

## AUCKLAND UNITARY PLAN - OPERATIVE IN PART (UPDATED 9 APRIL 2021)

### Assessment of AUP (OP) Activities and Standards for 360 Dominion Road, 88 Prospect Terrace and 113 Grange Road, Mt Eden

The following table provides an assessment of the proposal against all the relevant Activities and Standards of the AUP (OP):

Rule	Compliance	Non-Compliance
<b>CHAPTER D - OVERLAYS</b>		
<b>Natural Heritage - D14 Volcanic Viewshafts and Height Sensitive Areas Overlay</b>		
D14.4.1 (A1) Buildings that do not intrude into a viewshaft scheduled in Schedule 9 Volcanic Viewshafts Schedule	<b>Permitted</b> The Mount Eden Viewshaft (E6) is located over the site that has contours that range from 39.5m up to 42m. The proposed building has a maximum height of 23.5m therefore will not intrude into the viewshaft.	
<b>Historic Heritage and Special Character - D18 Special Character Areas Overlay - Business</b>		
D18.4.2 (A18) Total or substantial demolition of a character supporting building (exceeding 30 per cent or more, by area, of wall elevations and roof area)		<b>Discretionary Activity</b> Demolition of >30% of the existing building.
D18.4.2 (A20) New buildings		<b>Restricted Discretionary Activity</b>
Standard D18.6.2 - Standards for buildings in the Special Character Areas Overlay - Business	Not applicable - Defers to zone standards.	
<b>CHAPTER E - AUCKLAND WIDE</b>		
<b>Natural Resources - E7 Taking, Using, Damming and Diversion of Water and Drilling</b>		
E7.4.1 Activity Table	The groundwater levels are: <ul style="list-style-type: none"> <li>Basalt: 1.0-1.5m below the surface (perched)</li> <li>East Coast Bays Formation Rock: 4.3-5.0m below the surface</li> </ul> Section 5 of the Infrastructure Report states that the maximum cut will be approximately 1m (along the southern lower basement wall of the proposed building) with localised deeper excavations of approximately 3m for culvert and storage structures. No dewatering required is required as the proposed excavation will largely be above the ground water level and any excavation below will be for water storage.	
<b>Natural Resources - E8 Stormwater - Discharge and Diversion</b>		
E8.4.1 (A1) Diversion of stormwater runoff from lawfully established impervious areas directed into an authorised stormwater network or a combined sewer network that complies with Standard E8.6.2.1	<b>Permitted</b> Diversion of some stormwater runoff from impervious areas via the existing public stormwater network.	
E8.4.1 (A10) All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for		<b>Discretionary Activity</b> Diversion of some stormwater runoff from impervious area via soakage.
Standard E8.6.2.1. Diversion of stormwater runoff from lawfully established impervious areas directed into an authorised stormwater network or a combined sewer network	There is no maximum impervious areas requirement for the site.	
Standard E8.6.2.1(1) - The design of the proposed stormwater management device(s) must be consistent with any relevant precinct plan that addresses or addressed stormwater matters.	Not applicable - No precinct plan	
Standard E8.6.2.1(2) - The diversion and discharge must not cause or increase scouring or erosion at the point of discharge or downstream.	Complies	
Standard E8.6.2.1(3) - The diversion and discharge must not result in or increase the following:	Complies	

(a) flooding of other properties in rainfall events up to the 10% annual exceedance probability (AEP); or (b) inundation of buildings on other properties in events up to the 1% AEP.		
Standard E8.6.2.1(4) - The diversion and discharge must not cause or increase nuisance or damage to other properties.	Complies	
Standard E8.6.2.1(5) - The diversion and discharge of stormwater runoff must not give rise to the following in any surface water or coastal water: (a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (b) any conspicuous change in the colour or visual clarity; (c) any emission of objectionable odour; (d) the rendering of fresh water unsuitable for consumption by farm animals; or (e) any significant adverse effects on aquatic life.	Complies	
<b>Natural Resources - E11 Land Disturbance - Regional</b>		
E11.4.1(A4) - Greater than 10,000m <sup>2</sup> up to 50,000m <sup>2</sup> where land has a slope less than 10 degrees outside the Sediment Control Protection Area <sup>1</sup>	Not applicable as proposal involves 9,857m <sup>2</sup> of earthworks	
<b>Natural Resources - E12 Land Disturbance - District</b>		
E12.4.1(A6) - Earthworks greater 2,500m <sup>2</sup> in a Business zone		<b>Restricted Discretionary Activity</b> The proposal involves 9,857m <sup>2</sup> of earthworks.
E12.4.1(A10) - Earthworks greater than 2,500m <sup>3</sup> in a Business zone		<b>Restricted Discretionary Activity</b> The proposal involves 6,994m <sup>3</sup> of cut and 242m <sup>3</sup> of fill therefore a total of 7,236m <sup>3</sup> .
Standard E12.6.1 - Accidental discovery rule	Will comply if accidental discovery is made	
Standard E12.6.2 - General standards		<b>Restricted Discretionary Activity</b> Land disturbance does not comply with the Standards E12.6.2(12) and E12.6.2(13) as noted below therefore consent is required in accordance with C1.9(2).
Standard E12.6.2(1) - Land disturbance within riparian yards and coastal protection yards are limited to: (a) less than 5m <sup>2</sup> or 5m <sup>3</sup> ; for general earthworks; (b) less than 10m <sup>2</sup> or 5m <sup>3</sup> for the installation of new network utilities; (c) installation of fences and walking tracks; or (d) burial of marine mammals.	Not applicable	
Standard E12.6.2(2) - Land disturbance must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.	Complies	
Standard E12.6.2(3) - The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.	Complies	

