastructure	Traffic and road improvements
Sub-precinct A	No building or development must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established. No building or development within the sub-precinct must be occupied until the traffic and road improvements set out in this column IV have been completed.	Vesting in the council of an esplanade reserve with a minimum depth of 20m along the foreshore adjoining Sub-precinct A so that the reserve can provide continuous public access along its full length.	Closure of any alternative access onto Ōrākei Road (so that the only access onto Ōrākei Road is as shown on I328.10.5 Ōrākei Point: Precinct plan 5).
Sub-precinct B	No building or development above the podium level must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established.	a. Vesting of Ōrākei Road site frontage to the council for road widening, as shown on I328.10.5 Ōrākei Point - Precinct plan 5 and b. Vesting to the	a. Improvements to the alignment along Ōrākei Road, where feasible; and b. The provision of footpaths along the western side of Ōrākei Road, between 228 Ōrākei Road and the Shore Road roundabout); and

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	<p>Note: this does not preclude the establishment of the parking levels and associated access below the podium level nor the establishment of the roads, plazas and another public places above the podium level prior to the public facilities and infrastructure set out in column III being established.</p> <p>No building or development within the sub-precinct must be occupied until the traffic and road improvements set out in column IV have been completed.</p>	<p>council of the Open Space zoned land at the northern end of the site at 246 Ōrākei Road (headland park); and</p> <p>c. Vesting in the council of an esplanade reserve with a minimum depth of 20m along the foreshore adjoining Sub-precinct A so that the reserve can provide continuous public access along its full length.</p>	<p>c. The provision of on or off road facilities for cyclists along Ōrākei Road; and</p> <p>d. The signalisation of the intersection of the southern access to the site with Ōrākei Road, generally in the position shown on the I328.10.5 Ōrākei Point - Precinct plan 5.</p>
Sub-precinct C	<p>No building or development must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established.</p> <p>No building or development within the sub-precinct must be occupied until the traffic and road improvements set out in column IV have been completed.</p>	<p>(a) to (c) above and:</p> <p>d. completion of that part of the podium level within sub-precinct B; and</p> <p>e. the establishment of lee plaza*; and</p> <p>f. completion of the railway entrance building*</p>	<p>(a) to (d) above and:</p> <p>e. Upgrading of the Kepa/Ōrākei/Ngapipi intersection from a roundabout to traffic signals, with a single right turn from Ngapipi Road to Ōrākei Road, but with two exit lanes on Kepa Road (to allow two right turn lanes from Ōrākei Road); and</p> <p>f. The provision of a second northbound lane on Ōrākei Road, from south of the southern site access, including vesting in the council the land identified as "Road Widening" on I328.10.1 Ōrākei Point - Precinct plan 1; and</p> <p>g. The signalisation of the intersection of the northern access to the site with Ōrākei Road, generally in the position shown on I328.20.5 Ōrākei Point - Precinct plan 5.</p>
Sub-precinct D	<p>No building or development must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established.</p>	<p>(a) to (f) above and:</p> <p>g. The establishment an vesting of the Link Road as a public road in strata</p>	<p>(a) to (g) above and:</p> <p>h. The provision of a flush median along Ōrākei Road, where feasible; and</p> <p>i. Further upgrading of the Ōrākei/Kepa/Ngapipi Road</p>

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	No building or development within the precinct must be occupied until the traffic and road improvements set out in column IV have been completed.	within Sub-precincts B and C, including signalised intersections with Ōrākei Road	intersection, with two exit lanes to Ngapipi Road, plus widening of the approach from Kepa Road
Sub-precinct E	No building or development must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established. No building or development within the sub-precinct must be occupied until the traffic and road improvements set out in column IV have been completed.	(a) to (g) above and: h. Vesting to the council of the Open Space – Informal Recreation Zone land on the western edge of the sites at 228 Ōrākei Road and 236 Ōrākei Road to the railway land.	(a) to (i) above.
Sub-precinct F	No building or development must be undertaken within the sub-precinct until the public facilities and infrastructure set out in column III of this table have been established. No building or development within the sub-precinct must be occupied until the traffic and road improvements, and local purpose reserve vesting, set out in column IV have been completed.	(a) to (h) above and: i. Completion of that part of the podium level within Sub-precinct E; and j. Establishment of waterfront plaza*; and k. Public indoor and outdoor linkage between lee plaza and waterfront plaza*.	(a) to (i) above and: j. Vesting in the council, in fee simple as a local purpose reserve, the landscaped corridor shown in Ōrākei Point - Precinct plan 5 approximately 10m wide running parallel to and adjoining the northern side of Ōrākei Road between the two vehicle entrances shown on Ōrākei Point - Precinct plan 5, excluding the part of that corridor which also comprises part of the railway corridor.

- (2) The construction of lee and waterfront plazas, the linkages between the plazas and the railway station entrance building are required to satisfy assessment criteria as a restricted discretionary activity, including the requirements to legally establish safe public access to these public places and facilities.
- (3) Throughout the development of every sub-precinct, public pedestrian and service access to the Ōrākei Railway station and vehicle access from Ōrākei Road to the property at 236 Ōrākei Road (Lot 3 DP 112856) must be maintained.
- (4) The sequencing of development of each sub-precinct does not need to follow the order of sub-precinct numbering B- E, provided that the public facilities and infrastructure work in column III in Table I328.6.29.1 Staging of

public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct and the traffic and road improvements in column IV in Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct, in respect of the earlier sub-precinct/s are established as a prerequisite to the development of the later sub-precinct.

- (5) An application for resource consent for development within any of the sub-precincts must provide details of how the public facilities and infrastructure set out in column III in Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct have been provided.
- (6) Where any of the required public facilities and infrastructure set out in column III in Table I328.6.29.1 Staging of public facilities, infrastructure, traffic and road improvements as a pre-requisite to development of each sub-precinct have not been established at the time of resource consent for a development a resource consent for a restricted discretionary activity will be required for the new building, which must include:
 - (a) an explanation of the methods by which the public facilities and infrastructure will be established, prior to occupation of the building;
 - (b) a timetable for their establishment; and
 - (c) the methods may include conditions of resource consent or bonding to secure the public facilities and infrastructure and the resource consent will be assessed against the extent to which these methods and timetable are appropriate to ensure the public facilities and infrastructure will be established, prior to occupation of the building.
- (7) More than one sub-precinct may be constructed simultaneously provided the completion of relevant public facilities and infrastructure under this rule is bonded to the satisfaction of the Council by way of bank bond or bank guaranteed bond.

Explanation:

The provision of public facilities and infrastructure and traffic and road improvements is tied to the development of sub-precincts to ensure they are provided commensurate with the requirements of the development and to ensure the full public benefit outcomes of I328.10.5 Ōrākei Point - Precinct plan 5 are achieved.

The success of Ōrākei Point depends on the staged and coordinated provision of the covered rail, roads, plazas, linkages and infrastructure and roading upgrades.

I328.6.30. Network utility services

- (1) The Ōrākei Point precinct development controls do not apply to network utility services. The provisions of E26 Infrastructure apply.

Explanation:

The development controls of the Ōrākei Point precinct are intended to apply to building development only and not to the height, position and size of network utilities such as traffic signs, telephone booths, bus shelters and other infrastructure in roads and plazas.

