

**Amend the Policy Section of the Plan by:-**

Amending Section 3.9 “Special Areas” of Chapter 3 “the City’s Environment” by adding the following:

Massey North Town Centre Special Area – This is an area of land where it is proposed to establish an expanded integrated Major Town Centre.

Inserting a new Policy 11.44, as follows –

**Policy 11.44**

**The Massey North Town Centre Special Area shall be developed for urban activities which recognise the importance of the area as a major town centre and its suitability for a range of sustainable urban development outcomes. This area should be developed in a way which achieves an integrated and compact Town Centre, providing for a broad range of mutually compatible activities and employment opportunities that are integrated with public transport, and provide a strong community focal point. This is to be achieved by:**

- **ensuring that development takes into account the Massey North Urban Concept Plan;**
- **ensuring that the expansion of the Massey North Town Centre Area is undertaken in a coherent, integrated and compact fashion;**
- **ensuring that transport and land use patterns are aligned to achieve sustainability, efficiency and liveability;**
- **ensuring that activities and buildings are designed and located so that they address the street and public spaces thereby contributing to amenity values and in particular pedestrian accessibility and safety;**
- **requiring that activities and buildings are sited and designed in a manner which promotes informal surveillance of streets and public spaces;**
- **ensuring that buildings are designed according to a perimeter block layout where car parking is provided behind buildings, except for kerbside parking, and with the main “activity frontage” for buildings oriented towards public streets rather than parking areas;**
- **allowing for and encouraging residential and office activities to be located above the ground level within the Town Centre Core;**
- **limiting maximum building height to ensure that a human scale is retained ;**
- **requiring a minimum number of floor levels to ensure a compact town centre within the Town Centre Core Precinct A;**
- **imposing thresholds to ensure the establishment of a vibrant mixed use Town Centre including office, community, commercial residential activities;**
- **requiring the location, design and layout of large format retail activities within the Town Centre Core Area A to relate well to adjoining sites and activities, such as by having adjoining small scale activities along all street frontages.**
- **ensuring the efficient and effective use of resources in particular those associated with land.**
- **ensuring that there are no more than minor adverse effects on natural resources, including water quality and native vegetation;**
- **acknowledging that while landscape character may change, ensuring that change is managed to provide areas that are visually compatible internally to precincts, and with the surrounding land, roads and precincts;**
- **ensuring provision is made for roading, stormwater and wastewater drainage and all other infrastructure;**
- **ensuring existing and future residents are protected from adverse effects on health and amenity values, such as from noise;**
- **ensuring open space, ecological and pedestrian/cycling linkages are provided for, including enhancement of the riparian margins**
- **having regard to the above, ensuring that development proceeds in a manner that recognises the need for a comprehensive approach to future development within the Massey North area, including the achievement of high standards of urban design.**
- **requiring development contributions**

The Massey North Town Centre Special Area has been divided into five precincts. The specific policies relating to each precinct are described below:

#### Town Centre Precinct Area A

The Town Centre Precinct Area A shall be developed as a compact, pedestrian orientated retail core with larger scale retail activities integrated with smaller retail tenancies and provision made for commercial (including offices), mixed use, community and residential development. It is expected that this precinct will be developed as an integrated high quality, comprehensively designed town centre by:

- requiring development to provide a high level of amenity values for pedestrians who are utilising the public realm;
- utilising good urban design principles including matters such as the development of verandah coverage on footpaths, zero setback of buildings along street frontages and minimum areas of glazing to ensure that blank wall facades are minimised along public streets;
- the development of interactive frontages, and the avoidance of blank facades along the public realm;
- ensuring parking buildings and large format retail developments are sleeved by the provision of specialty retail shopping or residential and commercial activities;
- nominating *street frontages* to the proposed streets and requiring all buildings to be designed in accordance with the street typologies;
- imposing minimum floor levels and activity thresholds to encourage a variety of activities to occur within the Town Centre;
- creating a diversity and choice in terms of the shopping and recreational experience for the community, as well as enabling different sized commercial enterprises and community activities to take up the opportunity provided by the development of the Town Centre;
- imposing minimum floor levels along the main street thereby ensuring that the ability to provide a compact mixed use Town Centre is achieved;
- provide flexibility to parking standards to enable the most efficient use of the scarce land resource in the Town Centre, and to encourage visitors to the Town centre to use public transport, or, when they choose to bring their vehicles to the Town centre, use communal parking areas;
- the design of the Town Centre as a whole is focussed upon having it integrate with the public transport facilities that service the town centre and the links within the City and across the Auckland Region;
- maintain areas of open space and riparian margins to provide for stormwater mitigation and passive recreational opportunities.

#### Town Centre Precinct Area B

The Town Centre Precinct Area B shall not compromise the objectives for the overall Massey North Town Centre and the Massey North Urban Concept Plan. Those objectives seek to establish an integrated town centre surrounded by a supportive town centre periphery. In particular, the precinct seeks to:

- enable the development of comprehensively planned large format retail developments between the proposed apartment housing and the proposed State highway 16 Motorway, to act as a buffer for those residential activities. The large format retail will be required to meet more flexible design standards than those standards expected in the Town Centre Core. However these developments will need to provide interactive facades and be of a human scale;
- to enable apartment and mixed use activities to occur along the green network and to utilise the amenity value for the riparian margins for residents. The apartment development will be encouraged to locate mixed use activities on the ground floors;
- restricting residential activities along the Motorway, to ensure that the adverse effects on residential development from the Motorway are avoided;

- ensure that development of the Town Centre Precinct Area B does not compromise the objectives for the Town Centre as a whole;
- avoid the establishment of supermarkets/department stores and/or significant intensive/specialty retail units that might detract from the intensification outcomes sought within the Town Centre Core A Area;
- allow the establishment of other complementary activities other than large format retail within Town Centre Precinct Area B, such as residential, commercial and mixed use activities;
- ensuring integration of public transport facilities throughout the Town Centre while reinforcing the development of the Town Centre Main Street in Precinct A;
- provide flexibility to parking standards to enable the most efficient use of the scarce land resource, and encourage visitors to the Town centre to use public transport, or, when they choose to bring their vehicles to the Town centre, use communal parking areas;
- maintain areas of open space and riparian margins to provide for stormwater mitigation and passive recreational opportunities.

### Town Centre Precinct Area C

The Town Centre Precinct Area C shall not compromise the objectives for the overall Massey North Town Centre and the Massey North Urban Concept Plan. Those objectives seek to establish an integrated town centre surrounded by a supportive town centre periphery. In particular, the precinct seeks to:

- enable commercial and business, and limited retail activities to occur along the frontage to Hobsonville Road, and along the existing State Highway 16;
- to enable apartment and mixed use activities to occur along the green network and to utilise the amenity value for the riparian margins for residents. The apartment development will be encouraged to locate mixed use activities on the ground floors;
- ensure that development of the Town Centre Precinct Area C does not compromise the objectives for the Town Centre as a whole;
- avoid the establishment of supermarkets/department stores and/or significant retail units that might detract from the intensification outcomes sought within the Town Centre Core A Area;
- allow the intensive establishment of other complementary activities other than retail within Town Centre Precinct Area C, such as residential, commercial and mixed use activities;
- ensuring integration of public transport facilities throughout the Town Centre while reinforcing the development of the Town Centre Main Street in Precinct A;
- provide flexibility to parking standards to enable the most efficient use of the scarce land resource, and encourage visitors to the Town Centre to use public transport, or, when they choose to bring their vehicles to the Town Centre, use communal parking areas;
- maintain areas of open space and riparian margins to provide for stormwater mitigation and passive recreational opportunities.