<sup>1</sup> Defined as:

- (a) 100m either side of a foredune or 100m landward of the coastal marine area (whichever is the more landward of mean high water springs); or  
(b) 50m landward of the edge of a lake, river or stream, or the edge of a wetland of 1,000m<sup>2</sup> or greater.

Standard E12.6.2(4) - Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.	Complies	
Standard E12.6.2(5) - Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.	Complies - A detailed construction management plan will be prepared and submitted to Council for approval prior to commencement of works.	
Standard E12.6.2(6) - Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.	Not applicable	
Standard E12.6.2(7) - Land disturbance around Transpower NZ Ltd electricity transmission line poles.	Not applicable	
Standard E12.6.2(8) - Land disturbance around Transpower NZ Ltd electricity transmission lines towers.	Not applicable	
Standard E12.6.2(9) - Land disturbance within 12m of a Transpower NZ Ltd electricity transmission line pole or tower	Not applicable	
Standard E12.6.2(10) - Only cleanfill material may be imported and utilised as part of the land disturbance.	Complies	
Standard E12.6.2(11) - Earthworks (including filling) within a 100 year AEP flood plain: (a) must not raise ground levels more than 300mm, to a total fill volume up to 10m <sup>3</sup> which must not be exceeded through multiple filling operations; and (b) must not result in any adverse changes in flood hazard beyond the site.	Complies - Ground levels will generally be lower than existing levels and where fill is proposed this will not raise levels by more than 300mm.	
Standard E12.6.2(12) - Earthworks (including filling) within overland flow paths must maintain the same entry and exit point at the boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.	OLFP entry point will be maintained.	OLFP exit point will be modified.
Standard E12.6.2(13) - Temporary land disturbance and stockpiling of soil and other materials within the 1% AEP flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.		Temporary land disturbance will be over a 4-5 month period.
Standard E12.6.2(14) - Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities on a site or places of Significance to Mana Whenua.	Not applicable	
Standard E12.6.2(15) - Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within the Historic Heritage Overlay.	Not applicable	
Standard E12.6.2(16) - Earthworks associated with a temporary activity on a site or place of significance to Mana Whenua shall be limited to the area of earthwork previously disturbed or modified.	Not applicable	
Standard E12.6.2(17) - Earthworks/land disturbance for the planting of any tree within the Historic Heritage Overlay.	Not applicable	
<b>Natural Resources - E17 Trees in Roads</b>		
E17.4.1(A5) - Tree trimming or alteration	<b>Permitted</b> Removal of the <i>Griselinia</i> hedge on Grange Road is a permitted activity due to the small size of the hedge. Refer to <b>Appendix 22</b> for details.	

E17.4.1(A7) - Works within the protected root zone	<b>Permitted</b> Relocation of electricity transformer is not within the protected root zone of the <i>Melia azedarach</i> tree on Prospect Terrace. Refer to <b>Appendix 22</b> for details.	
E17.4.1(A10) - Tree removal of any tree greater than 4m in height or greater than 400mm in girth		<b>Restricted Discretionary Activity</b> Removal of one <i>Melia azedarach</i> tree on Prospect Terrace to provide for widened vehicular access to the site. Refer to <b>Appendix 22</b> for details.
Standard E17.6.1 - Tree trimming or alteration	Will comply	
Standard E17.6.2 - Planting over network utilities	Will comply	
Standard E17.6.3 - Works within the protected root zone	Will comply	
<b>Built Environment - E23 Signs</b>		
E23.4.2(A53) - Comprehensive development signage		<b>Restricted Discretionary Activity</b> The proposal includes building façade signage.
<b>Built Environment - E24 Lighting</b>		
E24.4.1(A1) - Activities that comply with all the relevant permitted activity standards	<b>Permitted</b> Proposed lighting will comply	
<b>Built Environment - E25 Noise and Vibration</b>		
E25.4.1(A2) - Activities that do not comply with a permitted activity standard		<b>Restricted Discretionary Activity</b> Proposal does not fully comply with the standards E25.6.27 and E25.6.30 as noted below.
Standard E25.6.1 - General standards	Complies with the general standards	
Standard E25.6.7 - Noise levels in the Business - Local Centre Zone  <i>Time</i> <i>Noise level</i>  7am - 11pm                      60 dB LAeq    11pm - 7am                      50 dB LAeq 60 dB at 63 Hz Leq 55 dB at 125 Hz Leq 75 dB at LAfmax	Will comply	
Standard E25.6.8 - Noise levels in the Business - Mixed Use Zone  <i>Time</i> <i>Noise level</i>  7am - 11pm                      65 dB LAeq    11pm - 7am                      55 dB LAeq 65 dB at 63 Hz Leq 60 dB at 125 Hz Leq 75 dB at LAfmax	Supermarket operation - will comply Other commercial operations - will comply Residential - will comply	
Standard E25.6.9 - Noise levels between units in the Business Zones  <i>Time</i> <i>Mixed Use Zone</i>  7am - 11pm                      65 dB LAeq	Will comply	