I328.6.31. Ōrākei Point coastal yard

- (1) The Ōrākei Point coastal yard applies to land within a line 20m from mean high water springs as shown on I328.10.1 Ōrākei Point - Precinct plan 1 and use and development in the Ōrākei Point coastal yard must comply with the following:
 - (a) no building can be constructed within the Ōrākei Point coastal yard, other than paths and driveways and associated retaining, foundations, surfaces and structures that are in general accordance with I328.10.5 Ōrākei Point - Precinct plan 5 and approved as part of a resource consent;
 - (b) no person can, damage, alter, injure, destroy or partially destroy:
 - (i) any indigenous tree or vegetation; or
 - (ii) any exotic tree greater than 6m in height or 600mm in girth (measured at 500mm above ground level).
- (2) The Council may grant an application for restricted discretionary activity resource consent to remove or pollard vegetation or trees within the Ōrākei Point coastal yard if it is satisfied that the works are necessary to address dangerous, diseased or damaged vegetation and trees, compliance with and statutory or legal obligation or hardship, or any other cogent reason.
- (3) Consent will not be granted to the removal or pollarding of vegetation or trees within the Ōrākei Point coastal yard for the purpose of improving views unless the natural character of the coastal environment, the ecological and amenity values of the site and the health of the tree will not be adversely affected.
- (4) No other yard or building in relation to boundary control applies within the Ōrākei Point precinct.

Explanation:

The Ōrākei Point Coastal Yard is applied at the boundary of Open Space – Informal Recreation Zone land on the northern side of Ōrākei Point. The control is intended to ensure that buildings are appropriately set back from this coastal edge, thereby avoiding effects on its landscape and ecological values.

In other places within the Ōrākei Point precinct the position of buildings in relation to other buildings, roads and open space are controlled by the height and recession plane rules within the identified building platforms rather than yard controls. Buildings are generally encouraged to abut adjoining open space rather than be set back in

order that they appropriately address and define such open space to maximise opportunities for outlook and surveillance.

I328.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I328.8. Assessment – restricted discretionary activities

I328.8.1. Matters of discretion

The Council will reserve its discretion to all the following matters when assessing a restricted discretionary activity resource consent application in the Ōrākei Point Precinct in addition any other matters specified for restricted discretionary activities in the overlay, Auckland-wide, H13 Business – Mixed Use Zone and H22 Strategic Transport Corridor Zone.

(1) Buildings:

- (a) Building design and external appearance.
- (b) Public safety.
- (c) Creating a positive frontage.
- (d) Designing for landmark buildings (in particular Building H).
- (e) Activity relationship to public open spaces.
- (f) Centre vitality.
- (g) Design of parking, access and servicing.
- (h) Accommodation.
- (i) Site amenity.
- (j) Sustainability.
- (k) Ōrākei Road parking building.
- (l) Travel Demand Management Plan.
- (m) Construction management.
- (n) Traffic impact on roads and intersections.
- (o) Fencing.
- (p) Reverse sensitivity effects associated with the operation of the rail line and roads.

(2) Additions and alterations to existing buildings:

- (a) Building design and external appearance.

- (b) Public safety.
 - (c) Creating a positive frontage.
 - (d) Activity relationship to public open spaces.
 - (e) Centre vitality.
 - (f) Design of parking, access and servicing.
 - (g) Accommodation.
 - (h) Site amenity.
 - (i) Sustainability.
 - (j) Travel Demand Management Plan.
 - (k) Construction management.
 - (l) Traffic impact on roads and intersections.
 - (m) Fencing.
 - (n) Reverse sensitivity effects associated with the operation of the rail line and roads.
- (3) Community facilities between 500m² and 2,000m² gross floor area:
- (a) Building design and external appearance.
 - (b) Public safety.
 - (c) Creating a positive frontage.
 - (d) Activity relationship to public open spaces.
 - (e) Centre vitality.
 - (f) Design of parking, access and servicing.
 - (g) Accommodation.
 - (h) Site amenity.
 - (i) Sustainability.
 - (j) Travel Demand Management Plan.
 - (k) Construction management.
 - (l) Traffic impact on roads and intersections.
 - (m) Fencing.

- (n) Reverse sensitivity effects associated with the operation of the rail line and roads.
- (4) Use of buildings for any activity listed in this table as permitted where the site is located within 30m either side of the land designated for railway purposes and the site is not subject to a restrictive non-complaint encumbrance in favour of New Zealand Railways Corporation and Ports of Auckland Limited:
 - (a) Restrictive Non-complaint Encumbrance for the Ōrākei Point precinct.
 - (b) Reverse sensitivity effects associated with the operation of the rail line and roads.
 - (c) Fencing.
- (5) Buildings within the Special Tree Protection Area, in addition to the matters of discretion listed in I328.8.1(1):
 - (a) Existing tree protection.
 - (b) Tree Protection Plan.
 - (c) Site specific tree protection.
 - (d) Works within the Special Tree Protection Area.
- (6) Construction of public open space, public accessways, overpasses and plazas, and accessory buildings (excluding roads):
 - (a) Building design and external appearance.
 - (b) Public safety.
 - (c) Creating a positive frontage.
 - (d) Designing for landmark buildings (in particular Building H).
 - (e) Activity relationship to public open spaces.
 - (f) Centre vitality.
 - (g) Design of parking, access and servicing.
 - (h) Accommodation.
 - (i) Site amenity.
 - (j) Sustainability.
 - (k) Travel Demand Management Plan.
 - (l) Construction management.

- (m) Fencing.
 - (n) Reverse sensitivity effects associated with the operation of the rail line and roads.
 - (o) I328.10.3 Ōrākei Point - Precinct plan 3.
 - (p) Public open spaces, public accessways and streets.
- (7) Parking (non-accessory) in Sub-precinct F:
- (a) Design of parking, access and servicing.
 - (b) Large commercial parking.
 - (c) Ōrākei Road parking building.
 - (d) Site amenity.
 - (e) Sustainability.
 - (f) Travel Demand Management Plan.
 - (g) Construction management.
- (8) Parking between 1750 and 1950 spaces:
- (a) Design of parking, access and servicing.
 - (b) Large commercial parking.
 - (c) Ōrākei Road parking building.
 - (d) Site amenity.
 - (e) Sustainability.
 - (f) Travel Demand Management Plan.
 - (g) Construction management.

I328.8.2. Assessment criteria

The council will consider the assessment criteria below for restricted discretionary activities, in addition to the relevant assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland-wide H13 Business – Mixed Use Zone and H22 Strategic Corridor Zone.

- (1) Buildings - Building design and external appearance:
- (a) New buildings should be generally consistent with I328.10.5 Ōrākei Point - Precinct plan 5 and their design and external appearance will be assessed as to whether:

- (i) buildings respond to the proportions, structural modules, and solid-void relationships of existing and proposed public spaces, streets and open spaces, and any existing or consented buildings or building forms otherwise shown on I328.10.5 Ōrākei Point - Precinct plan 5;
- (ii) the materials used on new development are responsive to materials used on neighbouring existing and proposed public spaces, streets and open spaces, and any existing or consented buildings or building forms otherwise shown on I328.10.5 Ōrākei Point: Precinct plan 5;
- (iii) the height of the proposed building is relative to its neighbours so as to ensure variation in roof height and roof form;
- (iv) the building design is of a high quality, showing variety and responsiveness to the local context in a way that contributes to the identity of Ōrākei Point at every scale, including the appearance from viewing points external to Ōrākei Point itself, including from public viewpoints on Tamaki Drive, Ngapiipi Road, Kepa Road, Lucerne Road and Shore Road;
- (v) the building facades are articulated to create shadows, and have a varied roofline and buildings use exterior materials with a coefficient of reflectivity of less than 55 per cent;
- (vi) sound building design precedents are introduced to provide visual cues to the building's overall scale and size and to avoid flat planes or blank facades devoid of modulation, relief or surface detail where visible from streets and public open space;
- (vii) the architectural design differentiates upper building levels from lower and ground levels;
- (viii) the overall form of buildings as seen from a distance is cognisant of the original landform and the existing silhouette of trees on the peninsula;
- (ix) the overall form of buildings complements the natural rise and fall of the land and existing trees on the peninsula;
- (x) buildings seen from a distance are varied and intricate in their rooflines and the patterns of light and shade resulting from balconies and other articulation of their facades;
- (xi) long flat roof profiles are avoided, while roof profiles which are varied are encouraged;
- (xii) roof profiles are designed as part of the overall building form and contribute to the architectural quality of the skyline as viewed from both ground level and the surrounding area, including the integration of plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design so that they are not visible from beyond Ōrākei Point;

