

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Celia Davison, Manager Planning, Central South

FROM Vanessa Leddra, Policy Planner, Central South






DATE 20 July 2021

SUBJECT **Plan Modification 47 to Chapter I Precincts of the Auckland Unitary Plan (AUP) Operative in part (15 November 2016)**



This memorandum requests an update to Auckland Unitary Plan Operative in part

Reason for update – Plan Change 47 to be made operative	
Chapter	Chapter I Precincts AUP GIS Viewer
Section	I412 Flat Bush Precinct AUP GIS
Designation only	
Designation #	N/A
Locations:	N/A
Lapse Date	N/A
Purpose	N/A
Changes to text (shown in underline and strikethrough)	Changes to text are highlighted in Attachment A. Text changes affect Table 1412.6.1.4.1 and Table I412.6.1.5.1
Changes to diagrams	Update Diagrams I412.10.1 to reflect new precinct boundaries.
Changes to spatial data	Update boundaries of Flat Bush Sub Precinct H to reflect the new area highlighted in Attachment A.
Attachments	Attachment A: PC47 Decision Attachment B: Updated Text Attachment C: Updated GIS Viewer

Prepared by: Vanessa Leddra Policy Planner	Text Entered by: Maninder Kaur Planning Technician
Signature: 	Signature: 
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Signed off by: Celia Davison Manager Planning – Central South	
Signature: 	

Attachment A: PC 47 Decision

Decision following the hearing of a Plan Modification to the Auckland Unitary Plan under the Resource Management Act 1991



Proposal

Amendments to two development standards (side yard and site coverage) of the Flat Bush Precinct - sub precinct H and minor amendments to associated sub-precinct boundaries and underlying zone boundaries.

This plan modification is **GRANTED**, subject to modification. The reasons are set out below.

Plan modification number:	47
Site address:	Flat Bush Precinct, sub-precinct H
Applicant:	BR Land Company Limited
Hearing commenced:	Wednesday, 10 February 2021, 9.30 a.m.
Hearing panel:	David Mead (Chairperson) Lisa Mein
Appearances:	<p><u>For the Applicant:</u> BR Land Company Limited represented by: Bill Loutit, Legal Counsel Rachel Abraham, Legal Counsel Vaughan Bell, Corporate Rachel de Lambert, Landscape Ian Munro, Urban Design Jennifer Hansen, Architecture John Duthie, Planning</p> <p><u>For the Submitters:</u> Neil Construction represented by: Philip Brown (Campbell Brown Planning Limited)</p> <p><u>For Council:</u> Craig Cairncross, Team Leader Vanessa Leddra, Planner Nicole Bitossi, Urban Design Ainsley Verstraeten, Landscape Architect Bernie Warmington, Resource Consents Bevan Donovan, Hearings Advisor</p>
Hearing adjourned	Wednesday 10 February, 2021
Commissioners' site visit	4 February 2021
Hearing Closed:	16 February 2021

Introduction

1. This decision is made on behalf of the Auckland Council (“**the Council**”) by Independent Hearing Commissioners David Mead (Chairperson) and Lisa Mein appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 (“**the RMA**”).
2. The Commissioners have been given delegated authority by the Council to make a decision on Private Plan Change 47 (“**PPC 47**”) to the Auckland Council Unitary Plan Operative in Part (“**the Unitary Plan**”) after considering the plan change request, submissions, the section 32 evaluation, the reports prepared by the officers for the hearing and evidence presented during and after the hearing of submissions.
3. PPC 47 has been prepared following the standard Part 2 process of Schedule 1 of the RMA. The plan change request was accepted by the Council in July 2020 and was limited notified on 14 August 2020. One submission in support was received. A summary of submissions was notified for further submissions on 24 September 2020. No further submissions were received.

SUMMARY OF PLAN CHANGE

4. The proposed plan change is described in detail in the plan change request documents and the Council’s hearing report. The change affects land in the Flat Bush area, as covered by the Flat Bush Precinct incorporated into the AUP (OP).
5. In summary, BR Land Company Ltd (the requestor) seeks to reduce the side yard standard in Flat Bush sub-precinct H from 3m to 1.2m and increase permitted building coverage from 35% to 40% for sites over 400 sqm. In addition, the request seeks to modify the boundaries of sub precincts H, J and K of the Flat Bush precinct and amend the associated underlying zoning from Residential: Single House zone [SHZ] to Residential: Mixed Housing Suburban zone [MHSZ].
6. BR land company control the majority of land within sub precincts H and K. The subject land is located on the eastern edge of the Flat Bush greenfields development area. BR Land company describe the purpose of the proposed private plan change as being to enable greater consistency in medium density development in the area and more appropriately provide for the spaciousness of that development, as set out in the description of the sub precincts. The modifications to the boundary changes to sub precincts H, J and K and amendments to the zoning from SHZ to MHSZ bring alignment with the landform set out in an approved subdivision design and layout for Bremner Ridge [as the area is known].

HEARING PROCESS

7. A Hearing was held on 10 February 2021. Prior to the hearing, the Commissioners visited the area affected by the plan change request, as well as the wider Flat Bush area. They were escorted over the BR Land site by Vaughan Bell who pointed out various features of the subdivision that is underway.
8. The Council planning officer’s report was circulated prior to the hearing and taken as read. This report included comments from the Local Board. No expert evidence was pre-circulated as there were no opposing submitters. Evidence was presented on the day of the hearing.

9. No procedural matters were raised by any party.

RELEVANT STATUTORY FRAMEWORK

10. The RMA sets out an extensive set of requirements for the formulation of plans and changes to them. We do not need to repeat these again in detail, as they were not in dispute. We note that the critical test in this instance is whether the amended standards and precinct and zone boundaries more appropriately implement the objectives of the AUP (OP) than the standards and zone and precinct boundaries as presently contained in the AUP (OP).
11. Planning witnesses referred in various ways to the objectives of the National Policy Statement on Urban Development. This Policy Statement was issued after the AUP(OP) had been largely settled and the AUP (OP) – and any changes to it - must give effect to this Statement. None of the planners identified any major inconsistency between the policy statement, the plan change request and relevant provisions of the AUP(OP).
12. In terms of AUP (OP) provisions, there are several objectives of the Unitary Plan that are directly relevant to PPC 47. These include:

Objective I412.2.1. Objectives for Flat Bush Precinct

- (1) A well-connected, adaptable, safe, attractive and healthy environment for living, working and movement with an emphasis on the importance of the public realm, is achieved.
- (6) High quality residential amenity is promoted for all types of housing that reflects and responds to community needs and the physical environment both now and in the future.

Objective I412.2.2 for Sub-precincts H and K (Flat Bush Precinct).

- (3) In Sub-precincts H and K, the landscape quality, water and soil resources, native forest, wetlands and open space amenity values of this highly visible landscape in the mid to upper reaches of the Flat Bush basin along with a degree of spaciousness in this medium to low density residential sub-precinct is maintained and enhanced.

Relevant Mixed Housing Suburban zone objectives are:

H4.2. Objectives

- (1) Housing capacity, intensity and choice in the zone is increased.
- (2) Development is in keeping with the neighbourhood's planned suburban built character of predominantly two storey buildings, in a variety of forms (attached and detached).
- (3) Development provides quality on-site residential amenity for residents and adjoining sites and the street.

13. Finally, Clause 10 of Schedule 1 requires that this decision must include the reasons for accepting or rejecting submissions. The decision must also include a further evaluation of any proposed changes to the plan change arising from submissions; with that evaluation to be undertaken in accordance with section 32AA.

PLANNING CONTEXT HISTORY

14. The land subject to this request has been identified for urban development since the mid-1990s. It forms part of an area which was subject to structure planning by the former Manukau City Council. The area was zoned Flat Bush Residential 4 zone under the Manukau District Plan with objectives for the area relating to a need for creating and maintaining a degree of spaciousness within the zone, given its position on the edge of the main urban area, and on an elevated ridgeline.
15. The land in the Residential 4 zone was divided into a number of sub-precincts. Precinct H covered land located on a visible plateau, characterised by a grade that is suitable for medium density development. Precinct K covered the rest of the zone with undulating topography containing areas of developable land located on the flanks and spurs of the deep gullies. Sub precinct K anticipates lower density residential development with development controls to ensure a degree of spaciousness.
16. The AUP (OP)'s Flat Bush Precinct effectively rolled over the Residential 4 provisions. The AUP (OP) saw sub-precinct H zoned MHSZ with a minimum site size of 520 sqm. Sub Precinct K was zoned SHZ.
17. Recent subdivision activity has seen much of sub-precinct H divided into house lots of a variety of sizes. More specifically, 247 of the consented lots do not meet the minimum 520 sqm site size requirement of sub precinct H and not all sites meet the minimum 20m width and/or 26m minimum depth requirements. There are a number of narrow lots (12-14m wide) consented, utilising rear lanes.
18. The requestor noted that the subdivision application has seen much of the sub-precinct K land subject to protective covenants that limit building in the sub-precinct. Within sub-precinct H, open spaces have been provided that help form a linear green corridor along with a key road having a wide berm and associated planting in front yards. In the view of the requestor, together, these features help to contribute to the degree of spaciousness sought by Objective I412.2.2. In other words, spaciousness was not just delivered by the yard and coverage controls of the sub-precinct.

SUMMARY OF EVIDENCE

19. The evidence presented at the hearing responded to the issues and concerns identified in the Council planning officer's report, the application itself and the submission made on the application.
20. By the time of the hearing, the Council had indicated support for the adjustment of sub-precinct and zone boundaries, as well as the increase in site coverage from 30 to 40%. Council recommended that the side yard amendment not be approved (that is, the side yard remain at 3m, rather than 1.2m). The Hearing therefore concentrated on this one matter.
21. The evidence presented at the hearing is summarised below.

Requestor

22. Mr Loutit, legal counsel, outlined the plan change request. He submitted that the requestor's expert assessments were that the amended standards would retain a similar level of spaciousness to that of the current standards, while providing more flexibility over house design and layout. There were no reasons to reject the plan change request.
23. Mr Bell is a project manager. He outlined the background to the BRL development, including the earthworks which have resulted in the need to realign zone and precinct boundaries in a number of (relatively) small areas. He also outlined the demand for larger houses to accommodate multi-generational households.
24. Mr Munro covered urban design matters. He considered that the amended side yard would lead to a better outcome overall, than retention of the current 3m wide yard. In particular, on small lots, the narrower side yard was more likely to see house designs that had street frontages that were not dominated by garages. His opinion was that the side yards made only a small contribution to the sense of spaciousness, and that any reduction of this contribution would be easily off-set by improved streetscapes. He also considered that retention of the wider side yards would see more built form being 'pushed' into rear yards, to the detriment of the quality of rear yards and their role in contributing to a spacious character. The sloping topography of sub-precinct H also assists with absorbing the visual effects of smaller side yards.
25. Ms Hanson (Architect) provided diagrams and analysis which set out possible building footprints on a variety of different lot sizes and orientations. These layout studies demonstrated that most lots in the BRL component of sub-precinct H were less than 520m² in area. On most of the lots that have been consented, compliance with the 3m side yards would see building frontages dominated by double garages, with no habitable space on the ground floor. She noted that the height in relation to boundary control, the sloping topography and retaining wall structures in side yards were likely to result in side yards that were wider than a minimum of 1.2m, on some sites.
26. Mr Duthie addressed planning issues. He outlined his understanding of the history of sub-precincts H and K, as well as the recent subdivision application. He stressed that the subdivision application had seen moves to provide a degree of spaciousness, including covenants on much of the steeper land contained in sub-precinct K. His view was that the 3m side yard had been rolled over from the Manukau Plan and not re-examined as to its appropriateness as part of the AUP preparation process. He noted that the amended side yard of 1.2m would be wider than the 1m wide yard required in the underlying Mixed Housing Suburban zone. His assessment was that the amended side yard control would better meet the objectives of the AUP and NPS-UD by enabling development, while still retaining the objective of a degree of spaciousness.
27. Ms de Lambert (landscape architect) spoke to her evidence relating to landscape and visual effects. She saw no landscape or visual effects reason to retain the 3m wide side yard. While the subject area was elevated above the majority of Flat Bush, the land had no specific landscape value and was not highly visible. At the level of the

street environment, over time, it was unlikely that the narrower side yard would lead to a reduction in public amenity.

