

The Proposed Auckland Unitary Plan (notified 30 September 2013)

2.7 Ellerslie 2

1. Activity table

The activities in the Mixed Use zone apply in the Ellerslie 2 precinct unless otherwise specified in the activity table below.

Activity	Sub-precinct A	Sub-precinct B	Sub-precinct C
Accommodation			
Dwellings	RD	RD	NA
Visitor accommodation	RD	RD	NA
Commerce			
Offices	P	P	NA
Carparking	P	P	P
Food and beverage up to 400m ² GFA within sub-precinct A and B combined	P	P	NA
Food and beverage greater than 400m ² GFA within sub-precinct A and B combined	RD	RD	NA
Retail up to 300m ² GFA with sub-precinct A and B combined	P	P	NA
Community			
Care centres	RD	RD	NA
Community facilities	RD	RD	NA
Educational facilities	RD	RD	NA
Healthcare services	RD	RD	NA
Hospitals	RD	RD	NA
Tourist Complex	RD	RD	NA
Development			
The use and modification of the private road (Avenue of Palms) for public access	NA	NA	C
Modify, damage or demolish lava cave(s)	D	D	NA
Trimming of protected trees	P	P	NA
Removal or alteration of protected trees	RD	RD	NA

2. Development controls

- a. The development controls in the Mixed Use zone apply in the Ellerslie 2 precinct unless otherwise specified below.

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2.1 Building height

1. Buildings must not exceed the maximum heights specified below:

Table 1

Sub-precinct	Maximum height (m)
A	18m
B	21m

2.2 Yards and building setbacks

1. No part of the building up to 7m in height may be located closer than 7.5m from the nearest site area boundary.
2. No part of the building above 7m in height may be located closer than 15m from any part of another building.
3. Buildings above 7m in height must be setback at least 10m from the motorway boundary.

2.3 Building coverage

1. Maximum building coverage for each site area identified on the precinct plan:
 - a. 80 per cent for that part of the building up to 7m in height.
 - b. 35 per cent for that part of the building between 7m and the maximum height specified in clause 2.1 above.

2.4 Maximum floor area ratio (FAR)

1. The maximum allowable floor area ratio for each site area identified on the precinct plan is 1.25:1, being a total of 16,773m² across the whole precinct (exclusive of basement and/or podium parking).
2. Development that does not comply with clause 1 above is a non-complying activity.

2.5 Active building frontage

1. The ground floor of a new building subject to the active building frontage identified on the precinct plan must be occupied by the following activities for a minimum depth of 6m:
 - a. retail up to 300m² GFA with sub-precinct A and B combined, and/or
 - b. food and beverage.
2. Maximum allowable setback from the private road frontage: 6m
3. A new building fronting the active building frontage must adjoin the site frontage adjoining sub-precinct C (private road) for at least 80 per cent of its length.
4. Where a building is setback from the private road frontage, the space between the building and private road frontage must incorporate landscaped areas, pedestrian amenity areas or outdoor eating areas.
5. A new building subject to the active building frontage must have a minimum height of 6m for a minimum depth of 6m from the site frontage adjoining sub-precinct C (private road).
6. The ground floor of a new building subject to the active building frontage must have clear glazing for at least
7. 60 per cent the surface area of the building façade.
8. The upper floors of a new building subject to the active building frontage must have clear glazing for at

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least

9. 40 per cent the surface area of the building façade.
10. The ground floor of a new building subject to the active building frontage must be no more than 1m above or below the level of the site frontage adjoining sub-precinct C (private road).
11. Vehicle access to parking and service areas must not occupy more than 10 per cent of the site frontage adjoining sub-precinct C (private road).

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2.6 Site areas

1. Site areas may be modified in area by up to plus or minus 10 per cent.
2. Side boundaries of site areas may be moved up to 15m in either direction.

2.7 Building platform

1. Buildings must be constructed within the building platform identified on the precinct plan.

2.8 Landscaping

1. Minimum landscaping for each site area identified on the precinct plan: 15 per cent.

2.9 Tree protection

1. The following trees must not be removed, altered or have works undertaken within the dripline:
 - a. Phoenix Palms within the 'Existing Avenue of Palms' at 80-100 Ascot Avenue and 130 Ascot Avenue, Greenlane listed in Table 2 below and identified on the precinct plan.
 - b. the protected Trees identified in the precinct plan and listed on Table 2 below.