- (xiii) durable, high quality, inert and easily maintained materials are used on the exterior of buildings;
 - (xiv) side or rear walls are used as an opportunity to introduce creative architectural solutions that provide interest in the façade including modulation, relief or surface detailing; and
 - (xv) balconies over roads project no more than 1.5m over the road, are no wider than 4m and are at least 7m above the surface of the road or footpath below.
- (b) Public safety: Applications will be assessed in respect of how they address public safety and whether:
- (i) consideration has been given to site amenity and safety considerations in the interim period prior to I328.10.5 Ōrākei Point - Precinct plan 5 being completed (including for example temporary site fencing and/or amenity planting);
 - (ii) safe public pedestrian and service access will be maintained to the Ōrākei rail station and methods provided to ensure that this access is maintained from public places at all times the rail service is operating (such methods may include the registration of legal instruments on the land title(s)); and
 - (iii) new development, including parking, is designed in accordance with principles of Crime Prevention Through Environmental Design principles.
- (c) Creating a positive frontage: Applications will be assessed in respect of the extent they create positive frontages and whether:
- (i) building frontages at street level and at the lee and waterfront plaza level contribute to pedestrian vitality, interest and public safety including through using a variety of architectural detail and maximising doors, window openings and balconies fronting streets and plazas;
 - (ii) ground floor spaces facing the street and plaza have windows and doors which look directly onto the street and plaza, with glazing comprising a major portion of the ground floor façade;
 - (iii) building entrances are visible and easily identifiable from the street and plaza and directly accessible from street and plaza level;
 - (iv) when fences and walls are erected between areas of public and private open space, the design of fences and walls is integrated with landscaping and in some cases a landscaped/land formed edge being more appropriate than solid fences or wall;
 - (v) passenger drop off points are located close to entrances;
 - (vi) building frontages alongside open space land contribute to vitality, interest and public safety including through using a variety of

architectural detail and maximising window openings and balconies fronting onto the public open spaces;

- (vii) when the floor level of buildings fronting open space zoned land is above ground level to provide privacy to the occupants or to allow for the fall of the terrain, any foundation walls have a modulated form or are landscaped to avoid the appearance of stark retaining walls or undercroft openings;
 - (viii) buildings address and align to the street boundary of an identified building platform to a height appropriate to define and enclose the street and define the edge of public places, with minor modulation and variance of the frontage layout, such as recessed pedestrian entrances and windows being acceptable to avoid architectural monotony provided that the overall continuity of the frontage is not compromised;
 - (ix) buildings are designed so the back of a building avoids being oriented to streets, public plazas, or the foreshore open space zoned land and is orientated towards the backs of other buildings wherever practical;
 - (x) the rhythm and scale of architectural features, fenestration, finishes and colour harmonises with and complements the streetscape and public places, particularly where this would assist or strengthen the overall effect of the building frontage;
 - (xi) where large sites enable the development of an extensive street building frontage, the frontage is visually broken up through building separation and/or variation in building height, form and/or design to avoid monotonous building façades as viewed from streets and public open space and external viewing points;
 - (xii) primary entrances to buildings are located along the main street elevation;
 - (xiii) where possible, windows are designed to look directly onto the street and to adjoining public open spaces;
 - (xiv) building facades at middle levels provide richness, interest and depth, including architectural detail and balconies fronting streets, plazas and public open spaces and avoiding blank walls on frontages; and
 - (xv) large expanses of blank walls are avoided at upper levels on street, plaza and public open space frontage and servicing elements are avoided on these facades unless appropriately integrated into the façade design.
- (d) Designing for landmark buildings (in particular Building H): The design of landmark buildings (particularly Building H) will be assessed as to whether:

- (i) the landmark building's overall form and the articulation of its façade announce its unique position on the street or plaza and/or its public function;
 - (ii) the landmark building articulation or façade treatment is used to express its unique position on the street or plaza, including reduced setbacks and feature elements such as awnings and parapets; and
 - (iii) the top of the landmark building is designed to distinguish it from adjacent buildings.
- (e) Activity relationship to public open spaces: Applications will be assessed in respect of their relationship to public open spaces and whether:
- (i) internal space at all levels within the building are designed to maximise outlook for occupants onto streets and public open spaces;
 - (ii) activities engage and activate streets, through site links and public open space at ground level;
 - (iii) parking areas that are located within buildings and are visible from streets or public open spaces are avoided;
 - (iv) building space with active uses is provided between parking areas within buildings and street and public open space frontages;
 - (v) ventilation, and fumes from parking structures or other uses avoid being exhausted into the adjacent pedestrian environment at podium level;
 - (vi) to avoid privatising adjoining publicly accessible open space the boundary between public, semi- public and private open space is clearly defined by either one or a combination of fencing or planting along the boundary of the private open space; and
 - (vii) fencing and planting is designed and located to be sufficiently transparent or of low enough height to ensure there are clear views of the open space in accordance with principles of Crime Prevention Through Environmental Design.
- (f) Centre vitality: Applications will be assessed for their contribution to centre vitality and whether:
- (i) buildings are designed to be highly adaptable to a variety of uses; for example, open structural frames and more than minimum floor-to-floor heights should be considered.
- (g) Design of parking, access and servicing: Applications for parking, access and servicing will be assessed as to whether:
- (i) parking, driveways and circulation are integrated into the overall site and building design;