11pm - 7am	55 dB LAeq 65 dB at 63 Hz Leq 60 dB at 125 Hz Leq 75 dB at LAfmax													
Standard E25.6.10 - Noise levels for noise sensitive spaces in the Business - Mixed Use Zone	<table border="1"> <thead> <tr> <th><u>Unit</u></th> <th><u>Time</u></th> <th><u>Level</u></th> </tr> </thead> <tbody> <tr> <td rowspan="3">Bedrooms and sleeping areas</td> <td rowspan="3">Between 11pm and 7am</td> <td>35dB LAeq</td> </tr> <tr> <td>45dB at 63 Hz Leq</td> </tr> <tr> <td>40dB at 125 Hz Leq</td> </tr> <tr> <td>Other noise sensitive spaces</td> <td>At all other times</td> <td>40 dBA LAeq</td> </tr> </tbody> </table> <p>Must be met based on the max level of noise permitted by zone</p>	<u>Unit</u>	<u>Time</u>	<u>Level</u>	Bedrooms and sleeping areas	Between 11pm and 7am	35dB LAeq	45dB at 63 Hz Leq	40dB at 125 Hz Leq	Other noise sensitive spaces	At all other times	40 dBA LAeq	Will comply	
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Other noise sensitive spaces	At all other times	40 dBA LAeq												
Standard E25.6.19 - Business zones interface	<table border="1"> <thead> <tr> <th><u>Time</u></th> <th><u>Noise level</u></th> </tr> </thead> <tbody> <tr> <td>Monday to Saturday 7am-10pm and Sunday 9am-6pm</td> <td>55 dB LAeq</td> </tr> <tr> <td rowspan="4">At other times</td> <td>45 dB LAeq</td> </tr> <tr> <td>60 dB Leq at 63 Hz</td> </tr> <tr> <td>55 dB Leq at 125Hz</td> </tr> <tr> <td>75 dB LAfmax</td> </tr> </tbody> </table>	<u>Time</u>	<u>Noise level</u>	Monday to Saturday 7am-10pm and Sunday 9am-6pm	55 dB LAeq	At other times	45 dB LAeq	60 dB Leq at 63 Hz	55 dB Leq at 125Hz	75 dB LAfmax	Supermarket operation/car park - will comply Other commercial operations - will comply Residential - will comply			
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Standard E25.6.27 - Construction noise levels in all zones			Construction noise levels are predicted to generally comply with limits however some levels are predicted to exceed 70 dB LAeq and may be up to 85 dB LAeq											
Standard E25.6.30 - Vibration Vibration does not exceed (a) DIN 4150-3 (1999): Structural vibration - Part 3 (b) the limits in Table E25.6.30.1 Vibration limits		(a) Complies	(b) Vibration levels predicted to generally comply with limits however some levels are predicted to exceed 2mm/s and may be up to 6.1mm/s											
Standard E25.6.31 - Noise levels for blasting		Not applicable												
<b>Infrastructure - E27 Transport</b>														
E27.4.1(A2) - Parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access.			<b>Restricted Discretionary Activity</b> The accesses do not comply with the standards E27.6.3.5 and E27.6.4.3 as noted below											
E27.4.1(A3) - Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1			<b>Restricted Discretionary Activity</b> See Standard E27.6.1 below											
Standard E27.6.1 - Trip generation			Development is for 122 dwellings and 2,841.7m <sup>2</sup> of retail GFA (2,494.7m <sup>2</sup> + 347m <sup>2</sup> ) therefore will exceed 100 dwellings and 1667m <sup>2</sup> of retail GFA											
Standard E27.6.2 - Number of parking and loading spaces Note: E27.6.2(4A) states that the minimum car parking requirements do not apply where the activity is located within the D18 Special Character Areas Overlay - Business. <u>Parking Rates</u> Retail - Table E27.6.2.3 (T19-T20)	<u>Parking Rates</u> 122 Residential Units Proposed Residential GFA = 10,251m <sup>2</sup> Proposed Supermarket GFA = 2,494.7m <sup>2</sup> (includes retail, BOH, mezzanine and click and collect) Proposed Retail GFA = 347m <sup>2</sup> Proposed Commercial GFA = 228m <sup>2</sup>													