Submitters

28. Mr Brown provided a summary of his planning evidence for Neil Construction Limited. He supports the plan change request. In his opinion the changes to the development standards will lead to better built form outcomes, given the subdivision pattern that has been approved.
29. Mr Brown also outlined two amendments to zone and sub-precinct boundaries that are relevant to Neil Construction Limited land holdings. The adjustments are similar to those sought by the requestor, with boundaries of sub precincts and zones needing to be adjusted to reflect recent subdivision. These adjustments were not part of the notified plan change, but he saw no issues with their inclusion in the plan change, as the adjusted zone and sub-precinct boundaries only affected Neil Construction land and there were no environmental effects arising.

Council Staff

30. Ms Verstraeten (landscape architect) opposes the reduction in the side yard standard. She maintained her opposition to the amended side yard on the basis of landscape and visual effects. In her opinion, side yards contribute to the sense of spaciousness. The reduced side yard would be noticeable as people traversed along a street and would reduce the degree of spaciousness of the environment.
31. Ms Bitossi covered urban design matters. She supports all aspects of the plan change request.
32. Ms Leddra maintained her section 42A report recommendation that the building coverage and zone and sub-precinct boundary changes be approved, but the request to modify the side yard be rejected on the basis of the likely diminishment of a sense of spaciousness (and therefore incompatibility between the method (side yard standard) and the objective (an urban environment with a degree of spaciousness)).

Reply

33. Mr Loutit gave a brief verbal reply. He noted a number of points that supported approval of the request.
34. At the macro scale the consented subdivision provided a degree of spaciousness through the covenanted areas, and the open spaces and wide road reserves incorporated into the development.
35. At the level of the street environment, the reduced side yard would not reduce the sense of spaciousness, while it had the potential to improve the street environment by reducing the dominance of garage doors on front facades, especially on the narrower lots that had been consented.
36. He contended that consideration of the amended side yard standard needed to occur within the context of the evolution of the Flat Bush area towards greater density, while the amended standard would provide more flexibility over house design, and this flexibility outweighed any risks of reduced urban design outcomes.

PRINCIPAL ISSUES IN CONTENTION AND FINDINGS

37. As noted, the hearing concentrated on the matter of the appropriate side yard standard. The coverage control modification and zone and sub-precinct boundary adjustments were not in contention.
38. For information purposes, Figure 1 below shows the proposed Precinct and Zone boundaries as put forward by the requestor and submitter.

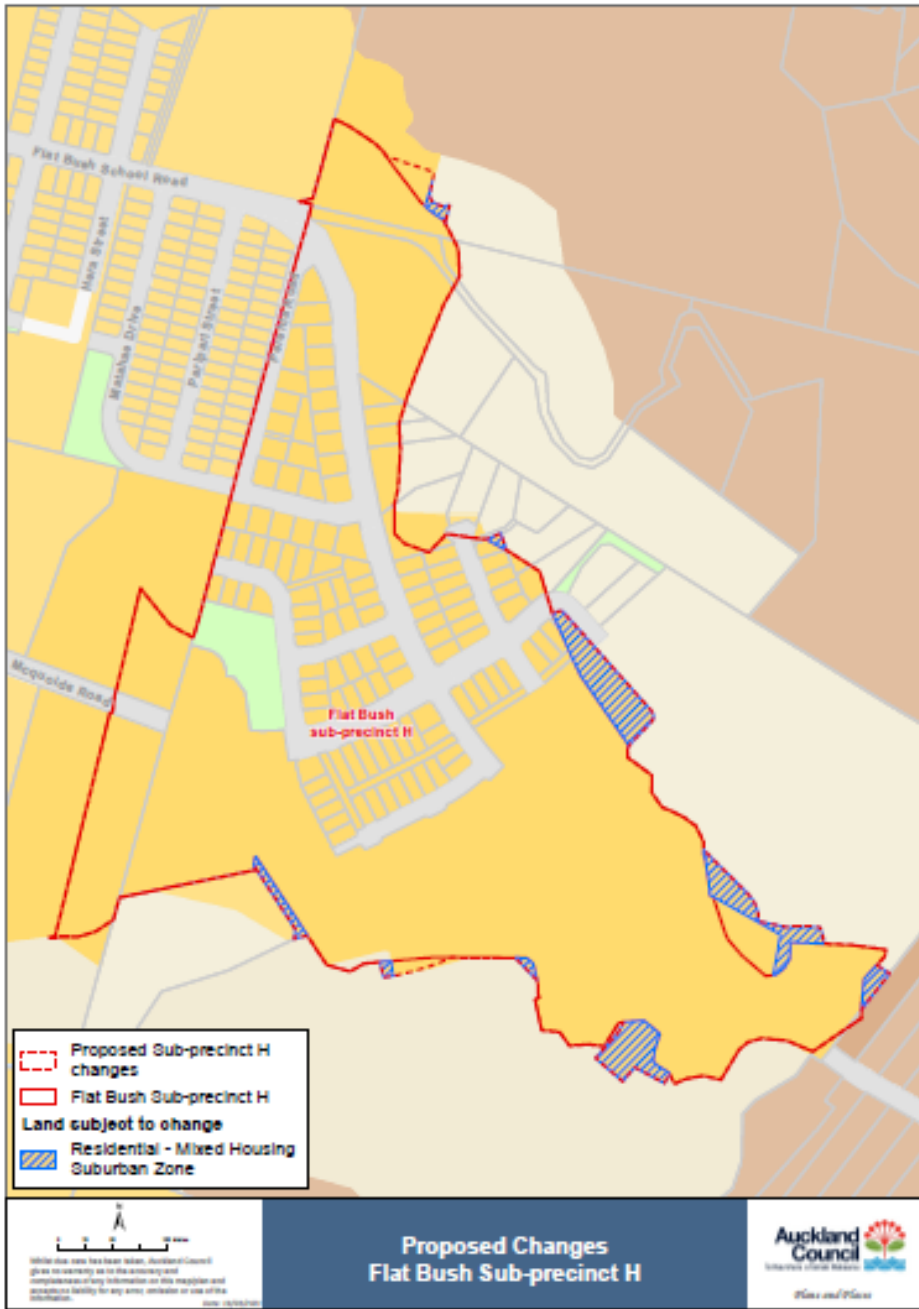


Figure 1: Proposed Precinct and Zone changes.

39. The parties agreed that side yards have a role in the overall sense of ‘spaciousness’ of an urban environment but differed on the extent of this contribution. We also note that the debate centred on the public amenity aspects of side yards. There was not a focus on inter-neighbour effects.

40. As identified, the Flat Bush precinct's objective for sub precinct H is to provide a 'degree of spaciousness' within a medium density environment. The objective and associated policies do not state the extent of such spaciousness. It was pointed out to us that the policies list density and site coverage when referring to spaciousness, not side yards. However, the relevant planning and urban design experts did not confine consideration of spaciousness to these two parameters.
41. We accept that the relevant development standards (including density, coverage, yards) help to describe the expected extent of spaciousness, as well as the visual and physical relationship between sub-precincts H and K. However, consideration of the most appropriate way to implement the objective cannot be limited to what standards are currently included in the AUP (OP), with any reduction to those standards taken to be contrary to the objective.
42. In considering these matters it is apparent to us that the context for considering what is an appropriate degree of spaciousness has changed over time as Auckland has grown more intensively and the planning framework has been amended accordingly. In particular, we consider that the BR Land subdivision consent has materially changed the context for what might be considered an appropriate sense of spaciousness. Consent for smaller lots and increased site coverage mean that the environment is likely to be more intensively developed than when the Flat Bush provisions were first formulated. A reduced side yard requirement is consistent with this trend.
43. We also consider it relevant and appropriate to take into account the physical and visual relationship sub-precinct H has with sub-precinct K. We note that the Objectives for Flat Bush refer to the interrelationship between sub-precincts H and K. In this regard we agree that the move to covenant parts of sub-precinct K does contribute to a degree of spaciousness.
44. Having considered the evidence and viewed recent developments in the area we consider that the amended side yard control will not reduce the degree of spaciousness experienced by members of the public to the extent that the objective is undermined. We accept that the reduced side yard may assist in providing some design flexibility that could have streetscape benefits.
45. We accept the evidence of the requestor and council that the amended coverage control is appropriate.
46. On the changes to sub-precinct and zone boundaries, we note that these changes affect only small areas and do not alter the fundamental 'zoning' strategy for the area.
47. We agree with Mr Brown that it is appropriate to make small changes to the boundaries as they affect Neil Construction land, even if those changes were not notified. The changes only affect land controlled by Neil Construction, who are a submitter.

STATUTORY PROVISIONS


48. Relevant statutory matters have been set out above.
49. We see no issue with the NPS-UD in terms of support for, or opposition to the plan change. The plan change clearly supports important aspects of the Regional Policy Statement relating to accommodating growth in a compact form, while maintaining and better implementing relevant objectives of the AUP(OP) Flat Bush sub-precinct.
50. Having considered the evidence and relevant background documents, we are satisfied, overall, that PPC 47 has been developed in accordance with the relevant statutory and policy matters.
51. The small modification to the plan change to incorporate adjustments to zone and sub-precinct boundaries affecting the Neil Construction land are of a minor nature and do not need a separate sec 32AA further evaluation.

DECISION

52. That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, Private Plan Change 47 to the Auckland Unitary Plan (Operative in Part) be approved, subject to the modifications set out in this decision relating to sub-precinct and zone boundaries as they relate to land owned by Neil Construction.
53. The submission on the plan change by Neil Construction Limited is accepted.
54. The reasons for the decision are that Private Plan Change 47:
 - a. will assist the Council in achieving the purpose of the RMA;
 - b. gives effect to the Auckland Regional Policy Statement;
 - c. is consistent with the provisions of Part 2 of the RMA;
 - d. is supported by necessary evaluation in accordance with section 32; and
 - e. will help with the effective implementation of the plan.

Attached to this decision are:

- Amendments to Flat Bush Precinct provisions
- Amendments to the planning maps.



Chairperson

Date: 20 April 2021

Attachment One: Amended Text I412 Flat Bush Precinct H

Amend Table I412.6.1.4.1 – Yards, as follows:

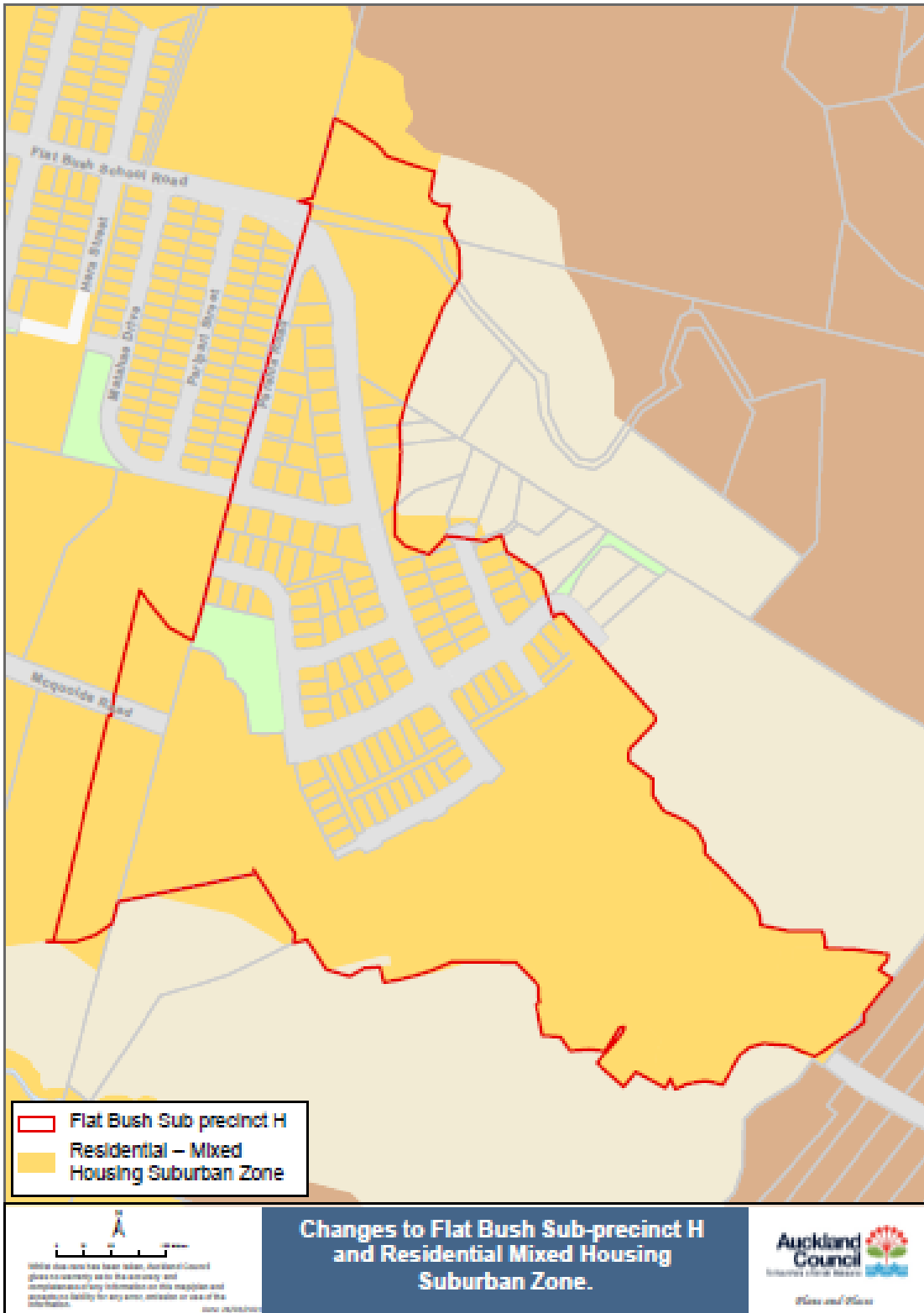
	A	B	D	E	F	G	H	I	J	K
Front Yard in meters	3	NA	0	0	3	0	4	6	6	4
Side Yard in meters	1.2	1.2	1.2	1.2	1.2	0	3 1.2	6	0	3
Rear Yard ¹ in meters	8	8	8	8	8	0	8	6	0	8