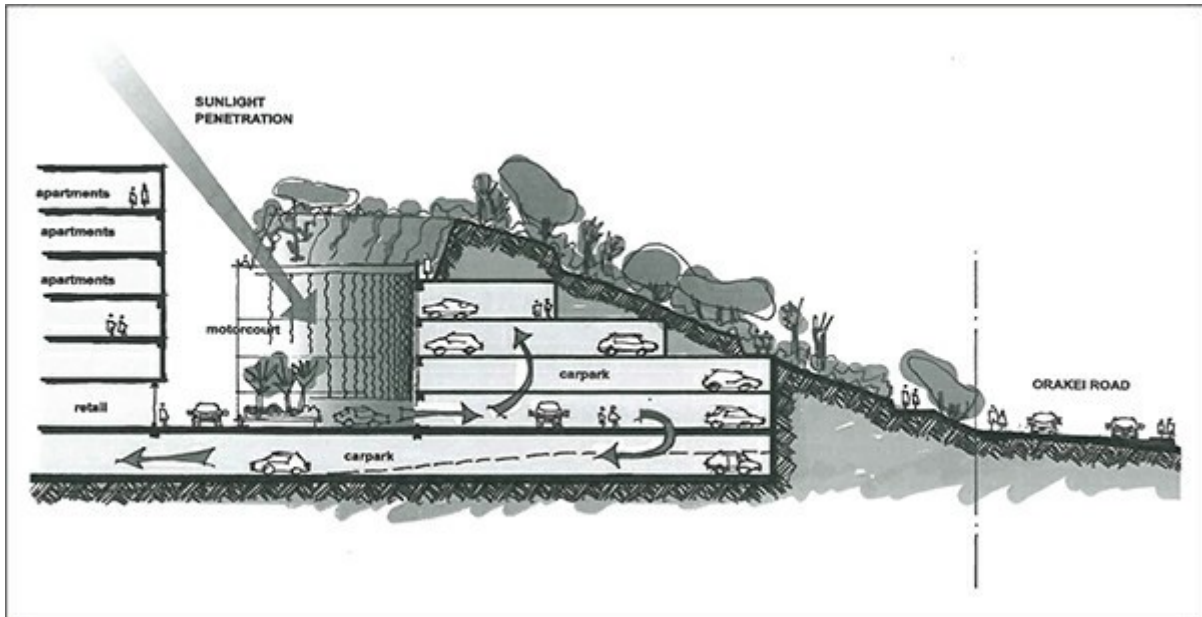
- (ii) parking areas are located underground or within buildings, other than on-street public parking;
- (iii) parking is designed to minimise conflict between non-residential, residential and pedestrian traffic;
- (iv) when they occur on the subject site, public places and public access linkages shown on I328.10.5 Ōrākei Point - Precinct plan 5 are provided for, and methods to ensure public access to and over such public places and public access linkages are maintained at all times, excluding any areas set aside for outdoor dining (such methods may include the registration of legal instruments on the land title(s));
- (v) the proposed finished levels across the subject site allow for public access linkages through and around the site and between adjacent sites, where these are envisaged by I328.10.5 Ōrākei Point - Precinct plan 5;
- (vi) methods to legally secure public access at all times to the public places and the linkages referred to in the above criteria are provided, including in the interim period before I328.10.5 Ōrākei Point - Precinct plan 5 is completed, and including prior to the vesting of public roads (such methods may include the registration of legal instruments on the land title(s));
- (vii) methods to secure access to other properties within the Ōrākei Point precinct are provided;
- (viii) buildings are designed to provide strong architectural cues to accessways and through-site links, with clear and legible entrances, to enhance the visible sense of pedestrian access to the area;
- (ix) access to the development is clearly defined and identifiable to both vehicles and pedestrians as they approach the site and emerging from public transport/rail station, with a particular focus on way-finding methods to increase the legibility of the rail station;
- (x) the design of vehicle ingress and egress to sites is primarily considered from the perspective of pedestrians and cyclists, particularly in terms of visibility and the use of paving materials;
- (xi) frontages are designed as far as possible to avoid multiple service and access interruptions to frontage continuity;
- (xii) where possible vehicle access points are located away from the main road frontage to minimise vehicle crossing and accessways;
- (xiii) where development within Sub-precinct A occurs prior to the establishment of the link road, a temporary vehicular access to development in Sub-precinct A provides appropriate design, turning restrictions and position of the access drive and footpath crossing (a condition may be imposed on the resource consent requiring the

- closure of this temporary access upon the completion of construction of an alternative access to sub-precinct A directly from the link road);
- (xiv) access points are designed to be compatible with the visual appearance of the building(s);
 - (xv) integration of access for vehicular uses (cars, truck and buses) is used to minimise the crossing of pedestrian paths;
 - (xvi) accessways are designed to safely accommodate emergency services and other large vehicles;
 - (xvii) where alternative vehicle access is available, the creation of new vehicle crossings across frontages within the frontage height and activity control is avoided where practical;
 - (xviii) buildings and parking areas are designed to provide for disabled access, including to extent to which they comply with NZS 4121:2001 Design for access and mobility: buildings and associated facilities;
 - (xix) parking areas that are located within buildings and are visible from streets or public open spaces are avoided;
 - (xx) building space with active uses is provided between parking areas within buildings and street and public open space frontages; and
 - (xxi) ventilation and fumes from parking structures or other uses avoid being exhausted into the adjacent pedestrian environment at podium level.
- (h) Accommodation: Applications for accommodation will be assessed as to whether:
- (i) accommodation has natural through ventilation, and where there are external windows on more than one wall by window openings facing different directions, with, ventilation provided solely by mechanical means is not being appropriate;
 - (ii) internal design of every accommodation unit within a development maximises outlook, as distinct from views;
 - (iii) a mixture of apartment types is provided within each building; and
 - (iv) plans submitted as part of a resource consent application include a scaled floor plan showing the living arrangement and configuration within each residential or accommodation unit, including scaled furniture.
- (i) Site amenity: Applications will be assessed for their contribution to site amenity and whether:

- (i) screening and/or landscaping is provided for all parking, loading and servicing areas within buildings that are visible from streets or public open spaces;
 - (ii) site services such as mechanical, electrical and communications equipment are concealed from streets or public open spaces;
 - (iii) service areas are located in areas where they do not detract from the developments visual appeal; and
 - (iv) rubbish storage and recycling facilities are located away from habitable spaces and screened from public places.
- (j) Sustainability: Applications will be assessed for their sustainability and whether:
- (i) buildings are designed to be sustainable through the use of durable low maintenance materials, inert exterior cladding, maximising solar access and natural ventilation and the incorporation of mechanical and electrical systems that achieve energy efficiency;
 - (ii) living spaces within buildings are oriented toward the north to allow for provision of good natural light;
 - (iii) on-site landscaping generally consists of indigenous vegetation;
 - (iv) measures will be adopted to remove endemic lizards from works footprint prior to works commencing and relocate lizards (ideally to open space on the southern side of Ōrākei Road);
 - (v) on-site stormwater conservation measures will be incorporated where appropriate including rainwater harvesting devices, green roofs, site landscaping, rain gardens and wetland treatment systems and stormwater planter boxes (subject to soil contamination considerations);
 - (vi) separate infrastructure reports will be submitted with resource consent applications assessing infrastructure effects from proposed developments;
 - (vii) adequate storage space is provided for rubbish and recyclable material, in a location which is clearly visible within the site and easily accessible to occupants and collection vehicles;
 - (viii) building and demolition will be undertaken in a way that maximises the use of waste materials for reuse and recycling;
 - (ix) buildings will be insulated beyond the minimum standard to keep buildings warm in winter, cooler in summer, and reduce long term maintenance costs;
 - (x) buildings will be constructed using materials that have a high thermal mass such as bricks, concrete and stone to increase energy efficiency;

- (xi) buildings utilise external shades and overhangs, and internal blinds, louvres and curtains to maximise solar access in winter and minimise it in summer;
 - (xii) the lighting controls will enable occupants to minimise energy use;
 - (xiii) active solar technologies are incorporated into new development; and
 - (xiv) if solar water heaters are used, they are incorporated into the design of buildings with consideration of their visual impact.
- (k) Ōrākei Road parking building: The Ōrākei Road parking building will be assessed as to whether:
- (i) the sloping face of the Ōrākei Road parking building is landscaped in a manner that provides a terraced profile or has a modulated form so as to create a natural hill profile characteristic of volcanic forms within Auckland, with particular reference to the tuff ring form of Ōrākei Basin;
 - (ii) the face and roof of the building is landscaped and has sufficient soil depth and drainage to ensure proper plant growth;
 - (iii) a fence or appropriate barrier is to be erected at the top and sides of the slope for safety;
 - (iv) planting uses either low grasses and flaxes or trees, and generally consists of indigenous vegetation;
 - (v) the parking building and adjoining building are sufficiently separated by both an access lane and light well so as to achieve daylight access into a motor court;
 - (vi) a detailed landscape plan showing compliance with the above criteria and providing details on drainage, soil depth and watering and a maintenance plan is provided; and
 - (vii) prior to the 'green hill' covering the Ōrākei Point parking area being designed and constructed, an appropriately qualified landscape architect provides confirmation that planting on the slope can sustain a vegetative cover, including moderate sized trees, over the long term.