<ul style="list-style-type: none"> <li>No maximum</li> </ul> <p>Residential - Table E27.6.2.3 (T29-30)</p> <ul style="list-style-type: none"> <li>No maximum</li> </ul> <p>All other activities - Table E27.6.2.3 (T36)</p> <ul style="list-style-type: none"> <li>No maximum</li> </ul> <p><u>Bicycle Parking</u></p> <p>Residential - Table E27.6.2.5 (T81)</p> <ul style="list-style-type: none"> <li>Secure (long-stay): 1/dwelling without a garage</li> <li>Visitor (short-stay): 1/20 dwellings</li> </ul> <p>Office (&gt;200m<sup>2</sup> up to 10,000m<sup>2</sup> GFA) - Table E27.6.2.5 (T85)</p> <ul style="list-style-type: none"> <li>Secure (long-stay): 1/300m<sup>2</sup> GFA of office minimum</li> <li>Visitor (short-stay): 1 space + 1 space/1000m<sup>2</sup> GFA above 1000m<sup>2</sup> minimum</li> </ul> <p>Retail (&gt;500m<sup>2</sup> up to 5,000m<sup>2</sup> GFA) - Table E27.6.2.5 (T90)</p> <ul style="list-style-type: none"> <li>Secure (long-stay): 1/300m<sup>2</sup> GFA of office minimum</li> <li>Visitor (short-stay): 1/500m<sup>2</sup> GFA of minimum</li> </ul> <p><u>End-of-Trip Facilities</u></p> <p>Office (&gt;500m<sup>2</sup> up to 2,500m<sup>2</sup>) - Table E27.6.2.7(T105)</p> <ul style="list-style-type: none"> <li>One shower and changing area with space for storage of clothing</li> </ul> <p><u>Loading Space Requirements</u></p> <p>Retail (&gt;300m<sup>2</sup> up to 5,000m<sup>2</sup>) - Table E27.6.2.7(T109)</p> <ul style="list-style-type: none"> <li>1 minimum</li> </ul> <p>Other (&gt;5,000m<sup>2</sup> up to 20,000m<sup>2</sup>) - Table E27.6.2.7(T113)</p> <ul style="list-style-type: none"> <li>1 minimum</li> </ul> <p><u>Accessible Parking</u></p> <p>To be provided in accordance with the Building Code requirements</p>	<p>Proposed Co-working GFA = 1,257m<sup>2</sup> Existing Retail GFA = 1,725m<sup>2</sup></p> <p>No min or max required car spaces nevertheless the following is proposed: Total = 277</p> <ul style="list-style-type: none"> <li>Residential = 89</li> <li>Proposed Supermarket = 110</li> <li>Retail/Commercial/Other = 47</li> <li>Existing Retail = 31</li> </ul>	
	<p><u>Bicycle Parking</u></p> <p>Residential</p> <p>Secure (long-stay)</p> <ul style="list-style-type: none"> <li>122 minimum required and proposed to be provided within the development (see drawing A09.010 of the Architectural Package - <b>Appendix 9</b>)</li> </ul> <p>Visitor (short-stay)</p> <ul style="list-style-type: none"> <li>122/20 = 6 minimum required and proposed to be provided within the development (see page 15 of the Landscape Package - <b>Appendix 10</b>)</li> </ul> <p>Office</p> <p>Secure (long-stay)</p> <ul style="list-style-type: none"> <li>1,252m<sup>2</sup> = 4 required and proposed to be provided within the development</li> </ul> <p>Visitor (short-stay)</p> <ul style="list-style-type: none"> <li>2 required and proposed to be provided within the development (see page 15 of the Landscape Package - <b>Appendix 10</b>)</li> </ul> <p>Retail</p> <p>Secure (long-stay)</p> <ul style="list-style-type: none"> <li>376.60m<sup>2</sup> supermarket office = 1 required and proposed to be provided within the development</li> </ul> <p>Visitor (short-stay)</p> <ul style="list-style-type: none"> <li>2,494.7m<sup>2</sup> + 347m<sup>2</sup> + 228m<sup>2</sup> = 6 required and proposed to be provided within the development (see page 15 of the Landscape Package - <b>Appendix 10</b>)</li> </ul>	
	<p><u>End-of-Trip Facilities</u></p> <p>Co-working</p> <ul style="list-style-type: none"> <li>1,256m<sup>2</sup> = 1 shower and change area required</li> </ul> <p>Shower and change area will be provided on site at detailed design stage - condition of consent will secure this.</p>	
	<p><u>Loading Space Requirements</u></p> <p>Retail/Commercial</p> <ul style="list-style-type: none"> <li>1 minimum - A loading area is proposed at the rear which can accommodate delivery trucks</li> </ul> <p>Residential</p> <ul style="list-style-type: none"> <li>1 minimum - A space where vehicles can stop to unload is provided for within the residential car park on Level 01.</li> </ul>	
	<p><u>Accessible Parking</u> - 5 spaces required</p> <ul style="list-style-type: none"> <li>7 accessible spaces proposed near the supermarket entrance on Level 00</li> </ul>	
<p>Standard E27.6.3.1 - Size and Location of Parking Spaces</p> <p>Table 27.6.3.1.1(T121/122/123) - 90 degrees (casual users)</p> <ul style="list-style-type: none"> <li>Width of space = 2.5m/2.6m/2.7m</li> <li>Depth of space from wall = 5.0m</li> <li>Manoeuvring space = 7.7m/7.0m/6.7m</li> <li>Total dimension = 12.7m/12.0m/11.7m</li> </ul>	<ul style="list-style-type: none"> <li>Width of space = 2.6m</li> <li>Depth of space = 5m</li> <li>Manoeuvring space = 7.5-8m</li> </ul>	