Amend Table I412.6.1.5.1 – Maximum Building Coverage (as a percent of the site), as follows:

	Maximum Building Coverage (as a percent of the site)									
	Sub-Precinct									
	A	B	D	E	F	G	H	I	J	K
Sites over 400sqm net site area	40	40	50	50	40	NA	35 <u>40</u>	15	NA	30

Attachment Two: Planning Maps

Amend the AUP Planning Maps as follows:



Attachment B: Updated Precinct Text

I412. Flat Bush Precinct

I412.1. Precinct description

The Flat Bush precinct covers approximately 1730ha of land adjacent to the Rural Urban Boundary.

The Flat Bush Precinct incorporates the provisions of the Flat Bush Precinct plan and includes ten sub-precincts. The sub-precincts vary the subdivision controls of the respective underlying zones in relation to block design, road design and road construction standards.

The precinct is divided into the following sub-precincts and areas and contains the objectives, policies and standards relevant to subdivision, development and earthworks in the precinct plan area.

Flat Bush Residential Sub-precincts

These eight Sub-precincts apply to land within the urban residential zones:

Flat Bush Sub-precinct A (General)

This Sub-precinct is generally located on the low-lying lands within 1.5 km of the Flat Bush Town Centre and Barry Curtis Park. It promotes higher residential densities than have been achieved in the past, and is characterised by a diverse range of housing types.

Flat Bush Sub-precinct B (Central)

This Sub-precinct has a residential emphasis and is generally located within a 5 minute walk of the Flat Bush Town Centre. It is a sub-precinct where higher residential densities are to be promoted.

Flat Bush Sub-precinct D (Arterial)

This Sub-precinct is generally located within 60m of the main road networks and enables a range of residential activities. It is envisaged that sites fronting arterial routes will contain apartments and terrace/semi-detached housing up to a maximum height of 4 storeys.

Flat Bush Sub-precinct E (Barry Curtis Edge)

This Sub-precinct is located around the perimeter of Barry Curtis Park, which is a substantial public open space of approximately 90ha. All parts of this Sub-precinct are located within a 10 to 15 minute walk from the Flat Bush Town Centre. It is anticipated that the highest residential densities in the Flat Bush area will be developed in this Sub-precinct, including apartment buildings overlooking the Park of generally up to 6 storeys.

Flat Bush Sub-precinct F (Local Centre)

This Sub-precinct is similar to the Flat Bush Sub-precinct A (General) but is located immediately around three Neighbourhood Centres in, or immediately adjacent to, the Flat Bush Precinct. It has a residential emphasis and is generally located within 400m or a five minute walk of the Neighbourhood Centres.

Flat Bush Sub-precinct G (Open Space)

The land contained within this Sub-precinct surrounds the main waterways (Stormwater Management Areas) within the Flat Bush catchment and as a result is generally linear in shape. It runs along key identified corridors from the lower end of the catchment in the vicinity of Barry Curtis Park, through to the upper catchment. It is noted that land within this Sub-precinct does not include land within the 100-year flood plain, as this land is specifically required for drainage purposes. The fundamental purpose of this Sub-precinct is to include land to be set aside as open space for passive informal recreation and leisure activities and to mitigate the adverse environmental effects created by urban development.

Flat Bush Sub-precinct H (Mixed Housing Suburban)

This Sub-precinct relates to land in the upper McQuoids Road / Flat Bush School Road area that transitions to the upper catchment area. It therefore anticipates a medium density residential environment with development controls to ensure a degree of spaciousness.

Flat Bush Sub-precinct K (Single House)

This area relates to steeper land in the upper McQuoids Road / Flat Bush School Road area that transitions to the upper catchment area. It therefore anticipates lower density residential environment with development controls to ensure a degree of spaciousness.

These two Sub-precincts apply outside the urban areas:

Flat Bush Sub-precinct I (Countryside Transition)

This Sub-precinct relates to land within the upper catchment area and alongside the many streams and waterways in the Sub-precinct. The Sub-precinct further functions to protect and enhance the natural environmental qualities found within the Sub-precinct, while providing for appropriate countryside living.

Flat Bush Sub-precinct J (Conservation and Stormwater Management)

This Sub-precinct covers the steep gully areas and waterways that have been identified as warranting environmental enhancement. The function of the Sub-precinct is to improve the overall ecological condition of these gullies and waterways and ensure a level of open space by limiting development in these sensitive areas and undertaking riparian planting and allowing areas of existing native vegetation to regenerate. The riparian planting will enhance the ecological condition of streams, maintain stream bank stability and reduce the level of erosion and flooding created within the catchment where existing exotic planting exists. Land covered by this Sub-precinct is to remain in private ownership and is to be kept free from buildings and structures.

Flat Bush Sub-precinct C

Sub-precinct C is the subject of operative Plan Variation 8, pursuant to the Housing Accords and Special Housing Areas Act 2013. Accordingly, Sub-precinct C is not subject to the provisions of the Flat Bush Precinct.

Flat Bush Precinct outside sub-precincts

Areas which fall within the boundaries of the Flat Bush Precinct and which are not within the boundaries of any sub-precinct are not subject to any of the standards or other

provisions which apply to those sub-precincts. The provisions of the zoning, Auckland-wide and overlays apply to the areas of Flat Bush Precinct which lie outside any sub-precincts.

Flat Bush conservation and stormwater management area

The Flat Bush conservation and stormwater management area lies over part of the land within Flat Bush Sub-precinct J (Conservation and Stormwater Management). The purpose of this sub-precinct is to improve the overall ecological condition of these gullies and waterways by requiring riparian planting and allowing areas of existing native vegetation to regenerate. The riparian planting will enhance the ecological condition of streams, maintain stream bank stability and reduce the level of erosion and flooding created within the catchment where existing exotic planting exists.

Areas covered by this overlay are to remain in private ownership and are to be kept free from buildings and structures.

The zoning of land within the Flat Bush Sub-precincts A,B and D to K is set out in the following table:

Table I412.1.1 - Zoning of land within this precinct

Zones	Sub-precincts
Residential - Mixed Housing Urban and Residential - Mixed Housing Suburban	Flat Bush Sub-precinct A (General)
Residential - Terrace Housing and Apartment Buildings	Flat Bush Sub-precinct B (Central)
Residential - Terrace Housing and Apartment Buildings and Residential - Mixed Housing Suburban	Flat Bush Sub-precinct D (Arterial)
Residential - Terrace Housing and Apartment Buildings and Residential - Mixed Housing Urban	Flat Bush Sub-precinct E (Barry Curtis Edge)
Residential - Terrace Housing and Apartment Buildings	Flat Bush Sub-precinct F (Local Centre)
Residential Mixed Housing Suburban	Flat Bush Sub-precinct G (Open Space)
Residential Mixed Housing Suburban	Flat Bush Sub-precinct H (Mixed Housing suburban)
Residential - Single House	Flat Bush Sub-precinct K (Single House)
Residential - Large Lot	Flat Bush Sub-precinct I (Countryside Transition)
Rural - Countryside Living	Flat Bush Sub-precinct I (Countryside Transition)
Rural - Countryside Living	Flat Bush Sub-precinct J (Conservation and Stormwater Management)
As noted above areas of the Flat Bush Precinct that lie outside the boundaries of any of the sub-precincts listed above are subject to the provisions of the zone.	

I412.2. Objective

I412.2.1. Objectives for Flat Bush Precinct

- (1) A well-connected, adaptable, safe, attractive and healthy environment for living, working and movement with an emphasis on the importance of the public realm, is achieved.
- (2) An appropriate range of physical and social infrastructure and facilities enhance the resulting urban environment and address any adverse effects of urbanisation.
- (3) Ecology of remnant native vegetation and waterways are protected, sustained, restored and enhanced.
- (4) A pattern of commercial activities based on an identifiable community focus is established which is supported by office or institutional activities and small scale business and mixed use activities along nominated main roads and in close proximity to the town and neighbourhood centres.
- (5) A safe, efficient, well-connected and integrated transport system is established within and beyond the Flat Bush area that provides a choice of travel modes.
- (6) High quality residential amenity is promoted for all types of housing that reflects and responds to community needs and the physical environment both now and in the future.
- (7) Stormwater runoff is managed to enable the maintenance and enhancement of natural waterways, native forest and wetlands and to provide passive recreational opportunities as well as pedestrian and cycle access.
- (8) The adverse effects on Auckland International Airport of activities sensitive to aircraft noise within the medium aircraft noise area (MANA) in the Flat Bush Precinct are minimised.

I412.2.2. Objectives for Flat Bush Sub-precincts A, B, D, E, F, G, H and K

- (1) An integrated, medium to high density residential environment which has high levels of amenity, supports a range of travel modes, allows for a range of living opportunities and incorporates opportunities for compatible small scale employment.
- (2) A street grid that, combined with the park edge road network, provides a legible urban pattern that reveals the Flat Bush landscape.
- (3) In Sub-precincts H and K, the landscape quality, water and soil resources, native forest, wetlands and open space amenity values of this highly visible landscape in the mid to upper reaches of the Flat Bush basin along with a degree of spaciousness in this medium to low density residential sub-precinct is maintained and enhanced.

I412.2.3. Objectives for Flat Bush Sub-precincts I and J

- (1) The landscape quality, water and soil resources, native forest, wetlands and open space amenity values of this highly visible landscape in the mid to upper

reaches of the Flat Bush basin along with the spaciousness in these low density residential sub-precincts is maintained and enhanced.

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

I412.3. Policies

I412.3.1. Policies for Flat Bush Precinct

- (1) Enable land uses within Sub-precincts that orient primarily towards business, residential and open space activities and provide a gradation of residential activity density by:
 - (a) focusing the highest allowable densities around the Flat Bush Town Centre, Flat Bush Neighbourhood Centres, the perimeter of Barry Curtis Park and along arterial roads;
 - (b) allowing medium/higher densities within the remaining residential areas; and
 - (c) locating less intensive residential areas at the extremities of the Flat Bush Precinct Plan area.
- (2) Enable an integrated road and transport system by guiding the design and layout of subdivision to provide connectivity and the opportunity for a variety of travel modes.
- (3) Encourage riparian planting along waterways to:
 - (a) maintain and enhance water quality and aquatic habitats;
 - (b) enhance existing native forest and wetland areas within the catchment; and
 - (c) reduce stream bank erosion.
- (4) Require subdivision and development to be of a type, density and design that does not detract from, and is supportive of, the specific environmental outcomes identified for each Sub-precinct.
- (5) Require subdivision and development to incorporate sustainable management principles as part of the land modification process to comply with safe practices in the identification, assessment, treatment and/or remediation of asbestos-containing materials.
- (6) Require subdivision, land use and development to maintain and enhance the natural character and ecological values of the wider Flat Bush precinct and provide access to such features so they contribute to the unique character of the area by:
 - (a) using the conservation and stormwater management area and subdivision standards to maintain and enhance identified watercourses and environmental corridors; and

- (b) requiring street patterns to maximise long views to the environmental corridors where practical and having regard to topography.
- (7) Require open space corridors to be edged by streets and maintain physical integration between the open space and street environment e.g. significant grade changes are avoided.
- (8) Avoid residential development beyond the average site size control within the MANA to minimise the effects of aircraft noise on residents.