Figure I328.8.1.1 Diagram showing an example the Ōrākei Road parking building form and landscape contour



- (l) Travel Demand Management Plan: Any Travel Demand Management Plan should use tools and targets to encourage people to travel by alternative modes of transport other than by private car, including public transport, walking and cycling and ride sharing, and will be assessed on whether it includes:
- (i) information on existing vehicle, public transport, cycle and pedestrian infrastructure;
 - (ii) details on the initial implementation and continued development of the Travel Demand Management Plan;
 - (iii) methods to achieve and monitor the objectives of the Travel Demand Management Plan;
 - (iv) a description of the facilities to encourage alternative means of transport such as staff showers and bicycle racks; and
 - (v) the ratios for bicycle parking for private development set out in the ARTA Guidance Note for Cycle Parking Facilities 2007 as a guide for the provision of cycle parking.
- (m) Construction management: Applications will be assessed as to whether appropriate measures will be implemented during construction to avoid, remedy or mitigate any adverse effects associated with construction activities (which may be addressed through a construction management plan) including the effects on:
- (i) the coastal marine area through stormwater and sediment control measures;

- (ii) the safety and flow of pedestrian and vehicular traffic through appropriate location and management of construction site access locations, provision for off-loading of materials and receipt of waste materials and off-street parking for workers;
 - (iii) amenity and safety through appropriate construction site fencing or screening and location of workers facilities;
 - (iv) the road network through measures to avoid and/or clean up debris including wheel washing facilities and procedures to clean up debris; and
 - (v) access to the railway station, other sites and public areas.
- (n) Traffic impact on roads and intersections: Applications will be assessed for their traffic impact on roads and intersections and:
- (i) the extent of the actual or potential traffic effects of the development on the safety and flow of the road network, having particular regard to the impact of the traffic generated by the development on Ōrākei Road and its intersections; except
 - (ii) where the traffic and road improvements have been met, no assessment of the actual or potential traffic effects of the development is required.
- (o) Fencing: Fencing will be assessed as to whether:
- (i) any fencing abutting public open space is highly transparent with recessive powder coated finish;
 - (ii) the fencing incorporates landscape initiatives to improve the visual appearance at the interface to open space, as well as to deter tagging; and
 - (iii) the fencing will deter access to the railway portal.
- (p) Reverse sensitivity effects associated with the operation of the rail line and roads: Applications will be assessed for their reverse sensitivity effects associated with the operation of the rail line and roads and where buildings are to be occupied by residential units, visitor accommodation or other sensitive activities, whether:
- (i) where they located in accordance with Ōrākei Point - Precinct plan 5 they are appropriately designed to avoid or mitigate reverse sensitivity effects of noise, vibration and fumes associated with the current and future operation of the railway line, and noise effects from traffic;
 - (ii) where they are not located in accordance with Ōrākei Point - Precinct plan 5 they are appropriately located and designed to avoid or mitigate reverse sensitivity effects of noise, vibration and fumes associated with the current and future operation of the railway line, and noise effects from traffic;

- (iii) they are designed with particular regard to the location of bedrooms and other habitable rooms, the type and thickness of glass, and the presence or otherwise of opening windows or doors to the exterior; and
 - (iv) they include a design methodology for avoiding or mitigating adverse effects from noise, vibration and fumes associated with the current and future operation of the rail line with any resource consent application.
- (2) Additions and alterations to existing buildings: Applications for additions and alterations to existing buildings will be assessed on the extent to which they meet:
- (a) the assessment criteria for building design and external appearance in I328.8.2(1)(a)(i) to (xv);
 - (b) the assessment criteria for public safety in I328.8.2(1)(b)(i) to (iii);
 - (c) the assessment criteria for creating a positive frontage in in I328.8.2(1)(c)(i) to (xv);
 - (d) the assessment criteria for an activity's relationship to public open spaces in I328.8.2(1)(e)(i) to (vii);
 - (e) the assessment criteria for centre vitality in I328.8.2(1)(f)(i);
 - (f) the assessment criteria for design of parking, access and servicing in I328.8.2(1)(g)(i) to (xxi);
 - (g) the assessment criteria for accommodation in I328.8.2(1)(h)(i) to (iv);
 - (h) the assessment criteria for site amenity in I328.8.2(1)(i)(i) to (iv);
 - (i) the assessment criteria fo sustainability in I328.8.2(1)(j)(i) to(xiv);
 - (j) the assessment criteria for Travel Demand Management plan in I328.8.2(1)(l)(i) to (v);
 - (k) the assessment criteria for construction management in I328.8.2(1)(m)(i) to (v);
 - (l) the assessment criteria for traffic impact on roads and intersections in I328.8.2(1)(n)(i)(ii);
 - (m) the assessment criteria for fencing in I328.8.2(1)(o)(i) to (iii); and
 - (n) the assessment criteria for reverse sensitivity effects associated with the operation of the rail line and roads in I328.8.2(1)(p) (i) to (iv).

- (3) Community facilities between 500m² and 2,000m² gross floor area:
Applications for community facilities between 500m² and 2,000m² gross floor area will be assessed on the extent to which they meet:
- (a) the assessment criteria for building design and external appearance in I328.8.2(1)(a)(i) to (xv);
 - (b) the assessment criteria for public safety in I328.8.2(1)(b)(i) to (iii);
 - (c) the assessment criteria for creating a positive frontage in I328.8.2(1)(c)(i) to (xv);
 - (d) the assessment criteria for an activity's relationship to public open spaces in I328.8.2(1)(e)(i) to (vii);
 - (e) the assessment criteria for centre vitality in I328.8.2(1)(f)(i);
 - (f) the assessment criteria for design of parking, access and servicing in I328.8.2(1)(g)(i) to (xix);
 - (g) the assessment criteria for accommodation in I328.8.2(1)(h)(i) to (iv);
 - (h) the assessment criteria for site amenity in I328.8.2(1)(i)(i) to (iv);
 - (i) the assessment criteria for sustainability in I328.8.2(1)(j)(i) to (xiv);
 - (j) the assessment criteria for Travel Demand Management Plan in I328.8.2(1)(l)(i) to (v);
 - (k) the assessment criteria for construction management in I328.8.2(1)(m)(i) to (v);
 - (l) the assessment criteria for traffic impact on roads and intersections in I328.8.2(1)(n)(i);
 - (m) the assessment criteria for fencing in I328.8.2(1)(o)(i) to (iii); and
 - (n) the assessment criteria for reverse sensitivity effects associated with the operation of the rail line and roads in I328.8.2(1)(p)(i) to (iv).
- (4) Use of buildings for any permitted activity in Table I328.4.1 where the site is located within 30m either side of the land designated for railway purposes and the site is not subject to a restrictive non-complaint encumbrance in favour of New Zealand Railways Corporation and Ports of Auckland Limited: Any permitted activity in Table I328.4.1 within a building inside an area bounded by lines 30m either side of the land designated for railway purposes within the site on which the building is located that is not subject to a restrictive non-complaint encumbrance in favour of New Zealand Railways Corporation and Ports of Auckland Limited will be assessed on the extent to which:

- (a) the activity is sensitive to any adverse effects from the surrounding environment, including the effects of noise, vibration and fumes associated with the current and future operation of the railway line, and noise effects from traffic;
 - (b) the building occupied by the activity is located and designed to avoid or mitigate reverse sensitivity effects and any adverse effects of noise, vibration and fumes associated with the current and future operation of the railway line, and noise effects from traffic;
 - (c) the assessment criteria for reverse sensitivity effects associated with the operation of the rail line and roads in I328.8.2(1)(p)(i) to (iv) are met; and
 - (d) the assessment criteria for fencing in I328.8.2(1)(o)(i) to (iii) are met.
- (5) Buildings and works within the Special Tree Protection Area: Buildings and works within the Special Tree Protection Area, which applies to the trees existing as at 18 January 2010 located within the Special Tree Protection Area identified on Ōrākei Point - Precinct plan 3 and extends to the outer drip-line of the existing trees, will be assessed on whether:
- (a) existing trees or parts of trees within the Special Tree Protection Area will be retained except where:
 - (i) the tree or a part of the tree is structurally unsound;
 - (ii) removal of the tree or part of the tree would be beneficial to the health and growth of existing, more appropriate trees on the site, taking into account the size, appearance, health and conditions of those existing trees; or
 - (iii) the removal of the tree or part of the tree is necessary to provide for the access drive contained within Sub-precinct A or other public road shown on I328.10.5 Ōrākei Point - Precinct plan 5;
 - (b) works for building and vehicle access within the Special Tree Protection Area are necessary to give effect to, and generally accord with, I328.10.5 Ōrākei Point - Precinct plan 5;
 - (c) works for building and vehicle access within the Special Tree Protection Area are subject to an assessment and Tree Protection Plan prepared by a suitably qualified arborist; and
 - (d) the vehicle access within Sub-precinct A is designed to provide vehicle access from Ōrākei Road to the upper levels within Sub-precinct A, as shown in I328.10.5 Ōrākei Point - Precinct plan 5, while minimising adverse impacts on any tree.
 - (e) A Tree Protection Plan to assist in the design stages to avoid or minimise adverse effects on the trees in the Special Tree Protection Area must be

prepared by a suitably qualified arborist for approval by Council and will be assessed on whether it includes:

- (i) a pruning schedule including all pruning maintenance;
 - (ii) details on the proposed irrigation system including timing and monitoring;
 - (iii) details on the arboricultural monitoring including timing, frequency and memos; and
 - (iv) specific controls for works under tree crowns and in close proximity.
- (f) For site specific tree protection a supervising works arborist must monitor and supervise the site and ensure the conditions of consent are complied with and provide to Council written confirmation on:
- (i) whether the irrigation system has been commissioned and correct monitoring is in place;
 - (ii) the timing of the pre-commencement meeting and implementation of protection fencing;
 - (iii) all approved pruning, supervision of pruning and the completion of the pruning;
 - (iv) the preliminary excavations and proposed inspection adjacent to retained trees to ascertain appropriate protection methods are utilised and roots are pruned correctly;
 - (v) monthly updates of weekly inspections; and
 - (vi) a final report being provided that documents compliance and any issues of non-compliance along with any remedial works required.
- (g) Works within the Special Tree Protection Area shall be assessed on whether:
- (i) hazard fencing to be placed around the edges of trees is as specified by the supervising arborist;
 - (ii) preliminary excavations and exploratory inspections will be undertaken adjacent to the trees to determine root activity and ensure roots are pruned correctly;
 - (iii) confirmation is provided that an arborist will supervise the works within root zones of trees;
 - (iv) confirmation is provided that if roots are uncovered during works, the roots will be covered with Geotextile fabric and the ground and surface roots will be kept moist;
 - (v) confirmation is provided that all roots exposed during excavations that require removal will be cleanly cut back to the excavation surface

using a handsaw or secateurs in accordance with modern arboricultural practices;

- (vi) confirmation is provided that when concrete is to be poured in excavations that all exposed roots will be covered with polythene to prevent any contaminants contacting the exposed roots;
- (vii) confirmation is provided that no machinery will be stored or operated within the root zone of any protected tree unless it is supported on an existing concrete or asphalt surface;
- (viii) confirmation is provided that no materials, spoil, fill, soil or equipment will be stored or temporarily placed within the root zone of any protected tree unless it is approved by the works arborist and is on an existing hard surface;
- (ix) confirmation is provided that people or machinery will not use the area of the root zone of any protected tree on the site for temporary or permanent access unless specifically mentioned in the consent application and conditions of consent;
- (x) confirmation is provided that tree protection work will be completed prior to the main construction starting to ensure the tree protection methods are in place before multiple contractors are on site;
- (xi) confirmation is provided that all site access will be formed away from the street trees and all services including drainage will be located outside the root zone of the protected trees unless specifically mentioned in the arboricultural report; and
- (xii) confirmation is provided that pruning will be carried out in accordance with ANSI A300 Pruning Standards and be approved by the supervising arborist.

(6) Construction of public open space, public accessways, overpasses, plazas and accessory buildings (excluding roads): The construction of public open space, public accessways, overpasses, plazas and accessory buildings (excluding roads) will be assessed on the extent to which they meet:

- (a) the assessment criteria for building design and external appearance in I328.8.2(1)(a)(i) to (xv);
- (b) the assessment criteria for public safety in I328.8.2(1)(b)(i) to (iii);
- (c) the assessment criteria for creating a positive frontage in in I328.8.2(1)(c)(i) to (xv);
- (d) the assessment criteria for an activity's relationship to public open spaces in I328.8.2(1)(e)(i)
- (e) to (vii);
- (f) the assessment criteria for centre vitality in I328.8.2(1)(f)(i);

- (g) the assessment criteria for design of parking, access and servicing in I328.8.2(1)(g)(i) to (xxi);
- (h) the assessment criteria for accommodation in I328.8.2(1)(h)(i) to (iv);
- (i) the assessment criteria for site amenity in I328.8.2(1)(i)(i) to (iv);
- (j) the assessment criteria for sustainability in I328.8.2(1)(j)(i) to (xiv);
- (k) the assessment criteria for Travel Demand Management Plan in I328.8.2(1)(l)(i) to (v);
- (l) the assessment criteria for construction management in I328.8.2(1)(m)(i) to (v);
- (m) the assessment criteria for traffic impact on roads and intersections in I328.8.2(1)(n)(i);
- (n) the assessment criteria for fencing in I328.8.2(1)(o)(i) to (iii); and
- (o) the assessment criteria for reverse sensitivity effects associated with the operation of the rail line and roads in I328.8.2(1)(p) (i) to (iv).
- (p) The construction of public open space, public accessways, overpasses, plazas and accessory buildings (excluding roads) will be assessed on the extent to which the location and design is generally consistent with I328.10.5 Ōrākei Point - Precinct plan 5 and whether:
 - (i) public access linkages, bus stops, at-grade parking, drop-off points, pedestrian spaces, footpaths, roads; linkages to coastal boardwalks and other connections shown on I328.10.5 Ōrākei Point - Precinct plan 5 are provided for;
 - (ii) the proposed finished levels across the land area allow for public access linkages through and around the site, where these are envisaged by I328.10.5 Ōrākei Point - Precinct plan 5;
 - (iii) the methods to legally secure such linkages, including in the interim period before Ōrākei Point: Precinct plan 5 is fully given effect are provided;
 - (iv) the methods to secure access to other properties within the precinct are provided;
 - (v) consideration is given to site amenity and safety considerations in the interim period before I328.10.5 Ōrākei Point - Precinct plan 5 is fully given effect to; and
 - (vi) safe public pedestrian and service access will be maintained to the Ōrākei rail station and the methods provided to secure such access.
- (q) Public open spaces, accessways, streets, parks and plazas will be assessed on the extent to which;

