

## **I539. Smales 2 Precinct**

### **I539.1. Precinct Description**

The Smales 2 Precinct applies to a 4.8 hectare block of land located on the southern side of Northcote Road and fronting Lake Pupuke, Takapuna. The precinct encompasses two quite distinct areas, for which separate sub-precincts have been developed: the 2.7 hectare Sub-precinct A, which is dominated by the excavations associated with its former quarry use; and the adjoining 2.1 hectare Sub-precinct B, which comprises a block of more elevated undeveloped land that extends to the edge of Lake Pupuke.

The precinct provides for the comprehensive redevelopment of the block of land in the following manner:

#### **Sub-precinct A**

This sub-precinct is zoned Business - Mixed Use Zone and has been substantially excavated during quarrying operations in the past. It is considered suitable for a mixture of uses including commercial and a range of residential development such as apartments and retirement accommodation, recognising the location of the land at the residential/business interface. It is the intention to minimise further rock excavation as far as is practicable. Medical related business activities are encouraged, recognising the proximity of the site to the North Shore Hospital and the synergies that could result from such development. An integrated transport assessment was prepared for the Smales 2 Precinct in 2013 and identified that this sub-precinct could accommodate up to 45,000m<sup>2</sup> of business development. The extent of retail and general office development that can occur within the sub-precinct is capped to manage effects on other nearby business centres and manage traffic effects.

#### **Sub-precinct B**

This sub-precinct adjoins Lake Pupuke and is zoned Residential - Mixed Housing Suburban Zone. The sub-precinct is to be developed for intensive residential purposes in a manner that achieves high standards of onsite amenity and which appropriately responds to the location of the land adjacent to the lake and its elevation above Northcote Road immediately to the north. The special character and amenity of Lake Pupuke will be protected through a variety of techniques including the imposition of the 30 metre lake yard setback and, in close proximity to the lake edge, limiting the height of buildings and providing only for individual houses, rather than apartments.

Within the Smales 2 Precinct, the land owner is required to prepare a concept plan at a sub-precinct level before land use, development or subdivision in the area starts. The preparation of a concept plan will reduce the potential for subdivision and development to occur in an uncoordinated manner, and will encourage integrated and comprehensive development of the sub-precincts to achieve a high quality urban environment.

The zoning of land within this precinct is Residential - Mixed Housing Suburban and Business - Mixed Use zones.

**I539.2. Objectives**

- (1) Sub-precinct A is comprehensively planned and developed as a mixed use area that achieves a high quality built environment and responds appropriately to the context of the sub-precinct and the surrounding neighbourhood.
- (2) Sub-precinct B is comprehensively planned and developed into an area of high quality intensive housing that achieves a high level of residential amenity, taking advantage of the site's northeast facing aspect while avoiding, remedying or mitigating adverse effects of earthworks, activities and buildings on the amenity of nearby residential zones, Lake Pupuke and public spaces, including Northcote Road.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

**I539.3. Policies [rp/dp]**

- (1) Require the development of a concept plan for all or part of a sub-precinct in order to promote comprehensive and integrated planning of these areas and to achieve a high level of amenity and built environment throughout the precinct while minimising the adverse environmental effects of subdivision and development. Concept plans are to establish matters such as:
  - (a) the layout of the site;
  - (b) the bulk and location of the single tower for Area 1 in Sub-precinct A;
  - (c) indicative finished land contours;
  - (d) provision for vehicle access and safe convenient and accessible routes for pedestrians and cyclists;
  - (e) management of site related traffic on the surrounding road network; and
  - (f) measures to provide protection and/or accessibility to significant geological features outside the outstanding natural feature.
- (2) Require appropriate stormwater management to be employed to protect the water quality of Lake Pupuke, both during and post construction.
- (3) Require development to facilitate the comprehensive integration of land uses and transport infrastructure, including pedestrian and cycle routes into and through the site and the provision of public access (both pedestrian and cycle) between Rangitira Avenue and Northcote Road.
- (4) Encourage development to minimise further rock excavation to the extent practicable due to the potential adverse effects of noise and vibration.

- (5) Provide for vehicle access to be constructed through an Outstanding Natural Feature in a location and manner which minimises the adverse effects on the physical and visual integrity of the feature.