### Town Centre Precinct Area D

The Town Centre Precinct Area D shall not compromise the objectives for the overall Massey North Town Centre and the Massey North Urban Concept Plan. Those objectives seek to establish an integrated town centre surrounded by a supportive town centre periphery. In particular, this precinct seeks to:

- enable commercial and business, and limited retail activities to occur along the frontage to State Highway 16;
- to enable apartment and mixed use activities to occur and to utilise the amenity value for the riparian margins for residents. The apartment development will be encouraged to locate mixed use activities on the ground floors;
- provide an opportunity to establish a school within close proximity to the Town Centre Core and new residential;
- ensure that development of the Town Centre Precinct Area D does not compromise the objectives for the Town Centre as a whole;
- avoid the establishment of supermarkets/department stores and/or significant retail units that might detract from the intensification outcomes sought within the Town Centre Core A Area

- allow the intensive establishment of other complementary activities other than retail within Town Centre Precinct Area D, such as residential, commercial and mixed use activities;
- ensuring integration of public transport facilities throughout the Town Centre while reinforcing the development of the Town Centre Main Street in Precinct A;
- provide flexibility to parking standards to enable the most efficient use of the scarce land resource, and encourage visitors to the Town Centre to use public transport, or, when they choose to bring their vehicles to the Town Centre, use communal parking areas;
- maintain areas of open space and riparian margins to provide for stormwater mitigation and passive recreational opportunities.

### Town Centre Precinct Area E

The Town Centre Precinct Area E shall not compromise the objectives for the overall Massey North Town Centre and the Massey North Urban Concept Plan. Those objectives seek to establish an integrated town centre surrounded by a supportive town centre periphery. In particular, this precinct seeks to integrate the existing Westgate Shopping Centre into an expanded Town Centre, with connections where possible across Hobsonville Road. In particular, the precinct seeks to:

- retain existing retail activities in the Westgate Shopping Centre at the same time as the development of the Town Centre Core and other precincts. The main focus on the Westgate Centre is to consolidate the centre for large format retail activities while encouraging limited specialty retail along the internal access road and fronting existing large format retail stores;
- ensure that development of the Town Centre Precinct Area E does not compromise the objectives for the Town Centre as a whole.;
- avoid the establishment of malls or significant intensive retail on Precinct E that might detract from the intensification outcomes sought within the Town Centre Core A Area;
- allow the intensive establishment of other complementary activities other than retail within Town Centre Precinct Area E, such as residential, commercial and mixed use activities;
- ensuring integration of public transport facilities across Hobsonville Road to facilitate access throughout the Town Centre while reinforcing the development of the Town Centre Main Street in Precinct A;
- provide flexibility to parking standards to enable the most efficient use of the scarce land resource, and encourage visitors to the Town centre to use public transport, or, when they choose to bring their vehicles to the Town centre, use communal parking areas.

### Explanation

The Massey North Town Centre Special Area has been identified as a strategically important location for the development of a comprehensive town centre. The aim is to expand the existing Westgate Town Centre to develop into an expanded and integrated town centre. The District Plan seeks to ensure that the development of a new pedestrian focussed town centre to the north of Hobsonville Road is integrated with the existing Westgate precinct, to ensure that the area is developed as one integrated centre. The intended policy outcome will be a town centre which incorporates a compact, integrated range of mutually compatible activities and facilities, developed in close proximity to important public and private transport corridors.

One of the key drivers of the Town Centre is to provide opportunities for increased employment within the city. It is considered that the establishment of retail activities that provide good pedestrian amenity will create demand for other landuse intensification within the town centre, including increased non-retail employment. It is also considered that creating a mixture of employment activities other than retail, encourages optimum passenger transport use.

The District Plan seeks to enable flexibility to development, provided that such development gives effect to the relevant policies for each of the proposed Town Centre precincts, and the outcomes that the Plan is seeking to achieve. The plan also seeks to encourage reusable and adaptable buildings, and to achieve excellent urban design outcomes.

The environmental issues relating to the upper Waitemata Harbour means that a higher quality of development in terms of environmental standards will be required. This includes high standards of control for the quantity and quality of stormwater discharged from the town centre.

It is proposed that the development of Massey North Town Centre will be staged so as to achieve a compact urban form with a level of intensification and quality of outcome that is consistent with the policies of the District Plan and the outcomes that are sought through the Local Government (Auckland) Amendment Act 2004.

Development contributions will be necessary to fund the significant infrastructural costs associated with the establishment of the Town Centre.

Existing Town Centres represent an agglomeration of significant resources and have an associated value and range of benefits to the community. This presents challenges for the identification of appropriate mechanisms to ensure that such resources are sustainably managed for existing and future communities.

Retail activities in new or expanded locations may improve access to goods and services and better enable the community to meet their social and economic needs. However, any change in the pattern of distribution of commercial centres can result in adverse effects or require consideration of linkages with other aspects of urban form, including:

- Relationship to living areas, transport routes and community facilities;
- Efficient use of existing resource including public infrastructure and the ability to access goods and services through a variety of transport modes;
- Impact on existing centres, the significance of the impact and whether there is a reduction in the social and economic function and amenity of these centres;
- Consequential impact on the ability of existing centres to function as focal points contributing to the wellbeing of people and communities; and
- Whether existing centres have outlived their original historical function and whether the rate of transition is such as to maintain an appropriate level of function and amenity.

Activities within Town Centres can, if not appropriately managed, give rise to adverse effects on the visual and other amenities within and adjoining the areas including effects of building height, form and design, and effects of an activities noise production, hours of operation and traffic generation.

Parking and traffic generation are key issues in determining the integration of town centres with the capacity and safety of the supporting road network. Given the proximity of these areas to the proposed arterial road network, there is a need to ensure that parking and access layout and effects on the wider road network for the Town Centre are managed to avoid adverse effects on the safety and efficiency of the roading network.

The Massey North Town Centres Special Area has been divided into five “precincts” (see Massey North Urban Concept Plan). Each precinct has its own characteristics, constraints and opportunities, and needs to be managed and developed in different ways.

The approach the District Plan Special Area provisions take is to identify each precinct and to set up an objectives and resource management approach which partly relates to the whole of the Special Area and partly relates to each individual precinct.

Permitted activities are limited to the specified use of existing buildings and activities. All new development will be subject to three layers of management control.

The first layer of management relates to the whole of the Special Area. The plan change includes a Concept Plan, which illustrates the precincts and major roading pattern and green network, together with amenity and character features and the expected land uses.

Each element of the Concept Plan must be incorporated into the ultimate development of each precinct. In this way, an overall planned approach to development occurs.

A second layer of management involves the necessary preparation of a Comprehensive Development Plan before any development is allowed. Comprehensive Development Plans are prepared on a precinct basis and assessed via a resource consent application (as a Limited Discretionary Activity). The Comprehensive Development Plan must include relevant elements of the Concept Plan, as well as

greater detail in matters such as final roading patterns, open space provision, proposed positions of key buildings, satisfaction of minimum housing densities, and indicative site layouts. There are also expectations for design guidelines and the allocation of streetscape typologies for the proposed roading, which will inform the urban design controls for development. The aim is to ensure new development is of a co-ordinated, high quality. The provision of infrastructure is also addressed at this time, with it being necessary to ensure such matters as stormwater and wastewater disposal are adequately catered for.

The third layer of management involves a resource consent requirement (as a Limited Discretionary Activity) for each building proposed, and for non-residential activities (residential activities are permitted in buildings approved for that purpose). This allows detailed assessment of the design and quality of each building and how it relates to the street and surrounding development, as well as ensuring activities are appropriate and complementary. Each building and activity will be assessed against the other layers of management – i.e. the concept plan and comprehensive development plan.

There are a range of other rules applying in this Special Area which cover such matters as height, gross floor area controls and thresholds, noise, parking and natural areas management.