- (i) they are designed to comply with safety guidelines; including the guidelines on informal surveillance, clear visibility of building entrances and public spaces, lighting, clear definition of space, and entrapment spots;
- (ii) buildings and parking areas are designed to provide for disabled access, including the extent to which they comply with NZS 4121:2001 Design for access and mobility: buildings and associated facilities;
- (iii) they are open and accessible to the public from a public place at all times, except where required to be closed for operational, safety or security reasons;
- (iv) methods to legally secure public access at all times to the public places and the linkages are provided, including in the interim period before Ōrākei Point: Precinct plan 5 is given effect to and including prior to the vesting of public roads (such methods may include the registration of legal instruments on the land title(s));
- (v) they are designed to attract people and have high quality and appropriate landscaping;
- (vi) public open spaces are integrated across the peninsula as a whole and with the design of buildings;
- (vii) public open spaces have a sense of order and proportion and regard to the human scale;
- (viii) public open spaces are orientated and designed to provide pedestrians with adequate access to sunlight, in particular, public spaces should be designed to maximise sunlight access between 10am and 2pm on the shortest day;
- (ix) public open space within or under a building provides adequate access to daylight and/or sunlight for public amenity;
- (x) for plant health for plants within or under buildings there is appropriate soil depth, drainage, watering and plant species;
- (xi) shade and shelter is provided for pedestrians, in conjunction with colonnades or verandas on adjoining buildings;
- (xii) attractive seating and landscaping is provided in appropriate locations and the landscaping comprises trees and shrubs which do not visually obscure the seating from public viewing;
- (xiii) robust, durable surfaces and materials are used;
- (xiv) soft and hard landscaping follows a consistent palette of materials and colours throughout Ōrākei Point, that give a distinctive sense of place, with reference to the cultural, geological and ecological values of the peninsula and its surrounds;

- (xv) provision is made for large specimen trees in tree pits within the plaza area;
 - (xvi) adequate provision is made for access and use of the public space by the disabled, including visually impaired;
 - (xvii) vegetation species used promote habitats and bird feeding;
 - (xviii) they are designed to encourage public use and provide surveillance at night and whether a lighting strategy is submitted for construction of public open space, accessways and plazas;
 - (xix) provision is made for activities to locate within the amenity areas or spill out into them from adjacent private space; and
 - (xx) buildings adjoining public open space are designed, and provide for, activities which attract people, especially at night (for example upper level residential accommodation with windows or balconies overlooking the public open space and adjoining cafes, restaurants or small shops.)
- (7) Parking (non-accessory) in Sub-precinct F: Parking (non-accessory) in Sub-precinct F will be assessed against the following:
- (a) The extent to which it meets the assessment criteria for design of parking, access and servicing in I328.8.2(1)(g)(i) to (xxi).
 - (b) Parking (non- accessory) in Sub-precinct F will be assessed on whether;
 - (i) the parking, in addition to 1750 parking spaces will have adverse impacts on the safety and flow of traffic on the road network;
 - (ii) the parking, in addition to 1750 parking spaces will provide for the traffic and parking demands of the development in the event that the required public transport improvements have not occurred, with the threshold for sufficient provision of public transport improvements being determined with regard to thresholds of; a train headway of at least 10 minutes in each direction during weekday commuter peak travel periods (i.e. train services to Ōrākei Station must be at least at 10 minute intervals) and bus connections to Ōrākei Station at least at 30 minute intervals;
 - (iii) in the use and staging of the parking, the parking in addition to the 1750 limit will only be provided after disestablishment of the 200 park and ride spaces within the precinct, and is only used ancillary to other activities within the precinct;
 - (iv) the parking will only be provided as a temporary use of unallocated spaces within a parking building and prior to the completion of development within sub- precinct F; and

- (v) the hours of operation of the parking take into account the operating hours and pricing incentives for associated traffic movements to avoid peak traffic flows.
- (c) The Ōrākei Road parking building will be assessed as to the extent it meets the following:
 - (i) the assessment criteria for the Ōrākei Road parking building in I328.8.2(1)(k);
 - (ii) the assessment criteria for site amenity in I328.8.2(1)(i)(i) to (iv);
 - (iii) the assessment criteria for sustainability in I328.8.2(1)(j)(i) to(xiv);
 - (iv) the assessment criteria for Travel Demand Management Plan in I328.8.2(1)(l)(i) to (iv);
 - (v) the assessment criteria for construction management in I328.8.2(1)(m)(i) to (v);
- (8) Parking for between 1750 and 1950 spaces: Applications for parking for between 1750 and 1950 spaces will be assessed as to the extent they meet the following:
 - (a) the assessment criteria for design of parking, access and servicing in I328.8.2(1)(g)(i) to (xxi);
 - (b) the assessment criteria for public safety in I328.8.2(1)(b)(i) to (iii);
 - (c) the assessment criteria for the Ōrākei Road parking building in I328.8.2(1)(k);
 - (d) the assessment criteria for site amenity in I328.8.2(1)(i)(i) to (iv);
 - (e) the assessment criteria for sustainability in I328.8.2(1)(j)(i) to(xiv);
 - (f) the assessment criteria for Travel Demand Management Plan in I328.8.2(1)(l)(i) to (iv); and
 - (g) the assessment criteria for construction management in I328.8.2(1)(m)(i) to (v).

I328.9. Special information requirements

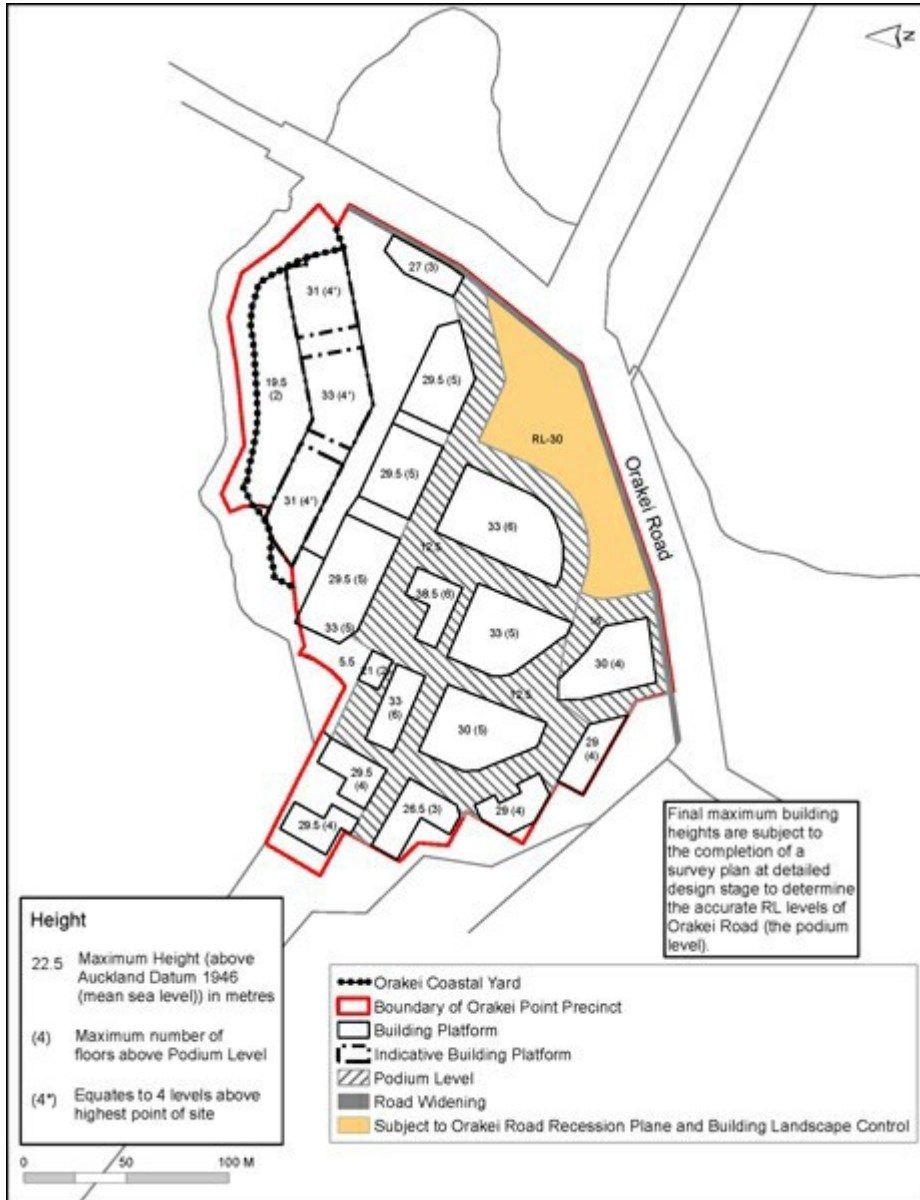
- (1) An application for a new building must be accompanied by:
 - (a) Drawings showing the location and design of the proposed building relative to existing and proposed public spaces, streets and open spaces, and any approved buildings.
 - (b) Where changes are intended, the relationship of site contours to existing and proposed streets, any adjacent coastal environment or public open space.