I412.3.2. Policies for Flat Bush Sub-precincts A, B, D, E, F, G, H and K

- (1) Encourage higher density residential development in close proximity to the Town Centre/Neighbourhood Centres, main arterials and public open space including Barry Curtis Park.
- (2) Maximise vehicular and pedestrian connectivity/permeability of the street network wherever possible.
- (3) Promote development where streets are to form blocks that enable:
 - (a) future development to conform to a perimeter block pattern of development where buildings front roads; and
 - (b) there is sufficient space between the rear of opposing dwellings to provide privacy.
- (4) Promote and maintain interconnectivity between sub-catchments.
- (5) In Sub-precinct H and K, require medium to lower densities and site coverage to create spacious urban development with reduced visual impact.

I412.3.3. Policies Flat Bush Sub-precincts I and J

- (1) Require lower densities and site coverage to create spacious rural and transitional urban development with reduced visual impact.
- (2) Require riparian planting of native species within the conservation and stormwater management area to:
 - (a) maintain and enhance water quality and aquatic habitats, existing native forest and wetland areas within the catchment; and
 - (b) improve general landscape qualities and to prevent stream bank erosion.
- (3) Require that activities, buildings and structures are designed and located to:
 - (a) retain significant native vegetation, including riparian vegetation; and
 - (b) protect the ecological and landscape values associated with the area.

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

I412.4. Activity table

The activity status of activities in the underlying zone, and Auckland-wide provisions apply in this precinct unless otherwise specified below.

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Table I412.4.1 specifies the activity status of land use, development and subdivision activities in the Flat Bush Precinct pursuant to section 9(3) and 11 of the Resource Management Act 1991 or any combination of these sections where relevant.

Table I412.4.1 Activity status of land use, development and subdivision activities in the Flat Bush Precinct

Activity		Activity status by Sub-precinct									
		A	B	D	E	F	G	H	I	J	K
Residential											
(A1)	One dwelling per site	P	P	P	P	P	NA	P	P	NA	P
(A2)	Two or more dwellings (including integrated landuse and subdivision resource consent)	RD	RD	RD	RD	RD	NA	RD	RD	NA	RD
Development											
(A3)	Alterations and additions to existing dwellings involving habitable room(s) within the Moderate Aircraft Noise Area	RD	RD	RD	RD	RD	P	RD	RD	NC	RD
(A4)	Cluster Housing on sites greater than 20ha	NA	NA	NA	NA	NA	NA	NA	D	D	NA
Community Facilities											
(A5)	Educational facilities	RD	RD	RD	RD	RD	NA	RD	RD	NC	RD
(A6)	Entertainment facilities	NC	NC	D	D	NC	NA	RD	RD	NC	RD
(A7)	Formed Bridle Trails and Mountain Bike Trails	NA	NA	NA	NA	NA	C	NA	NA	C	NA
Rural											
(A8)	Farming	P	P	P	P	P	P	P	P	P	P
Commerce											
(A9)	Food and beverage	D	D	D	D	D	NA	D	D	NA	D
(A10)	Offices not	D	D	D	D	D	NA	NC	NC	NA	NC

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	exceeding 150sqm Gross Floor Area										
(A11)	Offices exceeding 150sqm Gross Floor Area.	NC	NC	D	D	D	NA	NC	NC	NA	NC
(A12)	Retail no greater than 150sqm Gross Floor Area	NC	D	D	D	D	NA	NA	NA	NA	NA
(A13)	Show homes	P	P	P	P	P	NC	P	NC	NC	P
Subdivision											
<p>Note: The Auckland-wide standards for Subdivision apply. Under E38 Subdivision – Urban, Activity Table E38.4.2, (A18) “Vacant sites subdivision involving a parent site of 1ha or greater complying with standard E38.8.3.1” require a discretionary activity consent. The following subdivision activities that are listed as RD and involve a parent site of 1 Ha or more therefore become discretionary activities if the parent site is 1 ha or more.</p>											
(A14)	Any subdivision activity that is integrated with a land use consent that does not comply with the site size identified in I412.6.2.1 and the minimum site dimensions identified in I412.6.2.2.	RD	RD	RD	RD	RD	NA	NA	NA	NA	NA
(A15)	Any subdivision activity on sites that include more than one sub-precinct, and which varies from the maximum or minimum average site size requirements specified in I412.6.2.1	RD	RD	RD	RD	RD	NA	NA	NA	NA	NA
(A16)	Any subdivision that contains land within the Sub-precinct J	NA	NA	NA	NA	NA	NA	NA	RD	RD	NA
(A17)	Any subdivision that does not comply with I412.6.2.3	D	D	D	D	D	D	D	D	D	D

(A18)	Any activity (including subdivision) which includes wastewater disposal in the Sub-precinct I	NA	NA	NA	NA	NA	NA	NA	RD	NA	NA
(A19)	Any subdivision, building or structure within the Sub-precinct J	NA	NA	NA	NA	NA	NA	RD	RD	RD	RD
(A20)	Any subdivision, building or structure within the Sub-precinct G	RD	RD	RD	RD	RD	RD	NA	NA	NA	NA

I412.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table I412.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under s95A(4) of the Resource Management Act 1991.
- (2) A resource consent application under I412.6.2.4(2)(e) – Alternative Road Layouts may be considered on a limited notified basis within the sub-catchment areas as shown on Precinct Plan 3. Sub-catchments.
- (3) Any other application for resource consent for an activity with a different activity status listed in Table I412.4.1 above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (4) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

I412.6. Standards

I412.6.1. Permitted activity standards

The overlay, zone and Auckland-wide standards apply in this precinct except the following;

- (1) The following standards within Residential - Mixed Housing Suburban Zone and Residential - Mixed Housing Urban Zone do not apply.
 - (a) Outlook;
 - (b) Separation between Buildings within a site; and
 - (c) Maximum building length.

All activities listed as permitted and restricted discretionary in table I414.4.1 Activity table must comply with the following permitted activity standards:

I412.6.1.1. Density

(1) The following density requirements shall apply within the Flat Bush Sub-precincts:

Table I412.6.1.1.1 Density requirements

	Sub-Precinct									
	A	B	D	E	F	G	H	I	J	K
Minimum density (sqm net site area per dwelling)	425	300	425	250	425	NA	520	NA	NA	1000
Maximum allowable density within the MANA area (sqm per dwelling)	400	NA	150	180	300	NA	NA	NA	NA	NA
Maximum density (sqm per dwelling)	NA	NA	NA	NA	NA	NA	NA	5000	NA	NA

(2) Site size in Sub-precincts H, I and K may include land within Sub-precinct J and land in Sub-precinct G which is not required for open space purposes.

(3) Any application not meeting the density requirements of I412.6.1.1(1) shall be a non-complying activity.

I412.6.1.2. Building height

(1) Buildings must not exceed the maximum height in the table below:

Table I412.6.1.2.1 Building height

	Sub-Precinct									
	A	B	D	E	F	G	H	I	J	K
Maximum height in meters	9	9	12	16	9	8	8	8	8	8

I412.6.1.3. Height in Relation to Boundary

(1) The following height in relation to boundary controls apply:

- (a) for all lots, the height in relation to boundary control does not apply to the street boundary;
- (b) in the case of front lots (not being a corner lot or adjacent to a corner lot) a building height in relation to boundary of 5m and 45° must apply on side boundaries adjoining other front lots, up to a maximum distance of 8m from the rear boundary;
- (c) a height in relation to boundary of 2.5m and either 45° (for east or west boundaries), 55° (for north boundaries), 35° (for southern boundaries) must apply to the remaining part of any side boundary that is within 8m from the rear boundary;
- (d) in the case of front lots which adjoin a corner lot the following apply:
 - (i) on side boundaries that adjoin the shortest side boundary of the corner lot, a height in relation to boundary of 2.5m and either 45° (for east or west boundaries), 55° (for north boundaries), 35° (for southern boundaries) must apply to the whole length of the boundary including where that side boundary extends beyond the corner lot;
 - (ii) on side boundaries that adjoin the longest side boundary of the corner lot, a building height in relation to boundary of 5m and 45° must apply up to a maximum distance of 8m from the rear boundary. Standard I412.6.1.3(1)(c) must apply to the remaining part of the side boundary that is within 8m from the rear boundary; and
 - (iii) in relation to the shortest side boundary of a corner lot (including where that side boundary extends beyond the corner lot) all windows above the ground floor level facing the corner lot (or facing a lot adjoining the corner lot) must have a window sill level at least 1.6m above the floor level or be fitted with opaque glass;
- (e) in the case of corner lots the following apply:
 - (i) on the shortest side boundary of the corner lot, a height in relation to boundary of 2.5m and either 45° (for east or west boundaries), 55° (for north boundaries), 35° (for southern boundaries) must apply;
 - (ii) on the longest side boundary of the corner lot, a building height in relation to boundary of 5m and 45° must apply up to a maximum distance of 8m from the side boundary. A height in relation to boundary of 2.5m and either 45° (for east or west boundaries), 55° (for north boundaries), 35° (for southern boundaries) must apply to the remaining part of the side boundary that is within 8 m from the rear boundary; and
 - (iii) all buildings within 6m of the shortest side boundary must be limited to a single storey and a 5m maximum height;

(f) exceptions for Height in Relation to Boundary identified in I412.6.1.3(1)(a)-(e) above:

- (i) a gable end including fascia up to a maximum of 7m² may intrude into the height in relation to boundary recession plane. For the purposes of this standard a gable end is defined as the triangular sides of a building with a gable roof where the wall reaches all the way to the ridge;
- (ii) no account shall be taken of minor projections such as radio and television aerials, antennas, solar heating devices and chimneys (not exceeding 2.0m in any horizontal direction and projecting no more than 2.0m above the maximum permitted height of the main structure);
- (iii) where a site abuts an entrance strip, private way, access lot, access way or public walkway the furthest boundary of these may be deemed to be the site boundary for the purpose of this standard; and
- (iv) there is no height in relation to boundary applicable to the length of the common wall between abutting buildings.

I412.6.1.4. Yards

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table I412.6.1.4.1 below.

Table I412.6.1.4.1 Yards

	Sub-Precinct									
	A	B	D	E	F	G	H	I	J	K
Front Yard in meters	3	NA	0	0	3	0	4	6	6	4
Side Yard in meters	1.2	1.2	1.2	1.2	1.2	0	1.2	6	0	3
Rear yard ¹ in meters	8	8	8	8	8	0	8	6	0	8

(2) Provided that:

- (a) rear yards on all sites must be a minimum of 8m (except 6m in Sub-precinct I), except that a single storey building (or part of a building) up to a maximum height of 5m is permitted within the rear yard provided that it is no closer than 3m from the rear boundary;
- (b) the rear yard required above does not apply where the site adjoins a rear lane or access lot; and

(c) for rear sites (except in Sub-precinct I), all yards must be a minimum of 3m.

I412.6.1.5. Building coverage

(1) The maximum building coverage must not exceed the relevant percentage set out in table I412.6.1.5.1 below.

Table I412.6.1.5.1 Maximum building coverage (as a percent of the site)

	Maximum Building Coverage (as a percent of the site)									
	Sub-Precinct									
	A	B	D	E	F	G	H	I	J	K
Sites over 400sqm net site area	40	40	50	50	40	NA	40	15	NA	30
Sites between 200sqm-399sqm net site area	40	45	50	50	45	NA	NA	NA	NA	NA
Sites under 200sqm net site area	50	50	50	50	50	NA	NA	NA	NA	NA

I412.6.1.6. Impervious Area

(1) The maximum impervious area must not exceed 70 per cent of the gross site area.