While this approach does involve a high level of management, that is considered justified considering that the expected new development will be at a relatively high density and will need to be carefully designed.

All of this is supported by a comprehensive set of assessment criteria, and an overall basis of special area policies which outline expectations for management of the area as a whole, and each precinct.

#### Town Centre Precinct Area A

The town centre retail core should be developed as a compact, pedestrian orientated retail based town centre with larger scale retail activities at the periphery and appropriate provision for mixed use, commercial and residential development. It is expected that this precinct will be developed to a high quality, comprehensive design.

Activities will be expected to provide a high level of amenity values for pedestrians who are utilising the public realm, utilising up to date approaches to urban design including matters such as the development of verandah coverage on footpaths and minimum areas of glazing to ensure that blank wall facades are minimised.

To assist the development of interactive frontages, and assist with the avoidance of blank facades, parking buildings and large format retail developments will be sleeved by the provision of specialty retail shopping.

All buildings should be designed in accordance with the streetscape typologies as identified in the Approved Comprehensive Development Plan.

The use of thresholds levels has been included to encourage a variety of activities to occur in the Town Centre. This will provide diversity and choice in terms of the shopping and recreational experience for the community, as well as enable different sized commercial enterprises and community activities to take up the opportunity provided by the development of the Town Centre. To this end, the Rules also seek minimum floor levels along the main street thereby ensuring that the ability to provide a compact mixed use Town Centre is achieved.

The Plan also seeks to provide flexibility to parking standards to enable the most efficient use of the scarce land resource in the Town Centre, and encourage visitors to the Town centre to use public transport, or, when they choose to bring their vehicles to the Town centre, use communal parking areas. Consequently the design of the Town Centre as a whole is focussed upon having it integrate with the public transport facilities that service the town centre and the links within the City and across the Auckland Region.

#### Town Centre Precinct Area B

The Town Centre Precinct B seeks to require residential activities to occur along the green network to utilise the amenity value for the riparian margins for residents. The residential activity is located within

walking distance of the Town Centre Core, thereby reducing the need for residents to use vehicles to complete their shopping/business. Apartment residential will be encouraged to locate mixed use activities on the ground floors. Residential activity will be restricted along the Motorway, to ensure that the adverse effects on residential development from the Motorway are avoided.

The Plan seeks to enable the development of large format retail developments between the Apartment Residential and the proposed State Highway 16 Motorway, to act as a buffer for those residential activities. The large format retail will be required to meet more flexible design standards than those standards expected in the Town Centre Core. However these developments will need to provide interactive facades and be of a human scale.

#### Town Centre Precinct Area C

The Town Centre Precinct C will have an important role in supporting the functioning of the Town Centre Core, but will have a distinctly different pattern of development. This pattern of development seeks to ensure that the intensity of development of the Town Centre Core is not dispersed across a large area. Consequently some commercial and business activities and retail will be enabled to occur along the frontage to Hobsonville Road, and along the existing State Highway 16. This commercial and retail area will act as a buffer to apartment residential that is proposed to be located within Precinct C.

The Precinct seeks to encourage apartment development along the green network areas identified within Precinct C, thereby providing amenity values associated with the green network to the residents. The quality of the urban design of this Precinct will be similar to the Town Centre Core, given this precinct's supporting role for the Town Centre Core.

It is expected that the development of retail activities within this Precinct will complement the development of the Town Centre Core. Significant retail activities are to be avoided within the precinct.

#### Town Centre Precinct Area D

The Town Centre Precinct D will have an important role in supporting the functioning of the Town Centre Core, but will have a distinctly different pattern of development. This pattern of development seeks to ensure that the intensity of development of the Town Centre Core is not dispersed across a large area. Consequently some commercial and business activities and retail will be enabled to occur along the frontage to the existing State Highway 16. This commercial and retail area will act as a buffer to apartment development that is proposed to be located within Precinct D.

The precinct seeks to Apartment residential development. The quality of the urban design of this precinct will be similar to the Town Centre Core, given this Precinct's supporting role for the Town Centre Core.

This Precinct has scope for the development of community facilities, and a large area of open space associated with the riparian margins. The community area identified is considered to provide an ideal opportunity for school facility which is integral to the development of the Town Centre, and those facilities will service the new residents and the workforce that spends its working day in the Town Centre or the Employment Centre Precincts. The provision of open space in this precinct seeks to address the passive recreational needs of both the residents and the workforce, while avoiding and mitigating the effects of the development on the streams and their riparian margins. Significant retail activities are to be avoided within the precinct.

#### Town Centre Precinct Area E

This precinct seeks to ensure that additional development within the existing Westgate Shopping Centre does not compromise the objectives for the overall Massey North Town Centre. Those objectives seek to integrate the Westgate Shopping Centre into the larger Town Centre, with connections where possible across Hobsonville Road.

The provision of retail activity in the Westgate Shopping Centre is expected to maintain a strong Large Format Retail character, while allowing limited additional retail to enhance the existing Mainstreet and to sleeve existing large format buildings. The plan seeks to provide flexibility of other complementary activities to establish within the precinct. This intensification at the Westgate Shopping Centre will enable

other retail uses to locate within the Area, while requiring integration with new Town Centre, and ensuring that development of the precinct does not compromise the objective for the Town Centre as a whole.

This integration will include the upgrading of public transport facilities and integration of public transport across Hobsonville Road to facilitate access throughout the Town Centre while reinforcing the development of the Town Centre main street in Precinct A.

## **Methods**

### **District Plan Rules:**

Urban Concept Plans

Comprehensive Development Plans

Special Area Rules

Community and Living Environment Rules

City Wide Rules

### **Other Methods:**

Design Guidelines

**Introduce a new Rule 26 to the Special Area Rules of the District Plan, as follows:-**

RULE 26	MASSEY NORTH TOWN CENTRE SPECIAL AREA
<p><b><u>RULES</u></b></p> <p><b><u>26.0 General</u></b></p> <p>(a) <u>The following rules shall apply to Any Activity on land situated in the Massey North Town Centre Special Area.</u></p> <p>(b) <u>Where there is any conflict between the following rules and other rules in the Plan, the following rules shall prevail.</u></p> <p>(c) <u>All of the following rules shall apply, where relevant, to Any Activity.</u></p> <p>(d) <u>The “Concept Plan” referred to in these rules is the Urban Concept Plan for the Massey North Town Centre Special Area, dated 31 March 2005.</u></p> <p><b><u>26.1 Permitted Activities</u></b></p> <p>The following are <i>Permitted Activities</i>:-</p> <p>(a) <u>Filming Activities not involving the erection of new buildings or the external alteration of existing buildings or requiring the development of new infrastructure to service the activity.</u></p> <p>(b) <u>Any residential activity in an existing building erected for residential purposes prior to 31 March 2005, provided that there is no structural change affecting the external appearance of the building, and no need for new infrastructure to service the activity.</u></p> <p>(c) <u>Any residential activity in a building erected for residential purposes pursuant to Rules 26.2(a) and (c).</u></p> <p>(d) <u>Home Occupations meeting the following performance standards</u></p> <ul style="list-style-type: none"> <li>- <u>no more than 5 persons are engaged in the home occupation, at least one of whom resides on the site;</u></li> <li>- <u>the home occupation is carried out within an existing building;</u></li> <li>- <u>the home occupation does not involve traffic generation involving a heavy traffic vehicle exceeding two vehicle movements per week;</u></li> </ul>	<p><b><u>ASSESSMENT CRITERIA</u></b></p> <p><b><u>General Criteria</u></b></p> <p>26(a) <u>The extent to which any proposed Comprehensive Development Plan is consistent with the Massey North Urban Concept Plan.</u></p> <p>26(b) <u>The extent to which any proposed development and buildings are consistent with the Massey North Urban Concept Plan and the Approved Comprehensive Development Plan.</u></p> <p>26(c) <u>The extent to which building design within the Massey North Town Centre Special Area will achieve:-</u></p> <ul style="list-style-type: none"> <li>(i) <u>a community that models sustainability, particularly the principles of passive solar design and walkable neighbourhoods;</u></li> <li>(ii) <u>a character and appearance that will ensure a high standard of amenity values and avoid conflicts between activities within the relevant precinct and between that precinct and other precincts;</u></li> <li>(iii) <u>a consistent and attractive streetscape character;</u></li> <li>(iv) <u>variations in building footprints, form and style rather than rows of buildings of the same footprint, form and style;</u></li> <li>(v) <u>the articulation of any building facades which are visible from roads;</u></li> <li>(vi) <u>the use of permeable fencing except where Residential Activities need clear separation from Non-Residential Activities;</u></li> <li>(vii) <u>The incorporation of existing views and natural features around the Massey North Town Centre Special Area, including the natural landscape qualities of the environment adjacent to the riparian areas.</u></li> </ul> <p>26(d) <u>The extent to which activities, buildings, driveways, carparking and other development are of a size, location, scale and design that will accommodate the proposed activity and complement the character of buildings and development of adjoining land, having regard to the existing and potential use(s) of that adjoining land.</u></p>