**Sub-precinct A**

- (6) Require the development of a concept plan for Sub-precinct A that demonstrates how development will be undertaken to achieve a high quality design, create good on site standards with particular regard to the needs of pedestrians, and relate appropriately to the context of the sub-precinct, the neighbouring Sub-precinct B, and the surrounding neighbourhood, and in particular to:
- (a) create a safe and convenient public environment;
  - (b) achieve an attractive built environment;
  - (c) avoid, remedy or mitigate the adverse effects of development on the adjoining residential area, including those effects relating to noise, privacy, visual amenity, shading and dominance;
  - (d) achieve good urban design outcomes;
  - (e) utilise landscaping to enhance the appearance of the development and integrate the site with adjoining land uses and the streetscape;
  - (f) provide appropriately for the movement of cycles and pedestrians into, through and within the site in a manner that is safe, convenient and attractive, and which has regard to the potential significance of the site as part of an around Lake Pupuke link for recreational walkers and cyclists;
  - (g) provide appropriately for the movement of vehicles into and out of the site, having regard to the effects of traffic on the adjoining road network; and
  - (h) protect those geological features of most significance outside the Outstanding Natural Feature, and where practicable require that they are available for future study.
- (7) Enable a mixture of uses to establish within the sub-precinct, including residential and commercial activities.
- (8) Encourage the establishment of businesses providing medical related goods and services to reflect the proximity of North Shore Hospital to the sub-precinct and to limit the total floor area of general (non-medical related) office and retail development in recognition of the potential adverse effects of such activities on nearby town centres.
- (9) Provide the opportunity for a single landmark building to be located within a defined area close to Northcote Road.

- (10) Encourage the use of alternative modes of travel through the preparation of travel management plans and the inclusion of facilities that support cycling and walking.
- (11) Provide for a wide range of primarily medical related business activities, including offices for businesses providing medical related goods and services, reflecting the location of the site in close proximity to North Shore Hospital, but with limitations on the nature and extent of retail and general office activities to ensure that the role and function of other nearby business centres, including the Takapuna Metropolitan Centre is not compromised.
- (12) Limit the area occupied by offices associated with non-medical related business activities utilising techniques such as activity status, floor area limitations and sequencing.
- (13) Provide for residential activities, including apartments and retirement villages, with good standards of on site amenity.
- (14) Require development to protect the amenities of adjoining residential zoned land, the streetscape amenity of Northcote Road and Rangitira Avenue and the visual amenity of Lake Pupuke by:
  - (a) limiting development to a maximum height of 15 metres when located in close proximity to residential zone boundaries and in the vicinity of Rangitira Avenue;
  - (b) providing for taller buildings outside the residential and Rangitira Road interface; and
  - (c) requiring landscaping to be provided to create attractive on site amenity and enhance the appearance of development as viewed from roads and adjoining residential areas, including the provision of landscaped yards.
- (15) Encourage the use of alternative modes of travel including public transport and facilities that support cycling and walking to manage the supply of parking and effects on the transport network.
- (16) Provide pedestrian and cycle routes into and through the site and the provision of a public access (both pedestrian and cycle) between Rangitira Avenue and Northcote Road that is integrated with the development.

**Sub-precinct B**

- (17) Require the development of a concept plan for Sub-precinct B that demonstrates how development will be undertaken to achieve a high quality design, create good on site amenity standards for the residential units, and relate appropriately to the context of the sub-precinct and the surrounding neighbourhood, including the location of the sub-precinct adjoining Lake Pupuke, and in particular to:
  - (a) create a safe and attractive residential environment;

- (b) achieve an attractive built environment;
  - (c) mitigate the adverse effects of development on the adjoining residential area;
  - (d) avoid adversely affecting the amenity and environmental values of Lake Pupuke;
  - (e) create an appropriate relationship with Northcote Road, including creating a landscaped buffer between buildings and the upper edge of the bluff; and
  - (f) protect those geological features of most significance, and where practicable require that they are available for future study.
- (18) Provide for the establishment of a range of residential types (from single houses to apartments) in an integrated development with a high level of residential intensity.
- (19) Provide for the establishment of a range of residential types (from single houses to apartments) in an integrated development with a high level of residential intensity overall and a high standard of residential amenity.
- (20) Require the scale and form of development to be appropriate for the location of the development on the site and not adversely affect the amenity values of Lake Pupuke.
- (21) Require development to not significantly diminish the amenity and character of surrounding sites and Northcote Road.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to all of the above policies.

#### **I539.4. Activity table**

The provisions in any relevant overlays, Auckland-wide provisions and the zones apply in this precinct unless otherwise specified below.

Table I539.4.1 Activity table specifies the activity status of land use and development activities in the Smales 2 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

A blank in Table I539.4.1 Activity table below means that the provisions of the overlays, zone or Auckland-wide apply.