I412.6.1.7. Fences

(1) Where land within Flat Bush Precinct adjoins Flat Bush Sub-precincts G or J, the boundary fencing or walls along the common boundaries shall be limited to a maximum height of 1.8m.

I412.6.2. Subdivision

I412.6.2.1. Minimum and average lot sizes

(1) Minimum and average site sizes shall comply with the table below and the controls which follow:

Table I412.6.2.1.1 Minimum and average lot sizes

	Sub-Precinct							
	A	B	D	E	F	H	I	K
Average Site size in sqm	325 to 425	NA	325 to 425	325 to 425	325 to 425	NA	5000	NA
Average Site size in sqm within MANA	425 to 450	NA	NA	NA	NA	NA	NA	NA
Minimum site size in sqm	325	NA	325	325	325	520	2000	1000

- (a) average or minimum site size in Sub-precincts H, I and K may include land within Sub-precinct J;
- (b) no minimum lot sizes apply to an integrated land use and subdivision application;
- (c) additional Development Standards to be met in the Flat Bush Sub-precinct I:
 - (i) subdivision creating sites will only be permitted on land held in a separate Certificate of Title on 27 October 2010 (the existing site); and
 - (ii) subdivisions are permitted to be made in stages by reference back to the existing site. Multiple subdivision consent applications may not be used to negate the provision for an average site size or the maximum number of sites that would be permitted by the subdivision of the existing site;
- (d) Any application not meeting any of the above requirements shall be a non-complying activity.

I412.6.2.2. Minimum site dimensions

(1) Minimum sites dimensions shall comply with the table below:

Table I412.6.2.2.1 Minimum site dimensions

	Sub-Precincts		
	A, B, D, E & F	H & K	J
Front Site Minimum Width in metres	12.5	20	25
Front Site Minimum Depth in metres	26	26	NA
Front Site Legal Width of Back Lanes in metres	7	NA	NA
Rear sites	NC	NA	NA

- (2) There shall be no minimum site size within Sub-precincts A, B, D, E, & F where subdivision is proposed as part of an integrated land use consent, provided that within the MANA the maximum allowable densities set out in Standard I412.6.1.1 are complied with.
- (3) Any application not meeting the above requirements shall be a discretionary activity.

I412.6.2.3. Subdivision standards applying to land within Sub-precincts G and J

- (1) The following subdivision standards apply to land within Sub-precincts G and J:
 - (a) standards for Sub-precinct G:
 - (i) upon development or subdivision of sites containing land within Sub-precinct G, such areas shall be vested in the Council for public open space purposes;
 - (ii) all Stormwater Management Areas are indicative only and the exact boundaries are subject to final stormwater modelling;
 - (iii) all land contained within the Sub-precinct G that is vested in Council upon subdivision, development or by direct purchase, shall be administered in accordance with the Standards set out below for Sub-precinct J;
 - (iv) where all or part of the land identified within the Sub-precinct G is not required to be vested in Council as public open space, the area status shall no longer apply and the provisions of the underlying Zone will apply; and
 - (v) where land is no longer required as a Stormwater Management Area within the Flat Bush area the land shall be administered in accordance with the provisions for Sub-precinct G;
 - (b) standards for Sub-precinct J:
 - (i) access to all sites and all building platforms within the subdivision shall be wholly outside Sub-precinct J;
 - (ii) where an application for subdivision consent includes two or more adjoining sites, the combined areas may be treated as one site for the sole purpose of subdivision design and configuration, provided that the average site size and minimum site size are in accordance with Table I412.6.2.1.1.
 - (iii) land within Sub-precinct J to be set aside for planting and to be secured by consent notice shall be planted and a programme of weed and pest control shall be provided for in the consent notice;
 - (iv) a Riparian Planting Plan shall be provided as part of any application for land modification, development and subdivision; and

- (v) the developer shall be responsible for the routine maintenance and replacement of any planting they provide for a period of two years from the time of planting.

I412.6.2.4. Movement Network

(1) All subdivision shall comply with the following controls:

- (a) roads shall be provided in accordance with the indicative alignments in Figure 1 Collector Road Park Edge with development on one side and the Precinct Plan 2. Road Network shall be constructed to the standards contained within Table I412.6.2.4.2: Construction Standards for Additional Road Types within the Flat Bush Precinct Plan Area or, where not contained in Table I412.6.2.4.2, the relevant Auckland Wide standards shall apply;
- (b) all new subdivisions, roads and sites shall comply with the standards and terms in Table I412.6.2.4.1 Connected Movement Network and shall be built in accordance with the cross sections in Figures 1 through to Figure 5.

Table I412.6.2.4.1 Connected Movement Network

	Sub-Precinct									
	A	B	D	E	F	G	H	I	J	K
Maximum Block Length in metres	250	250	250	250	250	NA	NA	NA	NA	NA
Maximum Block Perimeter Distance in metres	700	700	700	700	700	NA	NA	NA	NA	NA
Maximum cul-de-sac lengths (excluding turning circle) in metres	0	0	0	0	0	NA	200	NA	NA	200

Table I412.6.2.4.2 Construction Standards For Additional Road Types Within The Flat Bush Precinct Plan Area

Types of road	Road	Carriage -way	Max. grade	Figure
Collector Road Park Edge with development on one side in metres	19.6	9.2	8.33%	Refer Figure 1
Collector Road Park Edge – Bridge in metres	15	7	8.33%	Refer Figure 2

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Collector Road Park Edge - with public open space on both sides in metres	17.4	7	8.33%	Refer Figure 3
Flat Bush Local Road in metres	18.2	7.8	12.5%	Refer Figure 4
Flat Bush Local Road Park Edge in metres	14	7.8	12.5%	Refer Figure 5
Flat Bush Special Local Road Park Edge	14	8.1	2.5%	Refer Figure 6

(2) Alternative road layouts:

- (a) alternative road layouts may be proposed which demonstrate the implications for the whole sub-catchment within which the changes are proposed as identified in Precinct Plan 3. Sub-catchments shall be constructed to the standards contained within Table I412.6.2.4.2 Construction Standards for Additional Road Types within the Flat Bush Precinct Plan Area, or where not contained in Table I412.6.2.4.1 Connected Movement Network;
- (b) all alternative road layouts shall meet the requirements of Standard I412.6.2.4(1)(b) and shall not alter the position of arterial roads as identified in Precinct Plan 2. Road Network;
- (c) all alternative road layouts must maintain the position of key specified local road connections between sub catchment areas, as indicated in Precinct Plan 4. Key Road Connections;
- (d) in the Sub-precincts A, B, D, E, & F the block depth shall accommodate the minimum site dimension as specified in Standard I412.6.2.2 Minimum site dimensions; and
- (e) any application not meeting the above requirements shall be a restricted discretionary activity.