<p>- <u>except where goods are primarily ordered by mail or electronic transaction and redistributed by post or courier, any retail sales and services are confined to goods produced on-site;</u></p> <p>- <u>the home occupation, apart from the parking of one vehicle, is screened from the adjoining sites and the road.</u></p> <p>(e) <u>Any sign not exceeding 0.1m<sup>2</sup> in area prior to the lodgement and approval of a Comprehensive Development Plan.</u></p> <p>(f) <u>Grazing</u></p> <p>(g) <u>Horticulture</u></p>	<p>26(e) <u>The extent to which outdoor storage areas are located, designed or screened to avoid creating adverse visual and odour effects on pedestrian amenity, roads and adjoining sites.</u></p> <p>26(f) <u>The extent to which building, parking, entranceways and footpaths are designed for ease of access for the disabled, elderly and children.</u></p> <p>26(g) <u>The extent to which building height will create adverse wind conditions around the building or in the immediate locality, including effects on the pedestrian environment at street level.</u></p> <p>26(h) <u>The extent to which, for any development not meeting the minimum floor levels, there are adverse effects on the vitality and intensification of the Massey North Town Centre Special Area.</u></p>
<p><b><u>26.2 Limited Discretionary Activities</u></b></p> <p><u>The following are Limited Discretionary Activities:-</u></p> <p>(a) <u>Prior to the establishment of Any Activity or building that is not a Permitted Activity under Rule 26.2, a Comprehensive Development Plan for any one or more of the following precincts as shown on the Massey Urban North Concept Plan shall be provided and approved. In considering a Comprehensive Development Plan, the Council will have regard to the specified General Standards (Rule 26.2 (g)) and the Additional Precinct Standards (Rule 26.2 (h)) and any relevant standards in the City-Wide Rules - "Design - Intensification Developments":-</u></p> <ul style="list-style-type: none"> <li>◆ <u>Town Centre Precinct Area A</u></li> <li>◆ <u>Town Centre Precinct Area B</u></li> <li>◆ <u>Town Centre Precinct Area C</u></li> <li>◆ <u>Town Centre Precinct Area D</u></li> <li>◆ <u>Town Centre Precinct Area E.</u></li> </ul> <p><u>This rule shall be limited to the first Comprehensive Development Plan only in respect of each precinct (any further Comprehensive Development Plan or any amendment to a Comprehensive Development Plan shall be a Discretionary Activity pursuant to Rule 26.4(a).</u></p> <p><u>The City Wide Rule 2 Site Analysis shall not apply to the assessment of the Comprehensive Development Plan.</u></p> <p>(b) <u>Any sign exceeding 0.1m<sup>2</sup> in area within the areas identified for Apartment Residential within the Massey North Urban Concept Plan and for all other areas not meeting the Permitted Activity standards of Community Environment Rule 12 Signs.</u></p>	<p>26(i) <u>The extent to which redevelopment of, or additions and alterations to, existing buildings complement the existing and proposed character of Massey North Town Centre Special Area having regard to:</u></p> <ul style="list-style-type: none"> <li>(i) <u>The architectural elements of the building which contribute to its character, such as cladding and fenestration;</u></li> <li>(ii) <u>The visual appearance of the development from the road reserves;</u></li> <li>(iii) <b><u>Amenity values and neighbourhood character.</u></b></li> </ul> <p>26(j) <u>The extent to which any development provides a good standard of aural amenity, particularly between residential activities and non-residential activities.</u></p> <p>26(k) <u>The extent to which areas identified for Apartment Residential achieve a density of 1 unit per 40 hectares in order to achieve housing objectives. Such development should be large enough to accommodate comprehensively designed development with sufficient roading frontage.</u></p> <p>26(l) <u>The extent to which landscape treatment and development complements and enhances the natural landscape character of the riparian margins.</u></p> <p>26(m) <u>The extent to which landscape treatment ensures that potential adverse effects of development are avoided, remedied or mitigated and that a high standard of amenity is achieved.</u></p> <p>26(n) <u>The extent to which in the selection of</u></p>

<p>(c) <u>The erection or alteration of any building for a Massey North Town Centre Precinct A Activity, Massey North Town Centre Precinct B Activity, Massey North Town Centre Precinct C Activity; Massey North Town Centre Precinct D Activity; Massey North Town Centre Precinct E Activity provided that:</u></p> <ul style="list-style-type: none"> <li>• <u>a Comprehensive Development Plan has been prepared and approved pursuant to Rule 26.2(a);</u></li> <li>• <u>buildings or development visible on a site which fronts a relevant nominated street typology on an Approved Comprehensive Development Plan comply with Citywide Rule 3 as either B. Town Centre - Mainstreet Typology 2, D. Town Centre Commercial Transitional Typology, E. Town Centre - Periphery Typology or F. Town Centre - Residential Typology</u></li> <li>• <u>Connections are available to infrastructure approved in accordance with Rule 26.2(e);</u></li> <li>• <u>any Apartment or Mixed Use Activity shall also be subject to Citywide Rule 1 - General Apartment Design; Citywide Rule 2 - Noise; Rule 4 - Mixed Use</u></li> <li>• <u>The activity complies with Rule 1.10 of the City-Wide Rules - General Noise Standards</u></li> </ul>	<p><u>planting types, consideration has been given to the physical and environmental characteristics of living spaces and outdoor spaces, relationship to the road and ongoing maintenance requirements.</u></p> <p>26(o) <u>The extent to which areas of open space, planting and streetscape treatment are used to offset the visual impact of buildings and development.</u></p> <p>26(p) <u>The extent to which signs are:-</u>  (i) <u>visually appropriate to the neighbourhood character</u>  (ii) <u>of a height which avoids the sign dominating the neighbourhood and nearby structures</u>  (iii) <u>do not create a situation hazardous to the safe movement of traffic.</u></p> <p>26(q) <u>The extent to which recognition is given to any contaminated site, including any remediation required.</u></p> <p>26(r) <u>The extent to which any development adversely affects the historical, cultural or spiritual significance of any site, or any waahi tapu of significance to iwi.</u></p>
<p>(d) <u>The establishment of connections or infrastructure</u></p>	<p><u>(note: all of the following assessment criteria are to be addressed in a Transport Management Plan prepared to satisfy the standards in Rule 26.2 (g)(xiii))</u></p>
<p>(e) <u>The subdivision of any site provided that:-</u></p> <ul style="list-style-type: none"> <li>• <u>a Comprehensive Development Plan has been prepared and approved pursuant to Rule 26.2(a);or</u></li> <li>• <u>comprises the site specified in a land use consent,</u></li> <li>• <u>provided that Subdivision Rule 5 – Working and Community Environment also applies, except that in areas nominated for Apartment Residential on the Massey North Urban Concept Plan Subdivision Rule 3 and Rule 4 - Living Environment Applies.</u></li> </ul>	<p>26(s) <u>The extent to which provision has been made for upgrading roads and transport systems to and around the Massey North Special Area, sufficient to enable efficient and safe transport movements having regard to traffic generation from the Special Area as a whole and the growth of traffic generally through the area.</u></p> <p>26(t) <u>The extent to which the layout and design of streets and public lanes ensures well-connected, attractive and safe transport routes, with appropriate provision for vehicle, cycle and pedestrian movements, carparking, infrastructure services street-tree planting, and landscape treatment.</u></p>
<p>(f) <u>General Standards for Comprehensive Development Plans (applying to all Precincts)</u></p> <p><u>(see the Massey North Urban Concept Plan for location of identified features):</u></p> <p><u>A Comprehensive Development Plan shall include provision for all relevant components of the Massey North Urban Concept Plan, for the whole of the relevant precinct, and any</u></p>	<p>26(u) <u>The extent to which the roading network provides a highly inter-connected roading system so as to reduce trip distances and to improve local accessibility to community facilities, reserves, public transport facilities</u></p>
<p><b><u>Transportation Criteria</u></b></p>	