E12 Land disturbance – District Table E12.4.3 Outstanding Natural Features Activities (A38) to (A41) do not apply to Activity (A12) in Table I539.4.1 Activity table.

Table I539.4.1: Activity table

Activity		Sub-precinct A	Sub-precinct B up to 10m from the western edge of the lake yard	Sub-precinct B greater than 10m from the western edge of the lake yard
<b>Use</b>				
Accommodation				
(A1)	Retirement villages	P	NC	RD
(A2)	Supported residential care		NC	RD
(A3)	Visitor accommodation		NC	RD
Commerce				
(A4)	Dairies up to 100m <sup>2</sup> in gross floor area per site		NC	D
(A5)	Offices for businesses associated with medical related goods and services	P		
(A6)	Offices not associated with medical related goods and services with an aggregate gross leasable area of up to 10,000m <sup>2</sup>	P		
(A7)	Offices not otherwise provided for	NC		
(A8)	Retail limited to an aggregate gross leasable area of 2,000m <sup>2</sup> across the precinct, provided that the gross floor area of an individual retail unit is not greater than 450m <sup>2</sup>	P		
(A9)	Retail with an aggregate gross leasable area greater than 2,000m <sup>2</sup>	D		
(A10)	Non-accessory parking		NC	NC

Development				
(A11)	One building in Area 1 illustrated on the precinct plan with a height greater than 48m RL and up to 62m RL	D	NA	NA
(A12)	The construction of up to two vehicle accessways and associated earthworks from Northcote Road, across an outstanding natural feature	C	C	C
(A13)	Roads, accessways and service lanes	RD	RD	RD
(A14)	Buildings, and alterations and additions to buildings	RD	RD	RD

### I539.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table I539.4.1 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table I539.4.1 Activity table and which is not listed in I539.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) 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).

### I539.6. Standards

The standards applicable to the Residential – Mixed Housing Suburban and Business – Mixed Used Zones and the Auckland-wide standards apply in this precinct, except for the following:

- Standard H13.6.1 Building height;
- Standard H13.6.2 Height in relation to boundary;
- Standard H13.6.5 Yards;
- Standard H4.6.4 Building height;
- Standard H4.6.5 Height in relation to boundary;
- Standard H4.6.6 Alternative height in relation to boundary; and

- Standard H4.6.7 Yards.

All permitted, controlled and restricted discretionary activities listed in Table I539.4.1 Activity table must comply with the following activity standards unless otherwise specified.

**Sub-precinct A**

Standards I539.6.1 to I539.6.6 only apply to Sub-precinct A.

**I539.6.1. Floor area**

- (1) Any development within Sub-precinct A must comply with the following:
  - (a) An overall combined maximum gross floor area of 45,000m<sup>2</sup> occupied by business activities and up to a maximum of 68 dwellings. Provided that, in the alternative, the gross floor area occupied by business activities may be reduced, and the number of dwellings increased such that the gross floor area of the additional dwellings is no greater than the reduction in the area occupied by business activities.
  - (b) The maximum gross floor area of 45,000m<sup>2</sup> of business activities, can include up to:
    - (i) a maximum aggregate gross leasable floor area of 10,000m<sup>2</sup> of general office space, being offices for businesses not associated with medical related goods and services; and
    - (ii) a maximum aggregate area of 2,000m<sup>2</sup> of retail and food and beverage space.

**I539.6.2. Building height**

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

- (1) Buildings must not exceed the height limits specified in Table I539.6.2.1 Total building heights for Sub-precinct A.

**Table I539.6.2.1: Total building heights for Sub-precinct A**

Area	Total building height
Within 20m of residential zoned land located outside the Smales 2 Precinct, and within 20m of Rangitira Avenue.  Total building height for this area must be measured in relation to the natural height of the ground at the closest sub-precinct boundary.	15m
Areas not otherwise specified	RL 48m



### **I539.6.3. Height in relation to boundary**

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

- (1) In addition to the zone height in relation to boundary standards, at no point may any building in Area 1 identified on Smales 2: Precinct Plan 1 be higher than its horizontal distance from the nearest residential zone boundary with the Smales 2 Precinct plus 3 metres.

### **I539.6.4. Yards**

Purpose: require buildings to be set back from the road frontage and residential properties, and for that yard to be landscaped to: enhance the appearance of the development as viewed from adjoining streets and adjoining residential properties, create a pleasant walking environment for pedestrians using the adjoining road reserve, break up larger building mass and create an appropriate interface with the residential zone on Rangitira Avenue.