Figure 1. Collector Road Park Edge with development on one side

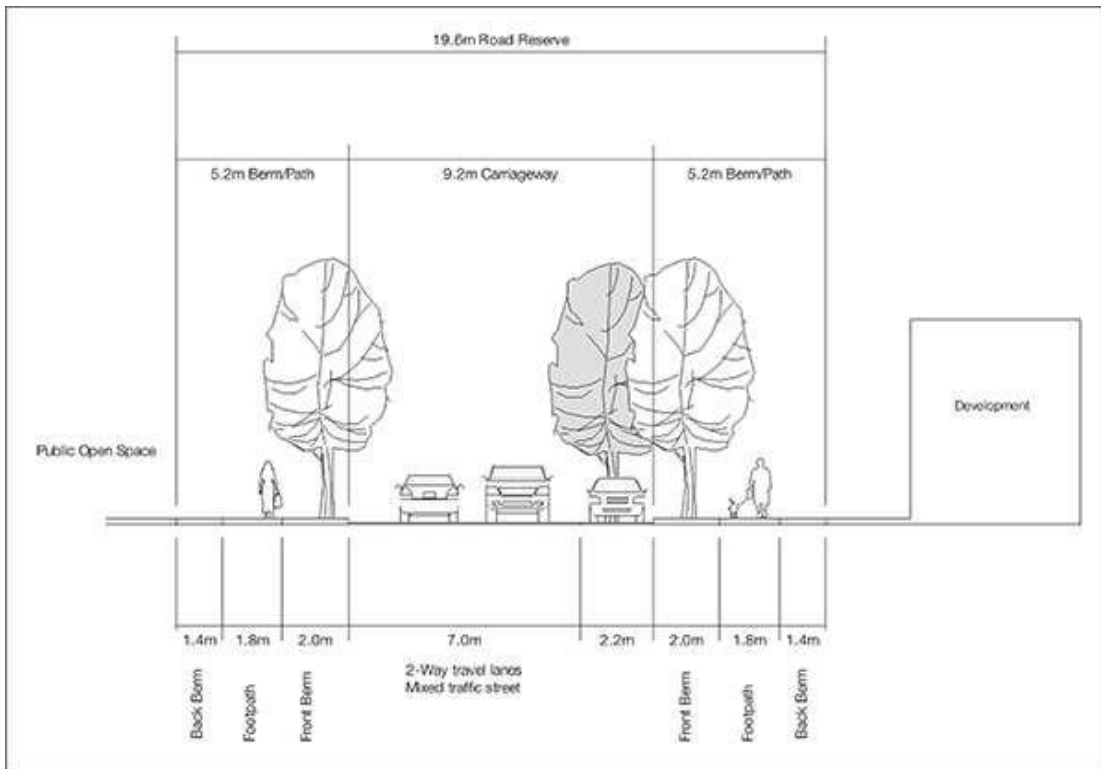


Figure 2. Collector Road Park Edge - Bridge

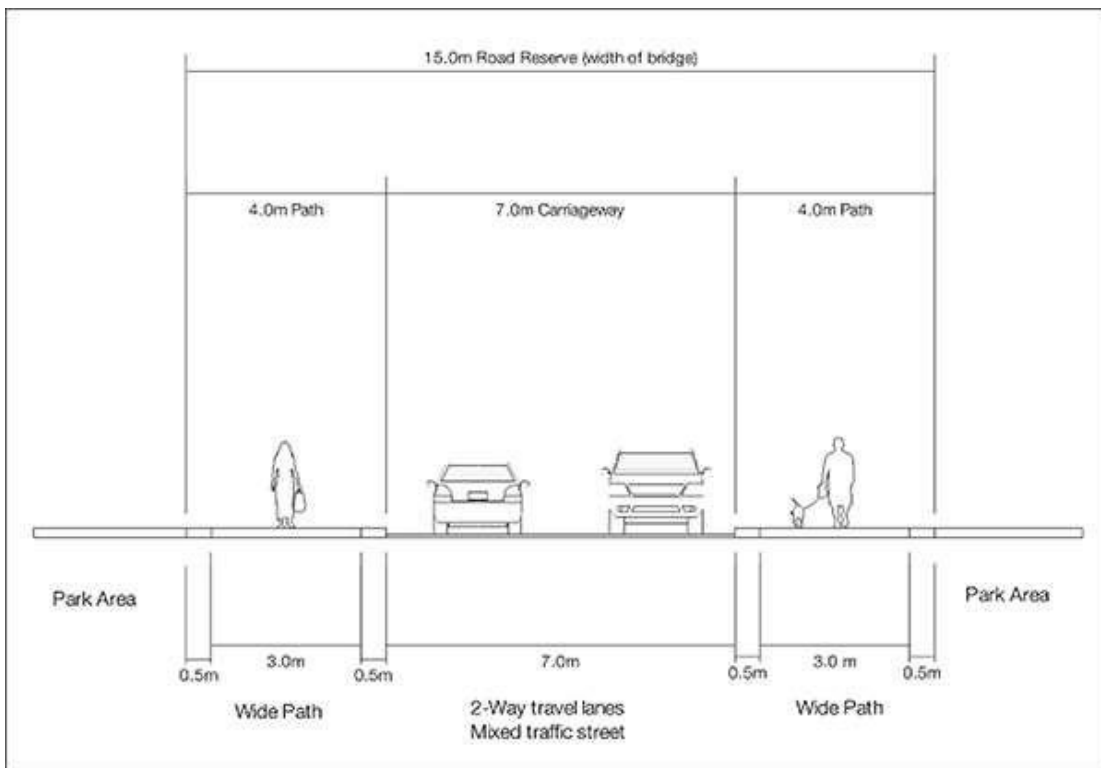


Figure 3. Collector Road Park Edge with public open space on both sides

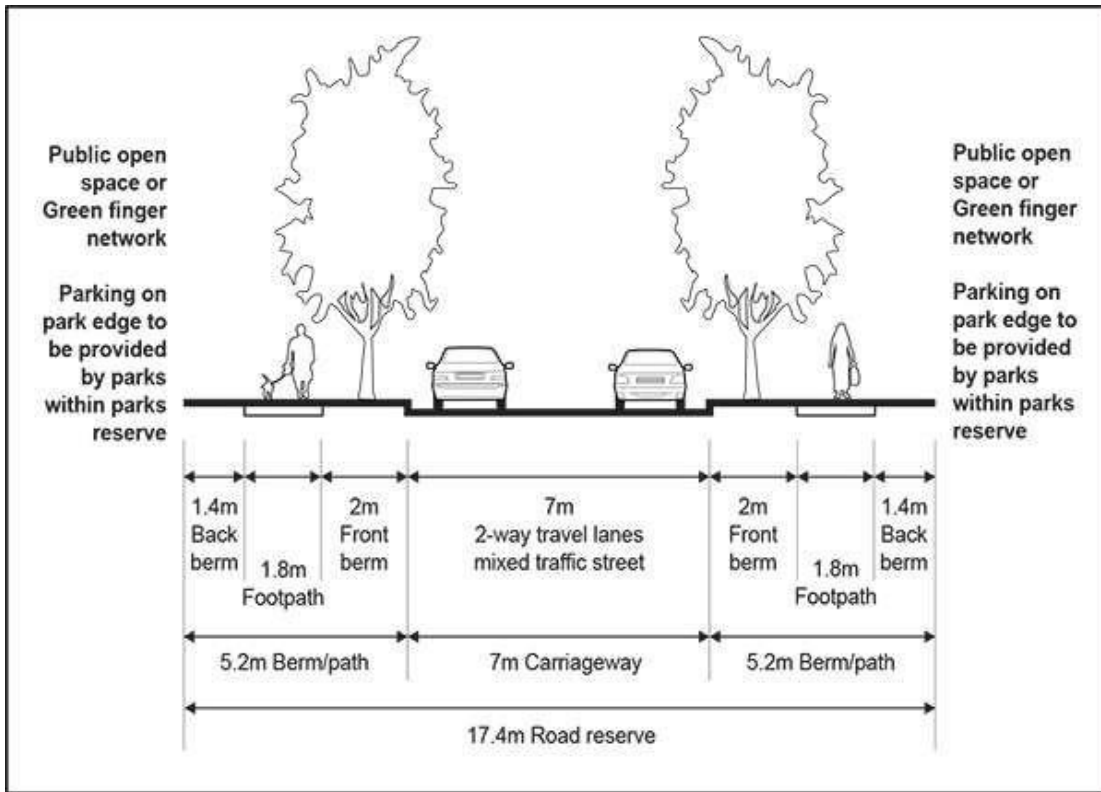


Figure 4. Flat Bush Local Road

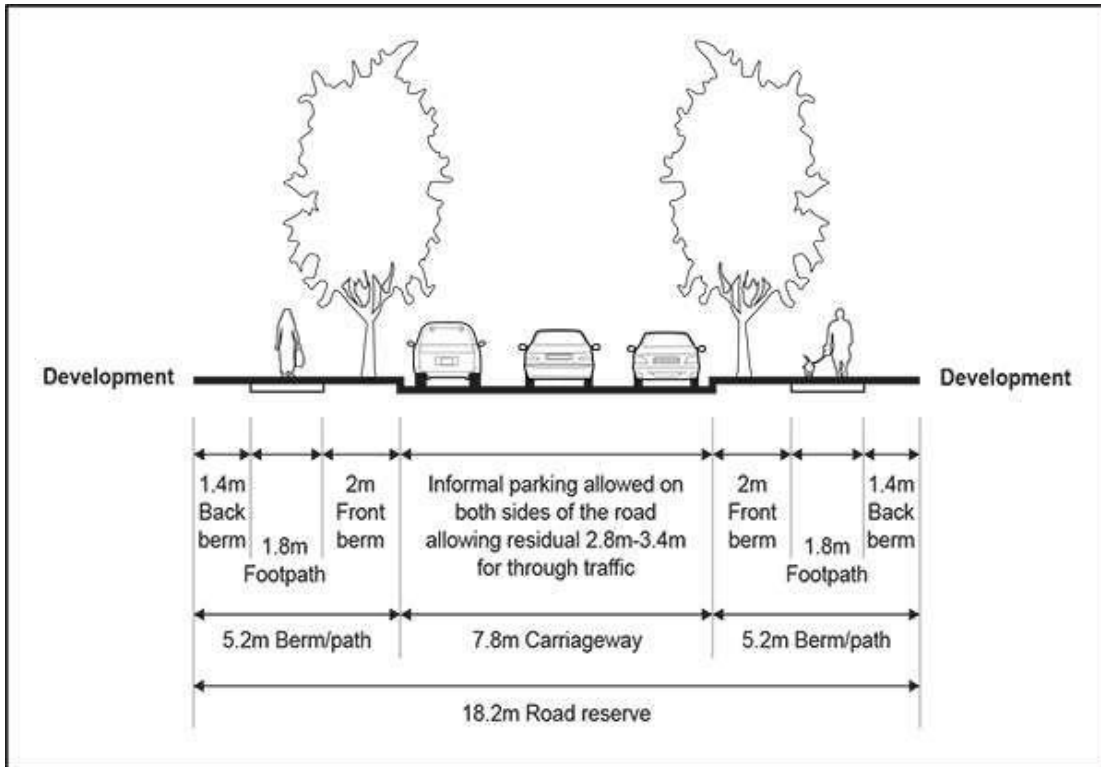


Figure 5. Flat Bush Local Road Park Edge

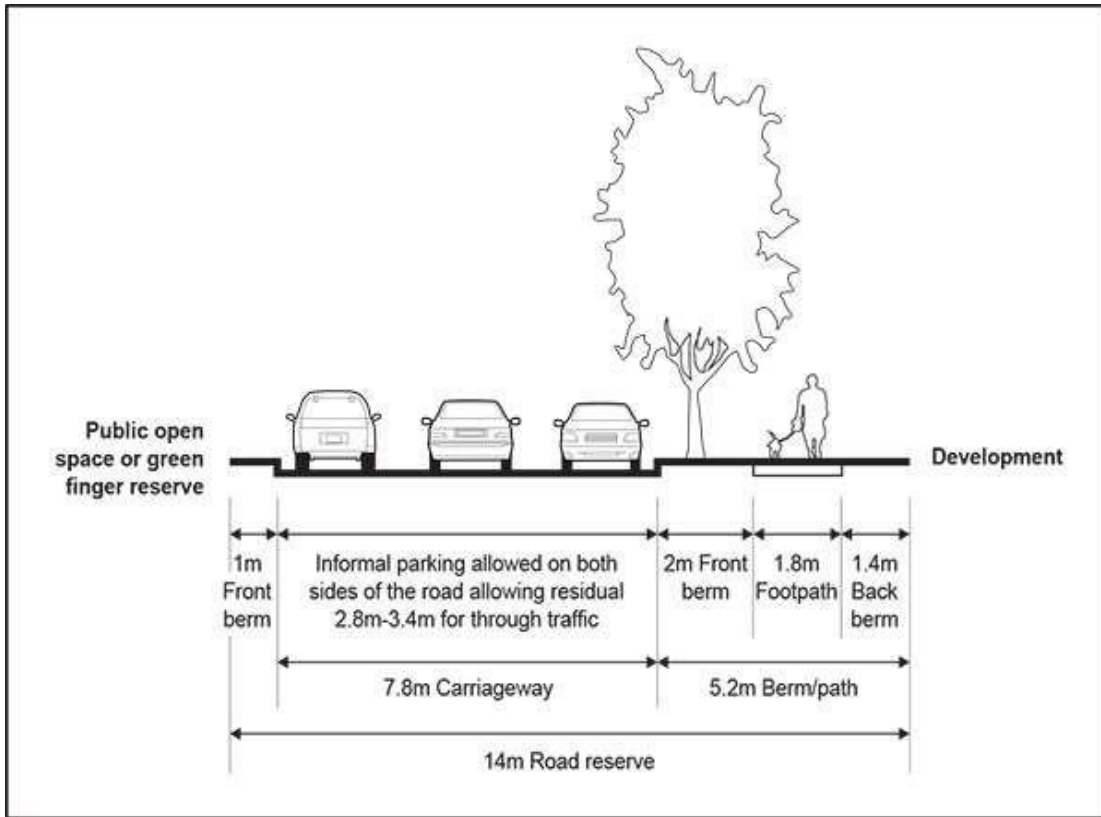
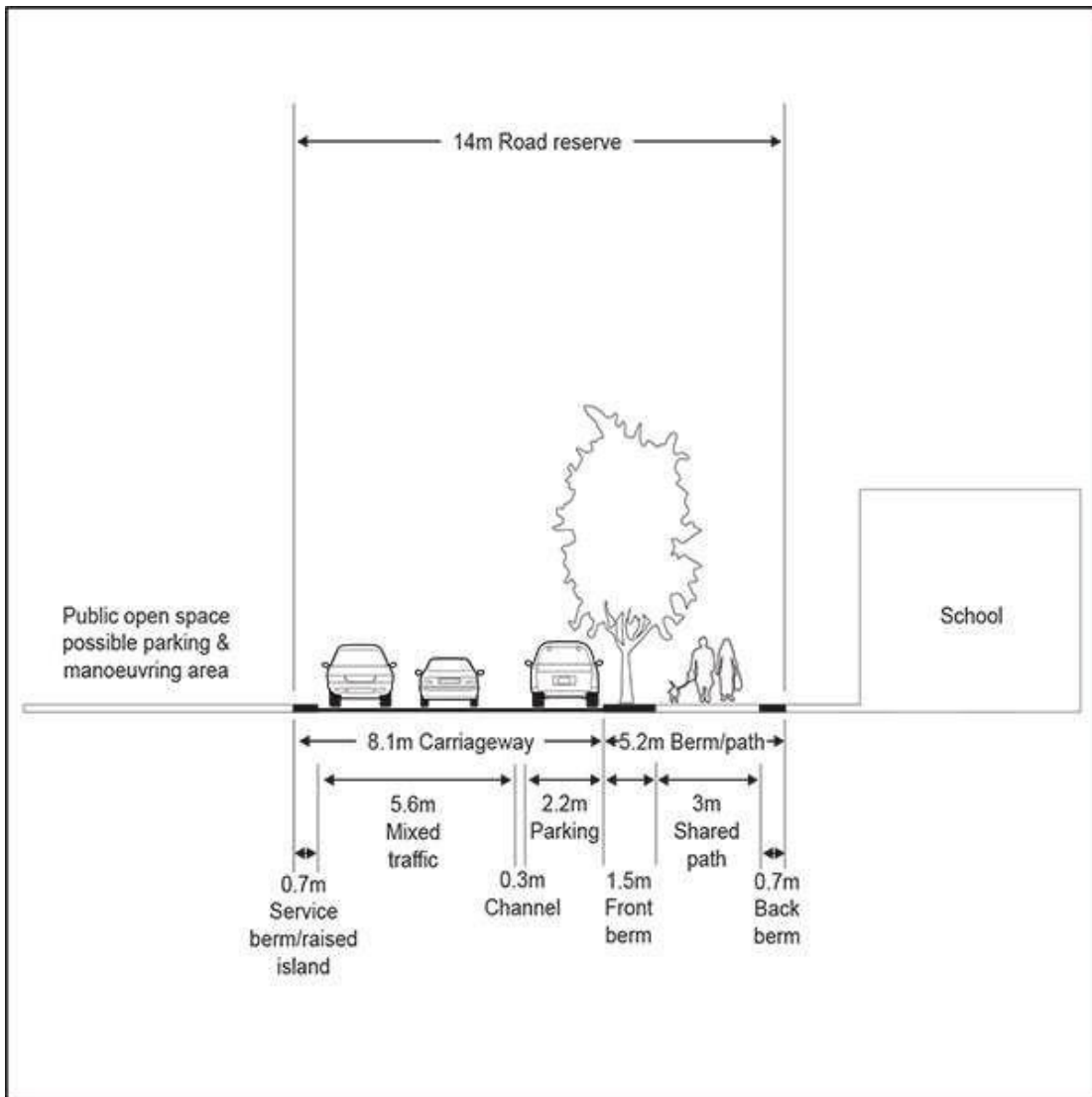


Figure 6.Flat Bush Special Local Road Park Edge



I412.7. Assessment – controlled activities

I412.7.1. Matters of control

(1) The Council will reserve its control to the matters below for the activities listed as controlled in the precinct activity tables:

(a) formed Bridle Trails and Mountain Bike Trails in Sub-precincts F and I:

- (i) location and design; and
- (ii) personal safety and damage to and effects on neighbouring properties.