<p><u>infrastructure required to service that precinct, and shall include details of:-</u></p> <ul style="list-style-type: none"> <li>(i) <u>The exact boundaries between the precinct and adjoining precincts;</u></li> <li>(ii) <u>The location and design of proposed areas of <i>open space</i>, or <i>ecological linkages</i>, natural features to be retained, and areas to be developed for stormwater treatment and detention purposes;</u></li> <li>(iii) <u>The location and <i>design</i> of all proposed roads, and the identification of the <i>street typology</i> for each <i>road frontage</i> in accordance with Citywide Rule 3 as either B. Town Centre - Mainstreet Typology 2, D. Town Centre Commercial Transitional Typology, E. Town Centre - Periphery Typology or F. Town Centre - Residential Typology);</u></li> <li>(iv) <u>The method by which the precinct will be integrated visually, and by vehicular, public transport, pedestrian, bicycle and open space networks, with adjoining land and precincts and, where relevant, SH16/ Hobsonville Road;</u></li> <li>(v) <u>The method by which public open space areas as shown on the Massey North Urban Concept Plan are to be developed including, where relevant, enhancement of natural features such as native vegetation and riparian margins, and the development of public amenities and facilities;</u></li> <li>(vi) <u>Design Guidelines including standards and conditions which are developed to achieve the matters outlined in Policy 11.42; (Note: site layouts and <i>buildings</i> are to be designed in accordance with the relevant <i>street typology</i>;</u></li> <li>(vii) <u>The proposed landscaping and street design for the precinct;</u></li> <li>(viii) <u>All proposed bus stops within the precinct;</u></li> <li>(ix) <u>Provision to be made for community facilities;</u></li> <li>(x) <u>Provision for aural <i>amenity</i> between activities within precincts, between precincts, and between the <i>Massey North Town Centre Special Area</i> and any adjoining land;</u></li> <li>(xi) <u>An indicative layout of <i>proposed sites</i> including the design of a street grid block layout;</u></li> <li>(xii) <u>The method by which <i>development</i> of the precinct is to be staged and the means of managing any vacant land during the staging of development;</u></li> </ul>	<p><u>and the town centre core.</u></p> <ul style="list-style-type: none"> <li>26(v) <u>The extent to which provision has been made for public transport facilities, including a public transport interchange, taxi stops and bus stops.</u></li> <li>26(w) <u>The extent to which development has been designed to integrate land uses with transport systems, including provision for public transport within the precinct, and between precincts. (Note, it is expected that in the development of comprehensive development plans, there will be consultation with the Auckland Regional Council, the Auckland Regional Land Transport Authority and Transit New Zealand).</u></li> <li>26(x) <u>The extent to which traffic generation from proposed activities creates adverse <i>effects</i> on:-</u> <ul style="list-style-type: none"> <li>(i) <u>The capacity of <i>roads</i> giving access to the <i>site</i>;</u></li> <li>(ii) <u>The safety of <i>road</i> users including cyclists and pedestrians;</u></li> <li>(iii) <b><u>neighbourhood character;</u></b></li> </ul> </li> <li>26(y) <u>The extent to which <i>carparking</i> accommodates the expected demands of an activity, having regard to the relative locations of the activity and the <i>carparking</i> serving that activity, the possible joint use of <i>carparking</i>, public transport alternatives, and relevant parking guidelines.</u></li> <li>26(z) <u>The extent to which <i>carparking</i> is provided for within a 5 minute walking distance of land use activities, rather than necessarily adjoining those activities or in the same precinct, except in the case of <i>retail activities</i> and other <i>non-residential activities</i> which require on-site or close-by <i>carparking</i>.</u></li> <li>26(ab) <u>The extent to which <i>carparking</i> is designed having regard to:-</u> <ul style="list-style-type: none"> <li>(i) <u>the capacity of <i>roads</i> giving access to the <i>site</i>;</u></li> <li>(ii) <u>the safety of <i>road</i> users including cyclists and pedestrians;</u></li> <li>(iii) <u>a perimeter block layout where <i>carparking</i> is provided behind <i>buildings</i> or in basements or on roofs, except for kerbside parking, so that the main "activity frontage" for <i>buildings</i> is oriented towards <i>roads</i> rather than parking areas;</u></li> <li>(iv) <u>provide <i>carparking</i> areas which are secure, well lit and conveniently</u></li> </ul> </li> </ul>
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<p>(xiii) <u>A transport management plan prepared in accordance with Assessment Criteria 26(t) - 26(ad);</u></p> <p>(xiv) <u>An <i>infrastructure</i> management plan prepared in accordance with Assessment Criteria 26(ae) and 26(an).</u></p> <p>(xv) <u>Details of how the Precinct will comply with the Performance Standards of Rule 26.4;</u></p> <p><u>(g) Additional Standards for Comprehensive Development Plans (applying to specific precincts)</u></p> <p><u>(see the <i>Massey North Urban Concept Plan</i> for location of identified features):</u></p> <p><u>Town Centre Precinct Area A</u></p> <p><u>The Comprehensive Development Plan for the Town Centre Precinct Area A is to provide details of:-</u></p> <p>(i) <u>The exact boundaries of areas to be developed as Town Centre, Apartment Residential, Bus Interchange and Park and Ride, and Urban Open Space;</u></p> <p>(ii) <u>The location, dimension and indicative design of the proposed Town Square;</u></p> <p>(iii) <u>Provision to be made for Mainstreet vehicular and pedestrian connections to the existing Westgate Shopping Centre (Precinct E);</u></p> <p>(iv) <u>The proposed location of <i>large format retail</i> and how each <i>large format retail</i> activity will be designed to relate visually to adjoining activities, the street (having regard to the nominated <i>street frontage</i>) and the identified Main Street area;</u></p> <p>(v) <u>Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities;</u></p> <p>(vi) <u>The location of bus stops;</u></p> <p>(vii) <u>The location and indicative <i>design</i> of a public transport interchange and park and ride;</u></p> <p>(viii) <u>The method by which existing overhead transmission wires are to be integrated with the precinct development design, including any relocation or undergrounding proposed;</u></p> <p>(ix) <u>Provision to be made for <i>residential activities</i> within the Apartment Residential Area adjacent to Open Space Areas as shown on the <i>Massey North Concept Plan</i> (ground floor may be used for <i>non-residential activities</i>);</u></p> <p>(x) <u>The method by which no less than 40 apartments per hectare will be provided for within the Apartment Living area of this</u></p>	<p><u>accessible for residents/ workers.</u></p> <p>26(ac) <u>The extent to which activities provide for on-site loading facilities for service vehicles, delivery vehicles, rubbish collection vehicles.</u></p> <p>26(ad) <u>The extent to which adequate provision is made for access to <i>carparking</i> and vehicle manoeuvring.</u></p> <p><b><u>Infrastructure Criteria</u></b></p> <p><u>(note: all of the following assessment criteria are to be addressed in a Infrastructure Management Plan prepared to satisfy the standards in Rule 26(g)(xiv))</u></p> <p>26(ae) <u>The extent to which the <i>infrastructure</i> provided to serve any new <i>development</i> is of a recognised public standard (such as compliance with the Waitakere City Code of Practice).</u></p> <p>26(af) <u>The extent to which the design and location of street lighting will assist in creating and enhancing a consistent and safe character throughout the relevant precinct and the <i>Massey North Town Centre Special Area</i> as a whole.</u></p> <p>26(ag) <u>The extent to which stormwater management features such as rain gardens, swales and permeable paving are incorporated into <i>road design</i>.</u></p> <p>26(ah) <u>The extent to which the <i>design</i> of streets and public lanes conserves land and encourages walkability by using minimal dimensions for carriageways and integrating service lines beneath footpaths or parking bays.</u></p> <p>26(ai) <u>The extent to which <i>infrastructure</i> for stormwater, wastewater and water supply are designed to ensure techniques are used to minimise water use and generation.</u></p> <p>26(aj) <u>The extent to which the <i>infrastructure</i> provided to serve any new <i>development</i> models a range of different methods to achieve sustainability, with a particular emphasis on the efficient use and natural treatment of water systems.</u></p> <p>26(ak) <u>The extent to which recognition has been given to the NOSGA Local Water Agenda Plan when designing <i>infrastructure</i>.</u></p> <p>26(al) <u>The extent to which provision for stormwater disposal meets the Totara Catchment Management Plan requirements, in a way that best complements design for the</u></p>
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<p><u>precinct.</u></p> <p><u>Town Centre Precinct Area B</u></p> <p><u>The Comprehensive Development Plan for the Town Centre Precinct Area B is to provide details of:-</u></p> <p>(i) <u>The exact boundaries of areas to be developed as Large Format Retail/Commercial, Apartment Residential drainage/ Ecological Space and Urban Open Space;</u></p> <p>(ii) <u>The indicative location of <i>buildings</i> and how each <i>building</i> will be designed to relate visually to adjoining activities, the street (having regard to the nominated <i>street typology</i>) and the Main Street core area;</u></p> <p>(iii) <u>Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities;</u></p> <p>(iv) <u>The location of bus stops;</u></p> <p>(v) <u>The method by which the existing overhead transmission wires are to be integrated with the precinct development design, including any relocation or undergrounding proposed;</u></p> <p>(vi) <u>Provision to be made for <i>residential activities</i> within the Apartment Residential Area adjacent to Open Space Areas as shown on the <i>Massey North Urban Concept Plan</i> (ground floor may be used for <i>non-residential activities</i>);</u></p> <p>(vii) <u>The method by which no less than 40 apartments per hectare will be provided for within the apartment living area of this precinct.</u></p>	<p><u>relevant precinct, such as incorporating stormwater ponds into open space and pedestrian linkage opportunities.</u></p> <p>26(am) <u>The extent to which stormwater retention and treatment facilities are to be designed to retain in stream ecological values and added additional habitat (e.g. wetlands) where possible.</u></p> <p>26(an) <u>The extent to which <i>development</i> retains and enhances riparian margins and provides protection.</u></p> <p><b><u>Other</u></b></p> <p>26(ao) <u>The extent to which areas of public open space are provided and developed so that they are:-</u></p> <p>(i) <u>readily visible and accessible, such as with a generous street frontage or bordering the front yards of sites or front faces of buildings;</u></p> <p>(ii) <u>are located to provide visual relief, particularly in intensively developed areas;</u></p> <p>(iii) <u>are integrated with surrounding <i>development</i>;</u></p> <p>(iv) <u>are sized according to community and neighbourhood needs;</u></p> <p>(v) <u>are developed so that they are usable;</u></p> <p>(vi) <u>are easily maintained.</u></p> <p>26(ap) <u>The extent to which <i>earthworks</i> and other site works are undertaken in a manner that avoids, remedies or mitigates adverse effects on watercourse, areas of ecological values and neighbouring properties arising from changes in landform and the generation of sediments.</u></p>
<p><u>Town Centre Precinct Area C</u></p> <p><u>The Comprehensive Development Plan for the Town Centre Precinct Area C is to provide details of:-</u></p> <p>(i) <u>The exact boundaries of areas to be developed as Mixed Use Periphery/ Commercial, Town Centre, Apartment Residential, Urban Open Space and Drainage Ecological Open Space use;</u></p> <p>(ii) <u>The indicative location of <i>buildings</i> and how each <i>building</i> will be designed to relate visually to adjoining activities and the street (having regard to the nominated <i>street typology</i>);</u></p> <p>(iii) <u>Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities;</u></p> <p>(iv) <u>The location of bus stops;</u></p> <p>(v) <u>Provision to be made for <i>residential activities</i> within the Apartment Residential Area as indicated on the <i>Massey North</i></u></p>	<p>26(aq) <u>The extent to which there has been consultation with the Auckland Regional Council regarding the co-ordination of consent requirements, in order to ensure comprehensive planning of all required development is achieved.</u></p> <p>26(ar) <u>The extent to which all relevant assessment criteria under the “Other Rules Applying” are addressed in any <i>resource consent</i>.</u></p> <p>26(as) <u>The extent to which more than minor adverse effects can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the site and/or through payment on or off site and/or through payment or provision of a <i>financial contribution</i>, including an <i>upgrading</i></u></p>