- (1) The minimum setback from Rangitira Avenue is 5 metres.
- (2) No car parking is to be located within the Rangitira Avenue yard.
- (3) The Rangitira Avenue yard must be landscaped with a combination of grass, trees, shrubs and ground cover plants along the frontage of sites not occupied by buildings or access points.
- (4) The minimum setback from a residential zone is 5 metres.
- (5) The residential yard must be fully planted in those parts not occupied by buildings or access points where practicable as follows:
  - (a) a minimum width of 3 metres along the entire length of the yard must be densely planted in shrubs and trees which will achieve a height of 35 metres on maturity. The balance width of 2 metres may be planted, grassed or paved.

### **I539.6.5. Landscaping**

- (1) At least 15 per cent of the total area of Sub-precinct A must be landscaped in a manner consistent with the Business - Mixed Use Zone standards.

### **I539.6.6. Verandahs**

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

- (1) The ground floor of a building must include a verandah or similar weather protection at the main entrance to the building.
- (2) The verandah must have a minimum height of 3 metres and a maximum height of 4.5 metres.

### **Sub-precinct B**

Standards I539.6.7 to I539.6.10 only apply to Sub-precinct B.

**I539.6.7. Dwellings**

- (1) Any development must meet the following:
  - (a) only detached dwellings may be located within 10 metres of the western edge of the lake yard; and
  - (b) a maximum of 145 residential units may be established within Sub-precinct B.

**I539.6.8. Building height**

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

- (1) Buildings must not exceed the height limits specified in Table I539.6.8.1 Total building heights for Sub-precinct B.

**Table I539.6.8.1: Total building heights for Sub-precinct B**

Area	Total building height
Within 10m of land zoned residential	8m
Within 10m of the lake yard setback	8m
Areas not otherwise specified	14.5m

**I539.6.9. Building height in relation to boundary**

- (1) The Residential - Mixed Housing Suburban Zone height in relation to boundary standards do not apply to the boundary between Smales 2 Sub-precincts A and B.

**I539.6.10. Yards**

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

- (1) Yards for Sub-precinct B must comply with the minimum distances specified in Table I539.6.10.1 Yards in Sub-precinct B.

**Table I539.6.10.1: Yards in Sub-precinct B**

<b>Location</b>	<b>Minimum yard distance</b>
Minimum setback from Northcote Road	7m
Boundary of Sub-precinct B with residential zone land	3m
Minimum setback from the carriageway of internal roads	2.5m
Lake yard	30m

**I539.7. Assessment – controlled activities****I539.7.1. Matters of control**

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

- (1) the effects of the location of the accessways on the outstanding natural feature;
- (2) the effects of the construction methodology on the outstanding natural feature; and
- (3) the effects on the visibility of exposed geological features.

**I539.7.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for controlled activities:

- (1) whether the location of the accessways affects the most accessible, visible and valuable of the existing identified geological features;
- (2) whether the construction methodology limits earthworks to the greatest extent practicable; and
- (3) whether methods for retaining access to and visibility of, the most accessible, visible and valuable of the existing geological features will be effective.

**I539.8. Assessment – restricted discretionary activities****I539.8.1. Matters of discretion**

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions:

- (1) all restricted discretionary activities:
  - (a) the effects of siteworks;

- (b) effects of the location and design of open spaces, landscaping and screening;
  - (c) effects on the amenity of adjoining residentially zoned land, Lake Pupuke and open space;
  - (d) effects arising from the location and design of parking and loading;
  - (e) effects arising from pedestrian and cycle access, including amenity, safety and convenience;
  - (f) the effects of transport management, traffic and the supply of parking;
  - (g) the effects on geological features outside the outstanding natural feature; and
  - (h) Stormwater management effects.
- (2) retirement villages, supported residential care and visitor accommodation:
- (a) matters in I539.8.1(1)
  - (b) the effects of the intensity and scale of development; and
  - (c) traffic effects; and
  - (d) effects on Lake Pupuke, Northcote Road and the adjoining residential area.
- (3) buildings, and alterations and additions to buildings:
- (a) matters in I539.8.1(1)
  - (b) effects associated with the location, bulk and scale of buildings relative to overall development, including the layout and design of roads, pedestrian linkages, open spaces, earthworks areas and land contours, and infrastructure location; and
  - (c) the effects of the design, bulk and location of buildings.