I412.7.2. Assessment criteria

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

(1) Formed Bridle Trails and Mountain Bike Trails in Sub-precincts G and J:

(a) location and design:

- (i) whether the bridle trail provides for safe and convenient access and addresses effects on the safe and efficient operation of the adjoining road network; and
- (ii) whether the access has a minimal adverse effect on pedestrian access and safety and/or the recreational or environmental functions of the areas;

(b) personal safety and damage to and effects on neighbouring properties

- (i) whether the activity results in a dangerous situation to other public open space users or otherwise detracts from other users enjoyment of the public open space.
- (ii) the activity should not cause damage to neighbouring residential properties.

I412.8. Assessment – restricted discretionary activities

I412.8.1. Matters of discretion

- (1) The Council will restrict its discretion to the matters listed below when assessing a restricted discretionary activity resource consent application listed in Table I412.4.1 Activity table, in addition to the matters specified for the relevant restricted discretionary activities in the zone or Auckland-wide provisions:

(a) restricted discretionary activity within Sub-precinct J:

- (i) existing native vegetation, riparian planting, ecosystem and natural landscape quality;
- (ii) placement of buildings infrastructure and other structures; and
- (iii) site stability;

(b) restricted discretionary activity within all other sub-precincts:

- (i) existing native vegetation, riparian planting, ecosystem and natural landscape quality;
- (ii) placement of buildings infrastructure and other structures;
- (iii) design and external appearance;
- (iv) servicing - Wastewater disposal and discharge of contaminants; and
- (v) site stability.

- (2) For construction of more than two or more dwellings within Flat Bush Sub-precincts A or B (including integrated land use and subdivision):

(a) subdivision as part of an Integrated Land Use.

- (3) The Council will restrict its discretion to the matters listed below when assessing a restricted discretionary activity resource consent for infringements of I412.6.1

Permitted Activity Standards and I412.6.2 Standards for Subdivision, in addition to the matters specified in the zone, or Auckland-wide provisions:

- (a) infringements of I412.6.2 Standards for Subdivision:
 - (i) road Standards;
 - (ii) provision of Back Lanes;
 - (iii) legibility of Network, Safety, Block Pattern and Neighbourhood Identity;
 - (iv) movement Network: Maximum Block Length and Maximum Block Perimeter Distance;
 - (v) variations in the maximum or minimum allowable average site sizes after adjustment of the boundaries between adjoining sub-precincts and areas;
 - (vi) design and Layout of Subdivision, Staging, Design and External Appearance;
 - (vii) impact of Previous Subdivision within Sub-precinct I; and
 - (viii) movement network;
- (b) Infringements of I412.6.2.4(2) Alternative Road Layouts
 - (i) legibility of Network, Safety, Block Pattern and Neighbourhood Identity; and
 - (ii) movement network.

I412.8.2. Assessment criteria

I412.8.2.1. Assessment criteria for Listed Restricted Discretionary Activities

The Council will consider the relevant assessment criteria below for activities listed as restricted discretionary activities in Table I412.4.1, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the zone, or Auckland-wide provisions:

- (1) Existing native vegetation, riparian planting, ecosystem and natural landscape quality:
 - (a) the development should not alter the existing topography of the site or affect existing natural features or existing native vegetation;
 - (b) the development should not adversely affect the ability in the future to protect land within Sub-precinct J from development and undertake native riparian planting;
 - (c) the development should propose a Riparian Planting Plan for Sub-precinct J that should add ecological and amenity values as public open space;
 - (d) the proposal should avoid adverse effects on the freshwater and terrestrial ecosystems including the quality of the water and riparian vegetation, areas of native forest and wetlands or on the natural

habitats of birds, aquatic species and wildlife found within Sub-precincts G or J;

- (e) the proposal should not impact on the natural landscape quality of Sub-precincts F or I;
- (f) the proposed planting should be sufficiently robust to survive in the proposed location;
- (g) the pest and weed management programme for the area should protect the planting from damage and ensure plant survival; and
- (h) a refundable bond may be required to ensure that the riparian planting undertaken in accordance with the approved riparian planting plan survives for a two-year period from the time of planting.

(2) Placement of buildings infrastructure and other structures:

- (a) the design and external appearance of a building or structure in terms of scale, form, materials and colour should respect the natural character and aesthetic qualities of the sub-precinct;
- (b) the proposed building or structure should make a positive contribution to the built form of the surrounding streetscape and to any existing buildings on the public open space; and
- (c) the placement of buildings and structures should avoid Sub-precinct J.

(3) Design and external appearance:

- (a) the proposed building or structure should be sympathetic to the surrounding natural landscape qualities and characteristics;
- (b) the car parking and access for the proposed building or structure should be safe and convenient while still maintaining an acceptable aesthetic quality;
- (c) the proposed activity should not generate noise levels that adversely affect the amenity of adjoining properties and whether any mitigation measures are proposed to reduce noise effects on these properties;
- (d) the development must satisfactory provide for attenuation of aircraft noise;
- (e) the design and external appearance of buildings including the scale, articulation, orientation and spacing should complement the existing buildings in the vicinity;
- (f) the bulk or repetitive form of buildings should not detract from the visual amenities of the neighbourhood; and
- (g) the car parking should be safe and convenient while still maintaining an acceptable aesthetic quality as viewed from the street, in particular the hard paved areas associated with parking and garaging should not dominate the streetscape.

- (4) Servicing - Wastewater disposal and discharge of contaminants:
- (a) the site should have sufficient area available to accommodate an adequate wastewater disposal system which should not create an erosion, land instability or water pollution problem and that should not adversely affect the stormwater treatment and discharge systems on the site, or adversely affect public health and safety;
 - (b) adequate provision should be made on site for rubbish storage and servicing and the areas should be adequately screened from view from public places and neighbouring sites; and
 - (c) the proposal should not generate any dust, smoke, fumes or other discharges to air which would potentially detract amenity values of the area.
- (5) Site stability:
- (a) the building, structure or activity should not adversely affect the stability of the site or adjacent sites.
- (6) For construction of two or more dwellings within Flat Bush Precincts (including integrated land use and subdivision):
- (a) subdivision as part of an Integrated Land Use;
 - (b) the proposed subdivision should follow rational boundaries with regard to access, privacy, amenity etc;
 - (c) acceptable levels of private outdoor living should be achieved for each dwelling; and
 - (d) restrictions should be included in the proposal such as, limitations on placements of windows, no build yard areas and maximum heights to ensure that privacy and avoiding domination of buildings is achieved.

I412.8.2.2. Assessment criteria for Restricted Discretionary Activities

The Council will restrict its discretion to the matters listed below when assessing a restricted discretionary activity resource consent for infringements of I412.6.1 Permitted Activity Standards and I412.6.2 Standards for Subdivision, in addition to the matters specified in the underlying zone or Auckland-wide provisions:

- (1) Infringements of I412.6.2 Standards for Subdivision:
- (a) road Standards:
 - (i) cycleways should provide continuous routes between subdivisions; and
 - (ii) subdivisional road and site layout and dimensions should optimise the orientation of the sites to the sun in terms of their likely future development;
 - (b) provision of back lanes that connect roads and/or provide alternative access to the rear of residential sites:

- (i) back lanes should be limited in length to ensure that long repetitive lanes are avoided;
 - (ii) building line restrictions should be introduced in relation to rear lanes to ensure that adequate opportunities are provided for landscaping and to limit repetitive building forms;
- (c) legibility of Network, Safety, Block Pattern and Neighbourhood Identity:
- (i) whether changes to the park edge local roads have adverse impacts on the design, amenity and usability of the adjacent open space and result in substantially greater earthworks and retaining structures adjacent to the open space than would otherwise be required;
 - (ii) whether the proposal avoids adverse effects on the clarity, legibility and connectivity of the roading network with particular regard to any cumulative effect which might arise with regard to the wider neighbourhood in each sub-catchment as shown on Precinct Plan 3. Sub-catchments;
 - (iii) whether the proposal achieves straight roads that maximise legibility to reveal the topography and strengthen visual connection to the wider landscape;
 - (iv) whether the proposed layout promotes good connectivity by all modes of travel including short walking routes to potential bus routes and other community infrastructure such as schools, neighbourhood centres and public open space;
 - (v) whether the proposal achieves a neighbourhood identity by maximising connections to landscape features and to other features such as schools, neighbourhood centres, public open space and community facilities;
 - (vi) whether the proposed layout contributes to a clear and legible understanding of the neighbourhood within the wider context;
 - (vii) whether the proposed road layout creates flexibility for a range of potential activities and residential densities to occur in appropriate places now and in the future;
 - (viii) whether vehicle access should be restricted (including on arterial routes) to achieve spatial outcomes that reinforce a sense of place and achieve a high quality public realm;
 - (ix) whether the proposed block pattern results in the opportunity to create regular shaped sections with the inherent flexibility to be developed for a range of potential activities and residential densities now and into the future;

- (x) whether the proposed street design and layout provides for consistency of treatment down lengths of street and appropriate integration to adjoining areas; and
 - (xi) whether the proposal impacts the clarity and legibility of the roading network with particular regard to the sub-catchment within which the proposed subdivision is located, as shown in Precinct Plan 3. Sub-catchments;
- (d) Movement Network: Maximum Block Length and Maximum Block Perimeter Distance:
- (i) whether the proposed road layout provides for convenient and safe access for pedestrian, cycle and vehicle users;
 - (ii) whether the proposed road layout provides for a clear and easily understood network that is easy to navigate through for all users; and
 - (iii) whether the proposed road layout is constrained by topography, trees or bush to be retained and/or fragmented land ownership and/or existing buildings;
- (e) variations in the maximum or minimum allowable average site sizes after adjustment of the boundaries between adjoining Sub-precincts:
- Note: This assessment is intended to apply where the Sub-precinct boundaries, as defined on the relevant planning maps, have been modified. In such instances the Council will assess whether the proposed subdivision yields the same number of sites as it would have in the case of a subdivision which complied with the maximum or minimum subdivision standards had the Sub-precinct boundary(s) remained unaltered.
- (i) whether the target densities of each of the adjoining sub-precincts are being generally achieved; and
 - (ii) the extent to which the average site size in each of the adjoining sub-precincts differs from the requirements of I412.6.2.1.
- (f) design and layout of subdivision, staging and design:
- (i) in the case of a staged subdivision, whether each stage of subdivision complies with the development and performance standards (including density) of the Sub-precinct. Council may, by way of either a consent notice or a condition of consent, require that any such density shortfall or surplus be made good in, or be carried forward to, subsequent stages of the subdivision;
 - (ii) whether the subdivision design provides an adequate buffer between the proposed sites and the conservation and stormwater management area;

- (iii) whether the design and layout of the subdivision protects land in the conservation and stormwater management area from inappropriate development; and
 - (iv) whether the subdivision provides an appropriate structure for the future ownership and management of land within the conservation and stormwater management area having regard to the native riparian planting requirement and on-going maintenance responsibilities. Whether the proposal achieves neighbourhood identity by maximising connections to landscape features and to other features such as schools, neighbourhood centres, public open space and community facilities;
- (g) impact of previous subdivision within Sub-precinct I where the site previously subdivided has reduced the average site size of the original subdivision below the average density of one per 5000sqm:
- (i) whether the proposed subdivision detracts from the character of the area;
 - (ii) whether the proposed subdivision has sufficient open space within the conservation and stormwater management area to offset the effects of further subdivision on the site;
 - (iii) whether the proposed subdivision allows sufficient space for wastewater disposal outside of the conservation and stormwater management area; and
 - (iv) whether the proposed subdivision makes use of existing infrastructure including private ways, roads, reticulated water, wastewater disposal and power;
- (h) movement network:
- (i) whether there are topographical, geotechnical or other environmental factors or constraints which indicate that changes to collector, park edge and local roads would improve the road layout from that set out in Precinct Plan 4;
 - (ii) whether the proposed road layout respects and relates to the existing contour and avoid permanent features such as steep cut faces and retaining structures which are highly visible;
 - (iii) whether the layout promotes good vehicular and pedestrian connectivity within the area including to community infrastructure such as bus stops, schools, neighbourhood centres, public open space and community facilities;
 - (iv) whether the proposal achieves an acceptable low impact stormwater management solution having regard to integrating good urban design and stormwater management solutions;

- (v) whether the road serves only a small number of dwellings or is for a short length;
- (vi) whether an alternative design of the road addresses traffic and pedestrian volumes, safety and amenity and access for emergency vehicles;
- (vii) whether on-street car parking is catered for;
- (viii) whether a footpath is required or is desirable on both sides of the road; and
- (ix) whether visual and physical differentiation is required and, if so, the modified section of road links appropriately with adjoining sections of road.