<p>Standard E27.6.3.2 - Size and Location of Loading Spaces</p> <p><i>Table 27.6.3.2.1(T138)</i></p> <ul style="list-style-type: none"> <li>Length of space = 18m</li> <li>Width of space = 3.5m</li> </ul>	<ul style="list-style-type: none"> <li>Loading/delivery bay areas are proposed in accordance with the minimum dimensions</li> </ul>	
Standard E27.6.3.3 - Access and Manoeuvring	Complies	
Standard E27.6.3.4 - Reverse Manoeuvring	On-site manoeuvring is provided so vehicles do not need to reverse off the site or onto or off the road	
<p>Standard E27.6.3.5 - Vertical Clearance</p> <ul style="list-style-type: none"> <li>2.1m for access/parking for residential activities</li> <li>2.3m for access /parking for other activities</li> <li>2.5m for access/parking for people with accessible parking</li> <li>3.8m where loading is required</li> </ul>	Complies with residential and other activities as clearance = 2.5m	Does not comply with loading vertical clearance as only = 2.5m
<p>Standard E27.6.3.6 - Formation and Gradient</p> <p><i>The gradient of any parking space must not exceed:</i></p> <ul style="list-style-type: none"> <li>1 in 25 in any direction for accessible spaces for people with disabilities; or</li> <li>1 in 20 (five per cent) in any direction for other spaces.</li> </ul> <p><i>The gradient for the manoeuvring area must not exceed 1 in 8.</i></p>	Complies	
Standard E27.6.3.7 - Lighting	Complies - Car parking on Levels 00 and 01 will be appropriately lit.	
<p>Standard E27.6.4.1(1) - Vehicle Access Restrictions apply to:</p> <p>(a) As shown on the planning maps</p> <p>(b) Key Retail Frontages</p>	Not applicable to application site	
<p>Standard E27.6.4.1(2) applies were:</p> <p>(a) A new vehicle crossing is proposed;</p> <p>(b) A new activity is established on a site;</p> <p>(c) There is a change of type of activity; or</p> <p>(d) a building(s) is constructed, or additions to buildings that are not permitted activities in certain zones including Mixed Use.</p>	(a), (b), (c) and (d) all apply to the proposal as such Standard E27.6.4.1(3) applies.	
<p>Standard E27.6.4.1(3) states Vehicle Access Restrictions apply and vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which:</p> <p>(a) Is located within 10m of an intersection;</p> <p>(b) Has a VAR as shown on the planning maps in certain zones;</p> <p>(c) Has frontage to an arterial road; or</p> <p>(d) Is located closer than 30m from a railway crossing.</p>	<p>(a) No vehicle accesses are proposed within 10m of an intersection</p> <p>(b) No VAR</p> <p>(c) While the site has frontage to an arterial road (Dominion Road), there are no vehicle accesses to this frontage</p> <p>(d) Not applicable</p>	
<p>Standard E27.6.4.2 - Width and number of vehicle crossings</p> <p><i>Table 27.6.4.2.1(T146) - All other sites:</i></p> <ul style="list-style-type: none"> <li>Maximum number of vehicle crossings:1/25m of frontage or part thereof</li> <li>Minimum separation from crossings serving adjacent sites: 2m</li> <li>Minimum separation from crossings serving same site: 6m</li> </ul>	<ul style="list-style-type: none"> <li>There are two proposed crossings on both Prospect Terrace and Grange Road which both have +50m frontage</li> <li>All vehicle crossings are separated by &gt;2m from adjacent sites and &gt;6m in the application site</li> </ul>	
<p>Standard E27.6.4.3 - Width of vehicle access and queuing requirements</p> <p><i>Table E27.6.4.3.2(T153) - Mixed use zone serving 10+ parking spaces:</i></p> <ul style="list-style-type: none"> <li>Min crossing width = 5.5m (two-way)</li> <li>Max crossing width = 6.0m (two-way)</li> </ul>	<ul style="list-style-type: none"> <li>Supermarket service exit on Grange Road = 5.95m</li> </ul>	<ul style="list-style-type: none"> <li>Supermarket customer and commercial car parking accesses/exits on Prospect Terrace and Grange Road = 7.2m</li> <li>Supermarket service access and residential car parking access/exit on Prospect Terrace = 13.0m</li> </ul>