#### **I539.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) all restricted discretionary activities:
  - (a) whether siteworks are managed to avoid significant adverse effects on the amenity and environmental values of Lake Pupuke and to mitigate adverse effects on the surrounding area and should seek to limit the excavation of rock to the extent practicable;

- (b) whether buildings within Sub-precinct A are located and designed to provide a variety of footprint sizes and building heights within an integrated development;
  - (c) whether the location of buildings within Sub-precinct B seek to manage effects on the amenity values of Lake Pupuke and public open spaces, including Northcote Road;
  - (d) whether landscaping contributes to the onsite amenity for residents, workers and visitors (including pedestrians and cyclists), and to the visual amenity of development on the site when viewed from roads, public spaces (including Lake Pupuke) and adjoining properties;
  - (e) whether safe and convenient vehicle access has been provided into and within both sub-precincts, with one access only between Northcote Road and Sub-precinct B, and access provided between Sub precinct A and both Northcote Road and Rangitira Avenue.
  - (f) the extent to which development has been designed and the provision of parking managed to facilitate and encourage the use of alternative means of travel, including public transport, walking and cycling. Travel management plans should be provided to demonstrate how this will be achieved. Safe and convenient pedestrian and cycle access should be provided into, through and within each sub-precinct, including at least one pedestrian and cycle route providing a convenient connection between Northcote Road and Rangitira Avenue through Sub-precinct A;
  - (g) whether significant geological features are protected and/or made accessible for ongoing study;
  - (h) whether adequate infrastructure and servicing will be provided; and
  - (i) whether stormwater management (including during construction) has been designed to avoid adverse effects on the water quality of Lake Pupuke and post construction.
- (2) retirement villages, supported residential care and visitor accommodation:
- (a) criteria in I539.7.2(1); and
  - (b) the management of effects on Lake Pupuke, Northcote Road and the adjoining residential area.
- (3) buildings, and alterations and additions to buildings:
- (a) criteria in I539.7.2(1); and
  - (b) the extent to which the proposed building, alteration or addition relative to the location of infrastructure to service the area and open space results in an integrated network that is adequate to meet the needs of the overall development area.

### **I539.9. Special information requirements**

An application for any land use, development or subdivision activity must be accompanied by:

#### **I539.9.1. Concept plan**

- (1) The concept plan must apply to all land within the sub-precinct that the applicant is the owner of and may include sites in multiple ownership where the land owners make a joint application.
- (2) The concept plan should include the following information:
  - (a) site boundaries;
  - (b) site works methodology;
  - (c) indicative final contours and floor levels: including the relationship of finished contours with floor levels, the relationship between the levels of vehicle and pedestrian access routes and access into buildings and the relationship with levels on adjoining sites;
  - (d) the proposed subdivision pattern;
  - (e) indicative building footprints and the general height, bulk and mass of buildings;
  - (f) the location of open spaces and their purpose;
  - (g) a landscape concept design including the identification of any existing landmark trees to be retained;
  - (h) location of parking areas and the number of parking spaces and how the parking will be managed to encourage alternative means of travel, including public transport, walking and cycling;
  - (i) proposed vehicle access to and from the site and internal circulation with information on levels to demonstrate that safe and convenient access can be provided;
  - (j) traffic effects including:
    - (i) the location and design of vehicle access in to the precinct from the surrounding road network, including widths and gradients and the effect of the access on the safety and efficiency of the adjoining roads;
    - (ii) the road improvements recommended in the 2013 Integrated Transport Assessment for the Smales 2 precinct, including but not limited to development triggers for provision of traffic lights and a pedestrian crossing at the Rangitira Road intersection;

- (iii) the location and indicative design of the internal vehicle routes, parking areas, service access, pedestrian links, pedestrian areas and cycle routes including widths and gradients;
- (iv) the location of pedestrian and cycle routes into and through Sub-precincts A and/or B as the case may be, including widths and gradients. Pleasant, safe, practical and convenient pedestrian and cycle access shall be provided from Rangitira Avenue to Northcote Road;
- (v) travel management plan to demonstrate how alternative means of travel to the precinct will be provided for and encouraged;
- (k) proposed pedestrian and cycle access;
- (l) the location of significant geological features and measures for protection and/or accessibility;
- (m) proposals for providing infrastructure services to the site, including a stormwater management plan (both during and post construction);
- (n) location of existing and proposed site boundaries; and
- (o) the indicative staging of development.

**I539.10. Precinct plans**

**I539.10.1. Smales 2: Precinct plan 1**