<p><u>Urban Concept Plan (ground floor may be used for non-residential activities);</u></p> <p>(vi) <u>The method by which no less than 40 apartments per hectare will be provided for within the apartment living area of this precinct.</u></p> <p><u>Town Centre Precinct Area D</u></p> <p><u>The Comprehensive Development Plan for the Town Centre Precinct Area D is to provide details of:-</u></p> <p>(i) <u>The exact boundaries of areas to be developed as Mixed Use Periphery/ Commercial, Apartment Residential, Community Urban Open Space and Drainage Ecological Open Space use;</u></p> <p>(ii) <u>The indicative location of buildings and how each building will be designed to relate visually to adjoining activities and the street (having regard to the nominated street typology);</u></p> <p>(iii) <u>Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities;</u></p> <p>(iv) <u>The location of bus stops;</u></p> <p>(v) <u>Provision to be made for residential activities within the Apartment Residential Area as indicated on the Massey North Urban Concept Plan (ground floor may be used for non-residential activities);</u></p> <p>(vi) <u>The method by which no less than 40 apartments per hectare will be provided for within the apartment living area of this precinct.</u></p> <p><u>Town Centre Precinct Area E</u></p> <p><u>The Comprehensive Development Plan for the Town Centre Periphery Precinct E is to provide details of:-</u></p> <p>(i) <u>The indicative location of buildings and how each building will be designed to relate visually to adjoining activities and the street (having regard to the nominated street frontage);</u></p> <p>(ii) <u>Provision to be made for carparking, and, where relevant, loading or service bays for all proposed activities;</u></p> <p>(iii) <u>The location of bus stops;</u></p> <p><u>Assessment of Limited Discretionary Activity applications will be limited to the matters referred to in Rule 26.2 and matters of provision to be made for transport systems and the integration of those systems with land use, health and safety design, construction, location, health and safety and matters within Assessment Criteria 26(a) – 26(ar) and relevant assessment criteria in the Specified City-Wide Rules.</u></p>	<p><u>contribution.</u></p> <p>Note: See also Policies: 1.1, 1.5, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 2.1, 2.12, 2.13, 2.15, 3.3, 3.4, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 8.1, 8.2, 8.3, 8.4, 8.5, 8.7, 8.9, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 10.10, 10.11, 10.12, 10.13, 10.14, 10.16, 10.17, 10.18, 10.19, 10.20, 10.22, 10.23, 10.27, 11.1, 11.2, 11.3, 11.5, 11.6, 11.7, 11.8, 11.10, 11.11, 11.12, 11.13, 11.14, 11.18, 11.23, 11.27, 11.28, 11.32, 11.33, 11.44, 11.45, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8. (Policy Section of the Waitakere District Plan)</p> <p><b>RESOURCE CONSENT CONDITIONS</b></p> <p>In granting a <i>resource consent</i> Council may impose conditions. Conditions may include any one or more of the following matters:</p> <ul style="list-style-type: none"> <li>• <u>Addressing matters referred to in Rule 26 and associated assessment criteria.</u></li> <li>• <u>Requiring alterations to design and/or location, including adherence to design guidelines established for all development.</u></li> <li>• <u>Requiring the provision of a landscape treatment plan and implementation of that plan within a given time</u></li> <li>• <u>Limiting the scale of activities and other development</u></li> <li>• <u>The imposition of a bond to ensure satisfaction of conditions of consent</u></li> <li>• <u>Requiring financial contributions in accordance with the Plan.</u></li> <li>• <u>Requiring onsite or offsite works and services to avoid, remedy, mitigate or offset adverse effects</u></li> <li>• <u>Such other matters provided for in section 108 of the Act.</u></li> <li>• <u>Where a subdivision is sought, such other matters provided for in s220 of the Act.</u></li> </ul>
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**26.3 Performance standards relating to Permitted Activities, Controlled Activities and Limited Discretionary Activities**