<ul style="list-style-type: none"> <li>Min formed width = 5.5m (two way)</li> </ul>		<b>Note:</b> 9m wide access is permitted where the crossing needs to accommodate the tracking path of large heavy vehicles but only applies to General Business, Business Park or Industrial zones.
<p>Standard E27.6.4.4 - Gradient of vehicle access</p> <p><i>Table 27.6.4.4.1(T157) - Vehicle access serving any other residential activities</i></p> <ul style="list-style-type: none"> <li>Max gradient = 1 in 5 (20%)</li> </ul> <p><i>Table 27.6.4.4.1(T158) - Vehicle access used by heavy vehicles</i></p> <ul style="list-style-type: none"> <li>Max gradient = 1 in 8 (12.5%)</li> </ul> <p><i>Table 27.6.4.4.1(T159) - Vehicle access serving other activities</i></p> <ul style="list-style-type: none"> <li>Max gradient = 1 in 6 (16.7%)</li> </ul> <p>Platform for min length of 4m for residential and 6m for all other activities must have gradient no steeper than 1 in 20 (5%)</p>	Complies	
<b>Environmental Risk - E30 Contaminated Land</b>		
E30.4.1 - Discharges of contaminants	<p><b>Permitted</b> - T+T DSI confirms the proposed development can be considered a permitted activity under Standard E30.6.1.4 because the levels of contaminants present on site are below the criteria outlined in Standard E30.6.1.4.</p> <p>Discharge consent is not needed under Standard E30.6.2.1 as the levels of contaminants remaining in groundwater are below ANZECC 2000 guidelines and are unlikely to be creating a significant discharge across the site boundary.</p>	
<b>Environmental Risk - E36 Natural Hazards and Flooding</b>		
E36.4.1(A37) - All other new structures and buildings (and external alterations to existing buildings) within the 1% AEP floodplain <sup>2</sup>		<p><b>Restricted Discretionary Activity</b></p> <p>Part of the proposed building will be within the 1% AEP flood plain.</p>
E36.4.1(A39) - Fences and walls located within or over an overland flow path that do not obstruct the overland flow path	<b>Permitted</b> - No obstructions proposed to the OLFP	
Standards E36.6.1.1 - E36.6.1.4	Not applicable	
<p>Standard E36.6.1.5 - Fences and walls in the 1% AEP floodplain</p> <p>(1) <i>Fences and walls in the 1% AEP floodplain must be designed to allow for the passage of flood waters where those flood waters exceed 300mm in depth</i></p> <p>(2) <i>Standard E36.6.1.5(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan</i></p>	Development has been designed to allow for the convenience of the OLFP and storage of floodwaters. See Figure 7 in <b>Appendix 16</b> for the proposed design floodplain extent.	
E36.6.1.6 - Storage of goods and materials in the 1% AEP floodplain	No goods or materials will be stored in the floodplain which is being amended via the proposed development design. See Figure 7 in <b>Appendix 16</b> for the proposed design floodplain extent.	
Standard E36.6.1.7 - Surface parking areas and vehicle entry and exit points to above ground parking areas in the 1% AEP floodplain must be located where the depth of flood waters in a 1% AEP event does not exceed 200mm above ground level	No parking areas or vehicle entry and exit points within the floodplain. See Figure 7 in <b>Appendix 16</b> for the proposed design floodplain extent.	
Standards E36.6.1.8 - E36.6.1.9	Not applicable	
<p>Standard E36.6.1.10. Fences and walls located within or over an overland flow path that do not obstruct the overland flow path</p> <p>(1) <i>Any ponding of floodwater caused by any fence or wall must not extend beyond (upstream of or adjacent to) the site</i></p> <p>(2) <i>Standard E36.6.1.10(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan.</i></p>	Development has been designed to allow for the convenience of the OLFP and storage of floodwaters. See Figure 7 in <b>Appendix 16</b> for the proposed design OLFP extent.	