Table 2

Protected Trees		
Pland Ref. no	Botanical Name	Common Name
2	<i>Mettosideros excelsa</i>	Pohutukawa
3	<i>Mettosideros excelsa</i>	Pohutukawa
4	<i>Elaeocarpus dentatus</i>	Hinau
5	<i>Elaeocarpus dentatus</i>	Hinau
6	<i>Telopea oreads</i>	Warratah
7	<i>Podocarpus</i> sp.	Cow Tail Pine
8	<i>Lagunaria patersonii</i>	Norfolk Island Hibiscus
9	<i>Corynocarpus laevigatus</i>	Karaka
10	<i>Stenocarpus sinuatus</i>	Firewheel tree
11	<i>Lagunaria patersonii</i>	Norfolk Island Hibiscus
12	<i>Lagunaria patersonii</i>	Norfolk Island Hibiscus
13	<i>Corynocarpus laevigatus</i>	Karaka
14	<i>Vitex lucens</i>	Puriri
15	<i>Lagunaria patersonii</i>	Norfolk Island Hibiscus
16	<i>Cinnamomum camphora</i>	Camphor Laurel

2. The followings are exception to clause 2.9.1 above:
 - a. trimming of the canopy of the trees, excluding the roots, of any tree which does not damage its health. Such works will be limited to no more than 20 per cent of live growth removal in any one year and must be carried out in accordance with currently accepted arboricultural practice, ensuring that the natural form and branch habit of the tree species is maintained.
 - b. if the trimming is completed by a qualified arborist or arboriculturalist, the work must be limited to no more than 30 per cent of live growth removal in any one year and must be in accordance with currently accepted arboricultural practice, ensuring that the natural form and branch habit of the

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tree species is maintained.

- c. where activities do not comply with clause 2.9.1 and 2 above, any regular minor trimming or maintenance must be done by hand operated secateurs or pruning shears, in accordance with the currently accepted arboricultural practice.
- d. the removal of any tree or part of a tree that is dead or that is suffering from an untreatable disease which has caused a significant decline in its health, evidence must be produced if required.

Note: Where any element of uncertainty exists as to the likely fate of the tree, the benefit of doubt will be given to the tree's survival by not removing it until such time as its irreversible decline is obvious. Before removing any affected tree, consultation with the council's arborist is strongly advised.

- e. where emergency tree works are required the person undertaking the work must notify the council in writing within seven days of the work commencing as to the reason for the work.
- f. where any statutory authority carries out of work authorised by statute the authority must notify the council in writing no later than seven days prior to the work commencing as to the reason for the work.

3. Assessment - Controlled activities

3.1 Matters of control

1. The council will reserve its control to the matters listed below for the use and modification of the private road (Avenue of Palms) for public access:
 - a. road closure
 - b. monitoring
 - c. traffic management measures
 - d. consultation

3.2 Assessment criteria

The council will consider the assessment criteria below for the use and modification of the private road (Avenue of Palms) for public access.

1. Road closure
 - a. the appropriateness of private road closure to public through traffic on a temporary basis for large scale events associated with the Ellerslie Racecourse.
2. Monitoring
 - a. tonitoring is required to be carried out to assess the effects of public through traffic (using the Avenue of Palms) on Morrin Street, Somerfield Street, and Kentucky Streets which connect with the Tecoma Street motorway ramps, Mitchelson Street and Walpole Street, Wairakei Street and Woodbine Avenue.
3. Traffic management measures
 - a. traffic management measures necessary to mitigate adverse effects identified by the monitoring should be implemented, including the temporary or permanent closure of the Avenue of Palms to through traffic and associated road design changes.
4. Consultation
 - a. the applicant should provide details on the process to be followed for consultation with NZTA, Auckland Transport, Auckland Council and the residents of the surrounding streets, on the results of the monitoring and the identification and implementation of any necessary traffic management measures.

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4. Assessment - Restricted discretionary activities

4.1 Matters of discretion

1. The council will restrict its discretion to the following matters for the activities listed as restricted discretionary in the activity table, in addition to the matters specified for the relevant restricted discretionary activities in the Mixed Use zone.
 - a. traffic
 - b. intensity and scale of activity
 - c. centre vitality
 - d. landscaping and trees
 - e. building design and interface with the public realm
 - f. stormwater effects.