(a) Maximum Building Height:

- (i). Town Centre Core Precinct Area A - 30 metres
- (ii). Town Centre Precinct Area B - 30 metres
- (iii). Town Centre Precinct Area C - 10 metres within 100 metres of State Highway 16 otherwise 30 metres
- (iv). Town Centre Precinct Area D - 10 metres within 100 metres of State Highway 16 otherwise 30 metres
- (v). Existing Town Centre Precinct Area E - 30 metres

(b) Yards:

10 metre building setback along State Highway 16

Note: State Highway 16 refers to that section of the State Highway North of Don Buck Road

(c) Minimum Floor Levels:

- (i). Town Centre Core Precinct Area A - Two Storeys along both sides of the Mainstreet, as shown on Massey North Urban Concept Plan. Four Storeys for areas identified as Apartment Residential on the Massey North Urban Concept Plan
- (ii). Town Centre Precinct Area B - Four Storeys for areas identified as Apartment Residential on the Massey North Urban Concept Plan
- (iii). Town Centre Precinct Area C - Four Storeys for areas identified as Apartment Residential on the Massey North Urban Concept Plan
- (iv). Town Centre Precinct Area D - Four Storeys for areas identified as Apartment Residential on the Massey North Urban Concept Plan
- (v). Existing Town Centre Precinct Area E - this rule does not apply

(d) Maximum Building Coverage

- (i). Town Centre Core Precinct Area A - this rule does not apply
- (ii). Town Centre Precinct Area B - this rule does not apply
- (iii). Town Centre Precinct Area C - 60% for net site area shown as apartment living on the Massey North Urban Concept Plan
- (iv). Town Centre Precinct Area D - 60% for net site area shown as apartment living on the Massey North Urban

- Concept Plan:  
(v). Existing Town Centre Precinct Area E - this rule does not apply

(e) Activity Thresholds:

- (i). Town Centre Core Precinct Area A - Retail and entertainment activities shall be limited to a maximum 40,000m<sup>2</sup> gross floor area, until a minimum 4,000m<sup>2</sup> gross floor area of other Massey North Town Centre Precinct A Activities (excluding retail and entertainment activities) have been established and, thereafter, for every additional 10,000m<sup>2</sup> gross floor area of retail and entertainment activities 4,000m<sup>2</sup> of other Massey North Town Centre Precinct A Activities shall be provided.
- (ii). Town Centre Precinct Area B - this rule does not apply
- (iii). Town Centre Precinct Area C - this rule does not apply
- (iv). Town Centre Precinct Area D - this rule does not apply
- (v). Existing Town Centre Precinct Area E - this rule does not apply

(f) Parking Loading and Driveway Access:

For all areas in the Concept Plan as for Rule 14 Community Environment

Provided that:

- Town Centre Core Precinct Area A
- No driveway access shall be located along the Mainstreet as shown on the Massey North Urban Concept Plan
- No parking shall be required for Residential Activities located above ground floor within the Town Centre

#### **26.4 Discretionary Activities**

The following are Discretionary Activities:-

- (a) Any changes to a Comprehensive Development Plan approved pursuant to Rule 26.2(a).
- (b) Activities which do not satisfy the Precinct Standards in Rule 26.2(a).
- (c) Development on any site not meeting the Performance Standards of Rule 26.3.
- (d) Any Activity not provided for as a Permitted or Limited Discretionary Activity.
- (e) Activities which do not meet the specified standards in City-Wide Rules - "Design - Intensification Developments".

Discretionary Activities will be assessed having regard to the provision to be made for transport systems and the integration of those systems with land use, health and safety, matters within Assessment Criteria 26(a) - 26 (ar), relevant assessment criteria in the Specified City-Wide Rules, and any other matter under section 104 of the Act.

### **26.5 Other Rules Applying**

The following rules of the Plan shall also apply to Any Activity within the Massey Town Centre Special Area:-

- All relevant City-wide Rules including City-Wide Rules - "Design - Intensification Developments"
- All relevant Natural Area Rules
- Community Environment Rule 10 – Air Discharges
- Community Environment Rule 12 – Signs except that in areas nominated for Apartment Residential on the Massey North Urban Concept Plan Living Environment Rule 4 - Signs Applies.
- Community Environment Rule 13 – Noise
- Community Environment Rule 14 – Parking, Loading and Driveway Access
- Community Environment Rule 15 – Odour, Glare and Vibration
- Subdivision Rule 5 – Working Environment and Community Environment, except that in areas nominated for Apartment Residential on the Massey North Urban Concept Plan Subdivision Rule 3 and Rule 4 - Living Environment Applies.

### **26.6 Non-Complying Activities**

Any Activity which is not a Permitted Activity or a Limited Discretionary Activity or a Discretionary Activity under the above rules shall be deemed to contravene a rule in the Plan and shall be a Non-Complying Activity.

Any Building or Any Activity (other than that permitted under Rule 26.1) within a precinct where a Comprehensive Development Plan has not been approved under Rule 26.2(a).