Standards E36.6.1.11 - E36.6.1.13	Not applicable	
Standard E36.6.2.1 - Surface parking areas and above ground parking areas in the 1% AEP floodplain <sup>2</sup> that do not comply with Standard E36.6.1.7 <i>(1) Surface parking areas and above ground parking areas (excluding parking on roads) within the 1% AEP floodplain: (a) must be located where depth of flood waters in a 1% AEP event does not exceed 500mm above ground level; and (b) vehicles can be contained within the site during the flood event.</i>	Not applicable	
<b>Subdivision - E38 Subdivision - Urban</b>		
E38.4.1(A6) - Boundary adjustments which do not exceed 10 per cent of the net site area of each site		<b>Controlled Activity</b>
E38.4.3(A33) - Subdivision in accordance with an approved land use resource consent complying with Standard E38.9.2.1		<b>Restricted Discretionary Activity</b> The proposal involves unit title subdivision with accessory units
Standard E38.6.1 - Site size and shape	Complies with Standard E38.6.1(1)(b)) - Subdivision will be in accordance with an approved land use resource consent.	
Standard E38.6.2 - Access and entrance strips	All proposed sites have legal and physical access to a road.	
Standard E38.6.3 - Services	Stormwater, wastewater, water, electricity and telecommunication services will be provided.	
Standard E38.6.4 - Staging	Not applicable	
Standard E38.6.5 - Overland flow paths	The development has been designed to incorporate overland flow paths on the site and will not increase the risk of hazards to downstream properties via proposed flooding storage and conveyance.	
Standard E38.6.6 - Existing vegetation on the site	Not applicable - There are no Significant Ecological Areas or any other areas of indigenous vegetation, wetlands, waterways, streams, rivers and lakes on the site.	
Standards E38.7.1 - Specific purposes permitted activities	Not applicable	
Standard E38.7.1 - Boundary adjustments which do not exceed 10% of the net site area of each site	(1) All sites prior to the boundary adjustment are contained within the same zone. (2) All service connections and on-site infrastructure is located within the boundary of the site they serve, or have legal rights provided by an appropriate legal mechanism.	
Standards E38.7.2.2 - E38.7.2.3	Not applicable	
Standards E38.7.3.1 - E38.7.3.2	Not applicable	
Standard E38.7.3.3 - Subdivision of a site within the 1% AEP floodplain	Complies with Standard E38.7.3.3(b) - Subdivision will be in accordance with a land use consent that authorises development in the floodplain via E36.4.1(A37).	
Standard E38.7.3.4 - Subdivision of land in the coastal erosion hazard area or the coastal storm inundation 1% AEP area	Not applicable	
Standards E38.8.1 - General standards in residential zones	Not applicable	
Standard E38.9.1.1 - Site shape factor in business zones	Not applicable - Proposal is not vacant lot subdivision.	
Standard E38.9.1.2 - Parking areas	(1) The accessory unit parking spaces are to be held together with the principal units. (2) Not applicable - Parking spaces are accessory units.	
Standard E38.9.1.3 - Signs and billboards	Proposed supermarket signage will form part of the common property.	

Standard E38.9.2.1 - Subdivision in accordance with an approved land use resource consent <i>Any subdivision relating to an approved land use consent must comply with that consent, including all conditions and all approved plans.</i>	Subdivision will be in accordance with an approved land use resource consent.	
Standard E38.9.2.2. Subdivision around existing buildings and development	Not applicable	
Standard E38.9.2.3. Vacant sites subdivision	Not applicable	
<b>CHAPTER H - ZONES</b>		
<b>Zones - H13 Business - Mixed Use Zone</b>		
H13.4.1(A2) - Dwellings	<b>Permitted</b>	
H13.4.1(A7) - Commercial services	<b>Permitted</b> 288m <sup>2</sup> of commercial floorspace.	
H13.4.1(A13) - Food and beverage	<b>Permitted</b> There are a number of retail units that that may accommodate future food and beverage tenancies.	
H13.4.1(A18) - Offices up to 500m <sup>2</sup> gross floor area per site	<b>Permitted</b> 1,257m <sup>2</sup> of existing floorspace will be refurbished to create co-working space however this is existing office floorspace. 376.6m <sup>2</sup> of ancillary office floorspace for the supermarket (mezzanine).	
H13.4.1(A20) - Retail up to 200m <sup>2</sup> gross floor area per tenancy	<b>Permitted</b> There are a number of retail units that range from 30-100m <sup>2</sup> therefore <200m <sup>2</sup>	
H13.4.1(A25) - Supermarkets greater than 2000m <sup>2</sup> gross floor area per tenancy		<b>Discretionary Activity</b> Establishment of a New World supermarket >2,000m <sup>2</sup>
H13.4.1(A45) - New buildings		<b>Restricted Discretionary Activity</b> Proposed new building
H13.4.1(A46) - Demolition of buildings	<b>Permitted</b> Proposed partial demolition of existing buildings and frontage shops to remain	
H13.4.1(A50) - Additions and alterations to buildings not otherwise provided for		<b>Restricted Discretionary Activity</b> Proposed additions and alterations to existing building to provide entrance from Dominion Road
Standard H13.6.0 - Activities within 30m of a residential zone	Not applicable - None of the listed activities are proposed	
Standard H13.6.1 - Building height (Height Variation Control) <i>Buildings must not exceed 13m (11m occupiable + 2m roof)</i>		Proposed building has a maximum height of 23.5m
Standard H13.6.2 - Height in relation to boundary <i>2.5m + 45° along the boundary of Residential - Single House zone</i>	Complies	
Standard H13.6.3 - Building setback at upper floors <i>6m setback from the site frontage from the point here building exceeds 18m</i>		Portion of Level 4 South Terraces (Grange Rd) exceed 18m by a maximum of 2.15m with no setback.
Standard H13.6.4 - Tower dimension and separation <i>Maximum plan dimension of that part of the building above 27m must not exceed 55m</i> <i>Building portions above 27m must be located at least 6m from any side or rear boundary of the site</i>	Not applicable - Proposal is <27m high	