4.2 Assessment Criteria

1. The council will consider the relevant assessment criteria below for the restricted discretionary activities listed above, in addition to the criteria specified for the relevant restricted discretionary activities in the Mixed Use zone.
 - a. traffic
 - i. the Avenue of Palms (including extension to it) should be upgraded to public road standards by the landowner prior to the occupation of any proposed building.
 - ii. the proposal should not result in significant traffic effects on Green Lane East, Green Lane interchange, Great South Road and surrounding street network.
 - b. landscaping and trees
 - i. landscaping should enhance the visual amenity of the building(s) when viewed from the southern motorway, from within the grounds of the Ellerslie Racecourse and surrounding residential areas. Landscaping alongside the motorway boundary should include a significant number of substantial trees capable of growing to a height of at least 8m above the nearest adjoining motorway carriageway.
 - ii. landscaping should protect or utilise the existing rock wall located between the subject site and the Avenue of Palms (apart from those sections which need to be demolished for vehicle or pedestrian access purposes).
 - iii. landscaping should be in-keeping with the character of the site and Ellerslie Racecourse in general.
 - iv. on site carparking should be screened from view from the motorway and the Avenue of Palms by existing and proposed planting.
 - c. stormwater
 - i. whether the development increases stormwater discharges from the land and result in additional adverse downstream effects
 - ii. the measures proposed to mitigate such additional adverse effects in the short and long term.
 - iii. whether the proposal incorporates elements of "low impact design" such as rain gardens, for onsite retention and re-cycling of stormwater.
2. The following assessment criteria apply to subdivision within the precinct and these are in addition to any relevant assessment criteria in the Auckland-wide Subdivision rules:
 - a. the layout of the private road should be in accordance with the precinct plan.

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- b. the Avenue of Palms (including its proposed extension) should be upgraded to public road standards and include the following works:
 - i. a traffic roundabout part way along the Avenue of Palms and another at its intersection with Mitchelson Street.
 - ii. the provision of footpaths along each side of the proposed private road together with connections to the existing and proposed footpaths in Ascot Avenue and Mitchelson Street.
- c. the proposed footpaths should link into the footpaths/pedestrian accessways on the adjoining site(s) so as to facilitate access to Greenlane Road and the Greenlane train station.
- d. the appropriateness of the proposed road to be vested in Council as shown on the precinct plan.

5. Assessment - Development control infringements

5.1 Matters of discretion

In addition to the general matters set out in clause 2.3 of the general provisions and the specific matters set out for infringements in the Mixed Use zone, the council will restrict its discretion to the matters below for the relevant development control infringement.

Table 3

Development control infringement/matters of discretion	Interface with the public realm and effects on neighbouring sites	Building scale and dominance
Bulk and location controls: -site areas -building platform -maximum floor area ratio -yard setbacks		X
Amenity controls -Tree protection -Landscaping	X	

5.2 Assessment Criteria

1. In addition to the general assessment criteria in [clause 2.3](#) in the general provisions and the specific assessment criteria for infringement in the Mixed Use zone, the council will consider the assessment criteria below.
 - a. building scale and dominance
 - i. buildings that do not comply with the bulk and location controls should reduce their visual impact by:
 - ii. avoiding a wall effect of any individual building or the combined four buildings within sub-precinct A and B when viewed from the southern motorway and when viewed from residential properties on the western side of the motorway.
 - iii. buildings will incorporate architectural relief in terms of articulation and building mass, inclusion of recesses, windows, balconies and changes in surface texture, colour and other detailing.
 - b. interface with the public realm and effects on neighbouring sites
 - i. for the alteration or removal of trees or work within the dripline of trees, not exempt by clause 2.9.2 above.:
 - the degree to which the tree contributes to the existing amenities of the precinct and protects the surrounding environment from the adverse effects of development.
 - the need to obtain a practicable building site, access, a car parking area, or to install

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engineering services to the land

- any alternative methods which may be available to the applicant in the achievement of their objectives including consideration of variation to specified development controls or alternative design options where this would encourage retention and enhancement of existing large trees on the site
- whether the tree can be relocated
- all previous applications made in respect of the land which involved consideration of treescape conservation
- the extent to which the tree or trees contribute to the amenity of the neighbourhood both visual and physical, including contributions as habitats for birds and other animals
- any function the tree may have in conserving water and soil
- the actions of the applicant in regard to the tree
- the extent to which the tree or part of a tree is, in the opinion of a council arborist, structurally unsound
- whether removal 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 condition of those existing trees.
- the impact of the tree on ground stability.