#### NOTES

1. If an activity is not controlled or restricted in any way by any part of the Plan it is permitted, but may require consents under other legislation/ plans.
2. Activities must comply with all other relevant rules of the Plan or be the subject of a resource consent. Check all other rules the Natural Area Rules, the City-Wide Rules and, where relevant, the Subdivision Rules.
3. Words in italics are defined - see the Definitions part of the City-Wide Rules.
4. Words in bold are explained - see the Explanations part

<p>of the Introduction to the Rules.</p> <p>5. <u>The Council may have a guideline to help interpret this rule - check at the Council Offices.</u></p> <p>6. <u>For resource consents see the Information Requirements in the City-Wide Rules.</u></p>	
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**Amend Special Area Rule 1 - General by adding the following to Rule 1.2 Special Area Definitions:**

**“Massey North Town Centre Precinct A Activities”** means the use of land and buildings for one or more of the following:

- any retail activities and/or retail services excluding yard based activities;
- a supermarket (limited to only one on the Massey North Town Centre Precinct A Area) with a gross floor area not less than 4,000m<sup>2</sup> or greater than 9,000m<sup>2</sup>;
- any administrative, commercial and/or professional offices;
- cafes, restaurants and other eating places;
- entertainment facilities, (including bars, taverns, nightclubs and cinemas);
- reception, conference, seminar and theatre facilities (including overnight tourist accommodation);
- educational, preschool and childcare facilities;
- residential activities;
- mixed use activities;
- healthcare facilities (including medical centres, hospitals, rest homes);
- public and private parking buildings and passenger transport facilities;
- community facilities including libraries, public toilets, recreational facilities, religious facilities, gymnasiums;
- emergency facilities (including police, fire and ambulance);

Note<sup>1</sup>: Massey North Town Centre Precinct A Activities are subject to Rule 26.3.

Note<sup>2</sup>: Supermarket in respect of the above definition means a store within which retail sales are primarily of food and grocery items.

**“Massey North Town Centre Precinct B Activities”** means the use of land and buildings for one or more the following:

- retail activities and/or retail services involving the following:
  - furniture retailing (including the sale of household appliances and other household effects, floor, wall and window coverings, heating appliances, barbeques, lawnmowers and camping equipment and art and craft supplies;
  - yard based activities including home improvement and handyman supplies including building materials, swimming pools and garden furniture, plant and garden supplies, servicing activities and;
  - business and office supplies and equipment including business machines, office furniture, fixtures, fittings and wall coverings;
  - automotive equipment and spare parts sales and service;
  - garden centres;
  - auction markets;

provided that retail activities and retail services may be established in tenancies less than 200m<sup>2</sup> up to a total gross floor area of 300m<sup>2</sup> and in tenancies between 200m<sup>2</sup>-400m<sup>2</sup> up to a total gross floor area of 1,500m<sup>2</sup>. All other tenancies shall have a minimum gross floor area of 400m<sup>2</sup>. No individual tenancy shall have a ground floor retail area greater than 15,000m<sup>2</sup>;

- any administrative, commercial and professional offices;
- cafes, restaurants and other eating places;
- residential activities;
- mixed use activities;
- public and private parking buildings and passenger transport facilities;
- community facilities (including libraries, public toilets, recreational facilities, religious facilities gymnasiums);
- emergency facilities (including police, fire and ambulance)

provided that the above activities shall be limited to the Large Format Retail / Commercial Area of Precinct B as shown on the Massey North Urban Concept Plan except for residential and mixed use activities.

**“Massey North Town Centre Precinct C Activities”** means the use of land and buildings for one or more the following:

- retail activities and retail services excluding yard based activities, supermarkets and department stores provided that retail activities shall be restricted to the Town Centre Area of Precinct C as shown on the Massey North Urban Concept Plan and provided that the total gross floor area of retail activities shall not exceed 10,000m<sup>2</sup>;
- mixed use activities;
- any administrative, commercial and professional offices;
- service stations located within the Mixed Use Periphery / Commercial Area of Precinct C as shown on the Massey North Urban Concept Plan
- cafes, restaurants and other eating places;
- reception, conference, seminar and theatre facilities (including overnight tourist accommodation);
- educational, preschool and childcare facilities;
- residential activities;
- healthcare facilities (including medical centres, hospitals, rest homes);
- entertainment facilities, (excluding cinemas but including bars, taverns, nightclubs);
- public and private parking buildings;
- community facilities (including libraries, public toilets, recreational facilities, religious facilities gymnasiums);
- emergency facilities (including police, fire and ambulance).

In addition to the above specific restrictions, the above activities shall be limited to the Town Centre Area or Mixed Use Periphery / Commercial Area of Precinct C as shown on the Massey North Urban Concept Plan except for residential and mixed use activities.

**“Massey North Precinct D Activities”** means the use of land and buildings for one or more the following:

- mixed use activities;
- any administrative, commercial and professional offices;
- service stations located within the Mixed Use Periphery / Commercial Area of Precinct D as shown on the Massey North Urban Concept Plan
- cafes, restaurants and other eating places;
- reception, conference, seminar and theatre facilities including overnight tourist facilities;
- educational, preschool and childcare facilities
- residential activities;
- healthcare facilities (including medical centres, hospitals, rest homes);
- entertainment facilities, (excluding cinemas but including bars, taverns, nightclubs);
- public and private parking buildings;
- community facilities including libraries, recreational facilities, religious facilities gymnasiums);
- emergency facilities (including police, fire and ambulance).

In addition to the above specific restrictions, the above activities shall be limited to the Community Facility or Mixed Use Periphery / Commercial Area of Precinct D as shown on the Massey North Urban Concept Plan except for residential and mixed use activities.

**“Massey North Precinct E Activities”** means the use of land and buildings for one or more the following:

- retail activities and retail services provided that any additional retail activity established after 31 March 2005 shall have a minimum gross floor area of 400m<sup>2</sup>, except that up to 5,000m<sup>2</sup> gross floor area of retail activities of less than 400m<sup>2</sup> per tenancy may be located along the central spine road or

Westgate Drive to a depth of 20 metres. The total gross floor area of *retail activities* (including a *supermarket*) for Precinct E shall not exceed 40,000m<sup>2</sup>.

- a *supermarket* (limited to only one on the Massey North Town Centre Precinct E Area) with a gross floor area not less than 4,500m<sup>2</sup> or greater than 9,000m<sup>2</sup>;
- any administrative, commercial and professional offices;
- cafes, restaurants and other eating places;
- reception, conference, seminar and theatre facilities including overnight tourist accommodation);
- educational, preschool and childcare facilities;
- *residential* activities;
- *mixed use* activities;
- healthcare facilities (including medical centres, hospitals, rest homes)
- entertainment facilities, including cinemas;
- public and private parking buildings and passenger transport facilities;
- community facilities including libraries, recreational facilities, religious facilities;
- emergency facilities (including police, fire and ambulance);

**3. Insert new definitions or amend existing definitions in the City-Wide Rules – Definitions, as follows:-**

**Massey North Town Centre Special Area** means land shown on the Human Environments Maps as Massey North Town Centre Special Area and to which the Massey North Town Centre Special Area rules apply.

**Massey North Urban Concept Plan** means the concept plan appearing in Map Appendix XX to Rule 26 – Massey North Town Centre Special Area and Rule 27 - Massey North Employment Special Area.

**Amend the following definition in the City-Wide Rules – Definitions, as follows:-**

**Major Town Centre**

Delete the words “*Westgate Community Environment*” and replace with the words “Massey North Town Centre Special Area”

- **Include the words “Massey North Town Centre Area” in the following Rules:-**

**Hazardous Facilities Rule 1 – Consent Status Matrix Table**

Add Massey North Town Centre Special Area into Community Environment section of table.

- **Amend the Plan Maps by:-**

- (a) Re-identifying the area shown on the Human Environments Map from *Countryside Environment to Massey North Town Centre Special Area* as indicated on Maps A7, C7 and C8.
- (b) Re-identifying the area shown on the Natural Environments Map from General Natural Area to a combination of general natural area, restoration natural area and riparian margins as indicated on Maps A7, C7 and C8.