- (c) The location and layout of open space areas (within the control of the landowner or leaseholder).
 - (d) The location of public and private linkages to, through and around the site.
 - (e) The location of vehicle access, parking areas and loading areas.
 - (f) Cross-sections showing the relationship of the building to adjoining public open space and streets.
 - (g) Building elevations and profiles viewed from locations within and outside of Ōrākei Point showing the building relative to its neighbours, including any approved buildings and allowable building envelopes on as yet undeveloped sites.
 - (h) Demonstration of the individual building's compliance with the cumulative activity, building gross floor area, parking, traffic generation threshold and mix of residential units controls, including the totals of both existing and consented development within the precinct.
 - (i) An urban design and universal access statement.
 - (j) A description of legal instruments that will be entered into to secure and maintain appropriate public access across the site in accordance with the requirements of Ōrākei Point: Precinct plan 5.
- (2) An application for construction and/or relocation of new buildings and new accessory buildings, including external additions to existing buildings, and accessory buildings within the special tree protection area must be accompanied by an arboricultural assessment, and a tree protection plan.
- (3) The arboricultural assessment must identify the potentially affected trees and all proposed building works within the Special Tree Protection Area. This assessment must be based on best practice methods and must be within the guidelines as set out in "Trees and Development: A Technical Guide to Preservation of Trees During Land Development". (Champaign IL: International Society of Arboricultural. Matheny, N., & Clark J.R, (1998)). The assessment must include the following:
- (a) an assessment of any modifications proposed to the tree crown and/or branches on the health of the tree;
 - (b) the extent of injury to tree roots and potential effects on the health of the tree;
 - (c) the effects of any earthworks on the tree;
 - (d) the effects of changes to hydrology, soil science, and ground levels on the tree;
 - (e) the effects of buildings on daylight to the tree canopy;

- (f) measures to avoid clearing native trees and shrubs that are known habitats during the breeding season for indigenous forest birds (October to February inclusive); and
- (g) specifications to minimise impacts and protect trees, both during the construction process and ongoing.

I328.10. Precinct plans

I328.10.1 Ōrākei Point Precinct - Precinct plan 1



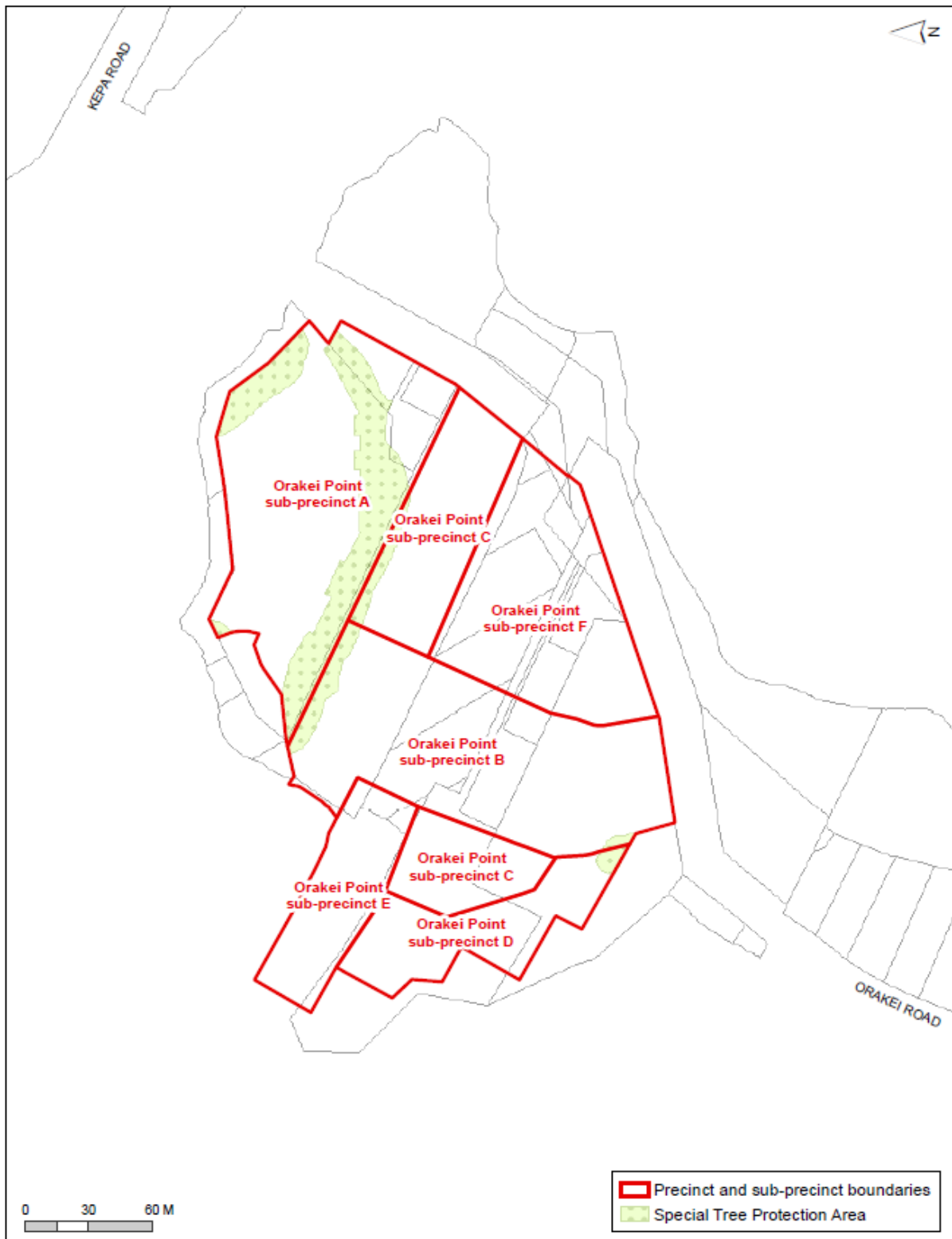
I328.10.2 Ōrākei Point Precinct - Precinct plan 2



I328.10.3 Ōrākei Point Precinct - Precinct plan 3



I328.10.4 Ōrākei Point Precinct - Precinct plan 4



I328.10.5 Ōrākei Point Precinct - Precinct plan 5