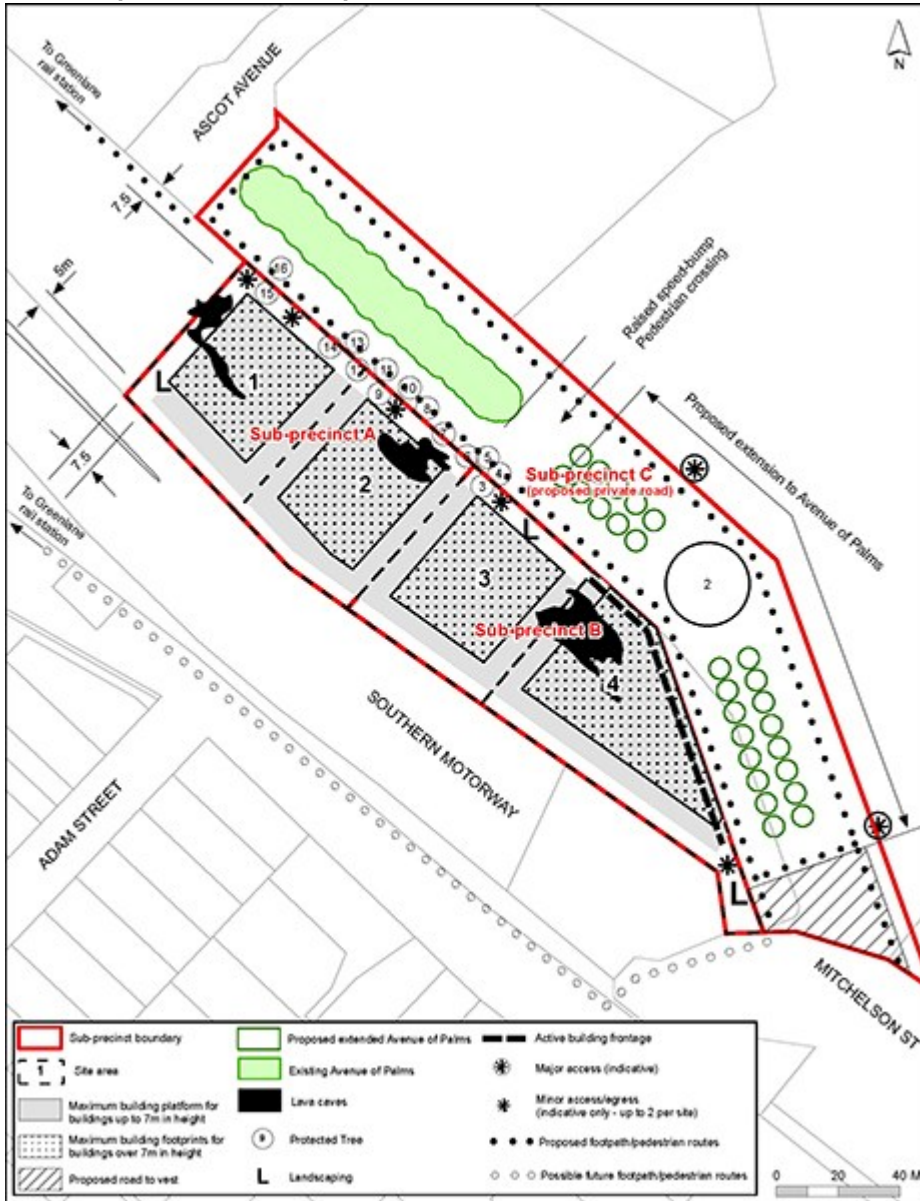
6. Special information requirements

1. An application to modify, damage or demolish a lava cave(s) must:
 - a. open up the cave(s) for inspection by the Auckland Council heritage staff prior to damaging or demolishing the cave.
 - b. produce a plan of the cave including long sections and cross sections at sufficient intervals to provide a satisfactory record of the form of the cave.
 - c. record any notable features about the cave and provide an assessment of its significance and value as an outstanding natural feature and the relative costs and benefits of granting or refusing the application.

2. Traffic monitoring required as part of the use and modification of the private road (Avenue of Palms) for public access must be carried out in the following circumstances:
 - a. prior to the opening of the Avenue of Palms to through traffic
 - b. within 1 month of the following times or events:
 - 12 months after the opening of the Avenue of Palms to through traffic (or a shorter period if deemed appropriate by the Council following the opening of the Avenue of Palms to through traffic),and
 - 12 months, 24 months, and 36 months after substantial completion and occupation of the development provided for within the precinct.
 - c. the traffic monitoring must be undertaken by an independent traffic engineer engaged by the Auckland Racing Club and the results of the monitoring must be submitted in a report to Auckland Transport and Auckland Council within 2 months of completion of each of the monitoring surveys.

7. Precinct plan

Precinct plan 1: Ellerslie 2 precinct



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