<p>Standard H13.6.5 - Yards</p> <p><i>Side/Rear = 3m where the boundary adjoins a residential zone</i></p> <p><i>Side and rear yards must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard for a depth of at least 3m.</i></p>	Rear Yard = min 3m with landscaping to the eastern boundary provided	
<p>Standard H13.6.6 - Landscaping</p> <p><i>2m buffer along street frontage between car parking, loading or service areas which are visible from the street frontage, excluding access</i></p>	Not applicable - Parking is sleeved by buildings	
<p>Standard H13.6.7 - Maximum Impervious Area in Riparian Yard</p> <p><i>Must not exceed 10 per cent of the riparian yard area</i></p>	Not applicable	
<p>Standard H13.6.8 - Wind</p> <p><i>Any building over 25m in height must not result in wind speed exceedances</i></p>	Not applicable	
<p>Standard H13.6.9 - Outlook Space</p> <p><i>6m depth x 4m width for principal living rooms</i></p> <p><i>3m x 3m for all other habitable rooms</i></p>	Complies	
<p>Standard H13.6.10 - Minimum Dwelling Size</p> <p><i>30m<sup>2</sup> for studios</i></p> <p><i>45m<sup>2</sup> for one or more bedroom dwellings</i></p>	<p>Complies</p> <ul style="list-style-type: none"> <li>• Studio = 35.7m<sup>2</sup></li> <li>• Smallest one-bedroom = 49m<sup>2</sup></li> </ul>	

**NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH (2011)**

**Assessment of NES(CS) for 360 Dominion Road, 88 Prospect Terrace and 113 Grange Road, Mt Eden**

The following table provides an assessment of the proposal against all the relevant NES(CS):

Regulation	Compliance	Non-Compliance
<b>REGULATION 8 - PERMITTED ACTIVITIES</b>		
<p><b>Disturbing Soil</b></p> <p>(3) <i>Disturbing the soil of the piece of land is a permitted activity while the following requirements are met:</i></p> <p>(a) <i>controls to minimise the exposure of humans to mobilised contaminants must—</i></p> <p>(i) <i>be in place when the activity begins:</i></p> <p>(ii) <i>be effective while the activity is done:</i></p> <p>(iii) <i>be effective until the soil is reinstated to an erosion-resistant state:</i></p> <p>(b) <i>the soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done:</i></p> <p>(c) <i>the volume of the disturbance of the soil of the piece of land must be no more than 25 m<sup>3</sup> per 500 m<sup>2</sup>:</i></p> <p>(d) <i>soil must not be taken away in the course of the activity, except that,—</i></p> <p>(i) <i>for the purpose of laboratory analysis, any amount of soil may be taken away as samples:</i></p> <p>(ii) <i>for all other purposes combined, a maximum of 5 m<sup>3</sup> per 500 m<sup>2</sup> of soil may be taken away per year:</i></p> <p>(e) <i>soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:</i></p> <p>(f) <i>the duration of the activity must be no longer than 2 months:</i></p> <p>(g) <i>the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised.</i></p>		<p>Does not comply as volume of soil exceeds permitted volume.</p>
<p><b>Subdividing or changing use</b></p> <p>(4) <i>Subdividing land or changing the use of the piece of land is a permitted activity while the following requirements are met:</i></p> <p>(a) <i>a preliminary site investigation of the land or piece of land must exist:</i></p> <p>(b) <i>the report on the preliminary site investigation must state that it is highly unlikely that there will be a risk to human health if the activity is done to the piece of land:</i></p> <p>(c) <i>the report must be accompanied by a relevant site plan to which the report is referenced:</i></p> <p>(d) <i>the consent authority must have the report and the plan.</i></p>		<p>While a PSI has been prepared, this does not state that highly unlikely that there will be a risk to human health if the activity is done to the piece of land.</p>

<p><i>Consequence if requirement not met</i></p> <p>(5) <i>If a requirement described in any of subclauses (1) to (3) is not met, the activity is a controlled activity under regulation 9 while it meets the requirements in regulation 9(1).</i></p> <p>(6) <i>If a requirement described in subclause (4) is not met, the activity is a controlled activity under regulation 9 while it meets the requirements in regulation 9(3).</i></p>		<p><b>Controlled Activity</b></p>
<p><b>REGULATION 9 - CONTROLLED ACTIVITIES</b></p>		
<p><b>Disturbing Soil</b></p> <p>(1) <i>If a requirement described in any of regulation 8(1) to (3) is not met, the activity is a controlled activity while the following requirements are met:</i></p> <p>(a) <i>a detailed site investigation of the piece of land must exist:</i></p> <p>(b) <i>the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7:</i></p> <p>(c) <i>the consent authority must have the report:</i></p> <p>(d) <i>conditions arising from the application of subclause (2), if there are any, must be complied with.</i></p>	<p><b>Complies</b></p> <p>A DSI has been prepared which states soil contamination does not exceed the applicable standard in regulation 7.</p>	
<p><b>Subdividing or changing use</b></p> <p>(3) <i>If a requirement described in regulation 8(4) is not met, the activity is a controlled activity while the following requirements are met:</i></p> <p>(a) <i>a detailed site investigation of the piece of land must exist:</i></p> <p>(b) <i>the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7:</i></p> <p>(c) <i>the consent authority must have the report:</i></p> <p>(d) <i>conditions arising from the application of subclause (4), if there are any, must be complied with.</i></p>	<p><b>Complies</b></p> <p>A DSI has been prepared which states soil contamination does not exceed the applicable standard in regulation 7.</p>	