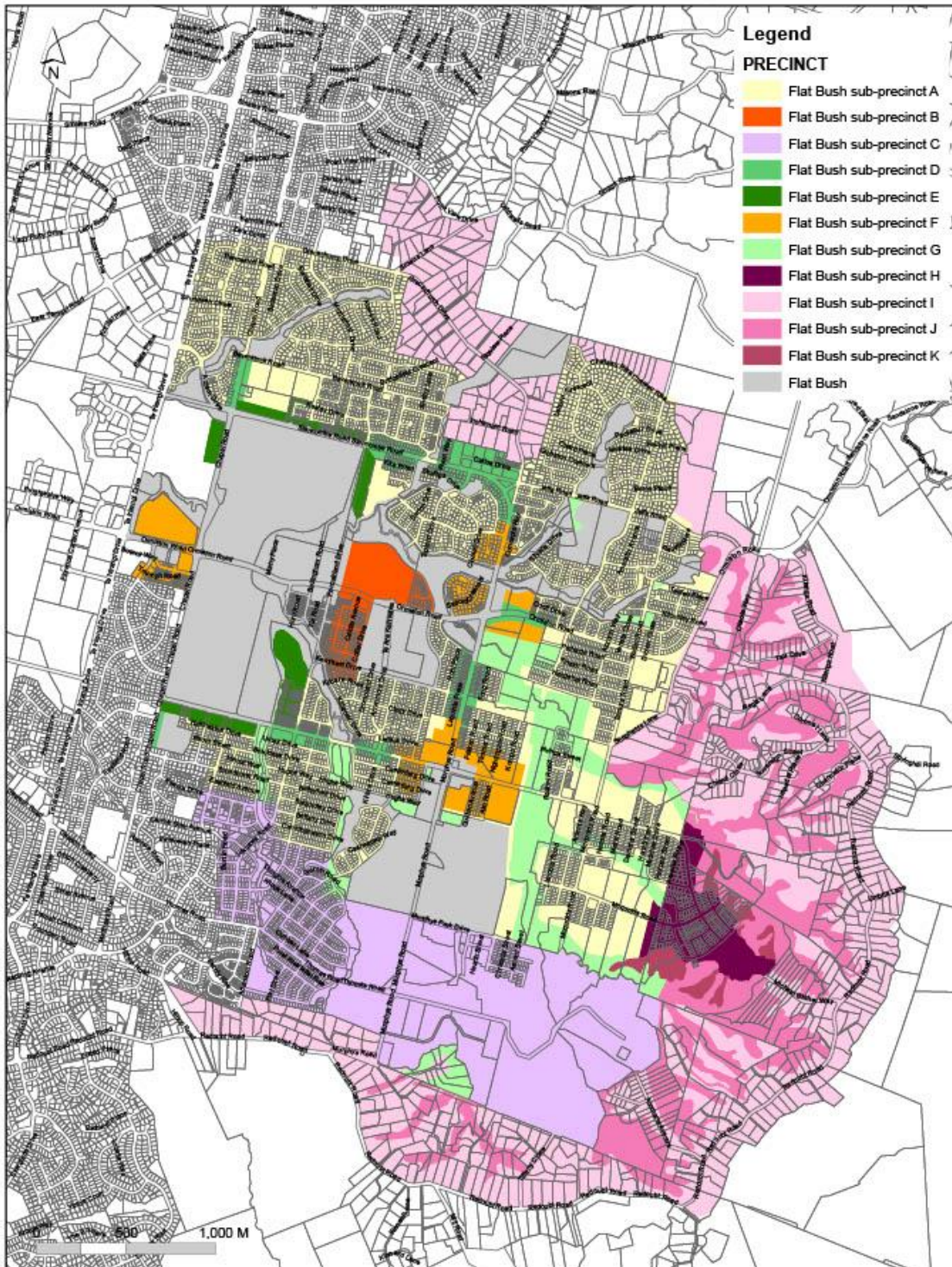
I412.9. Special information requirements

An application for land modification, development and subdivision must be accompanied by:

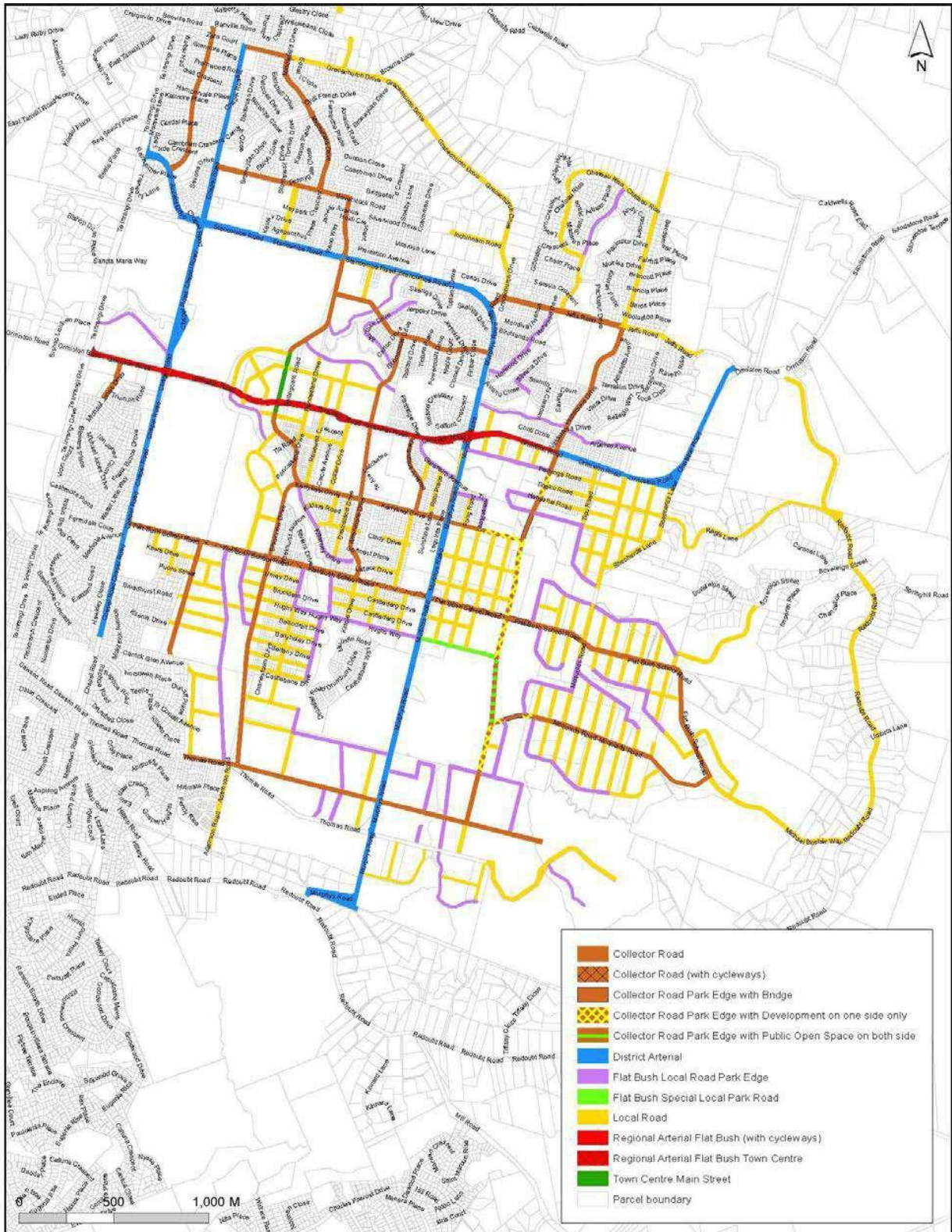
- (1) A riparian planting plan.

I412.10. Flat Bush Precinct Plans

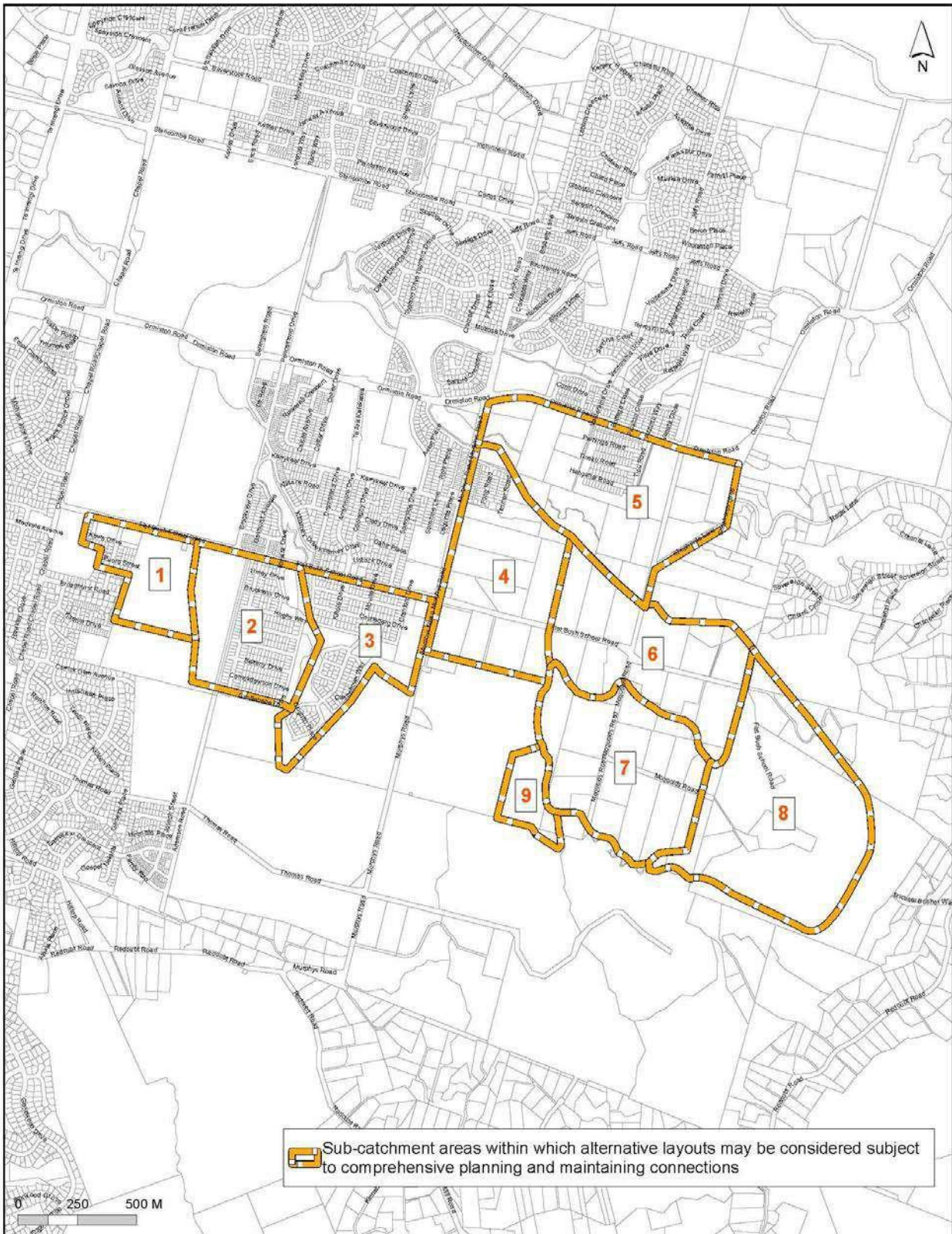
I412.10.1. Flat Bush: Precinct plan 1 - Sub-precincts Boundary



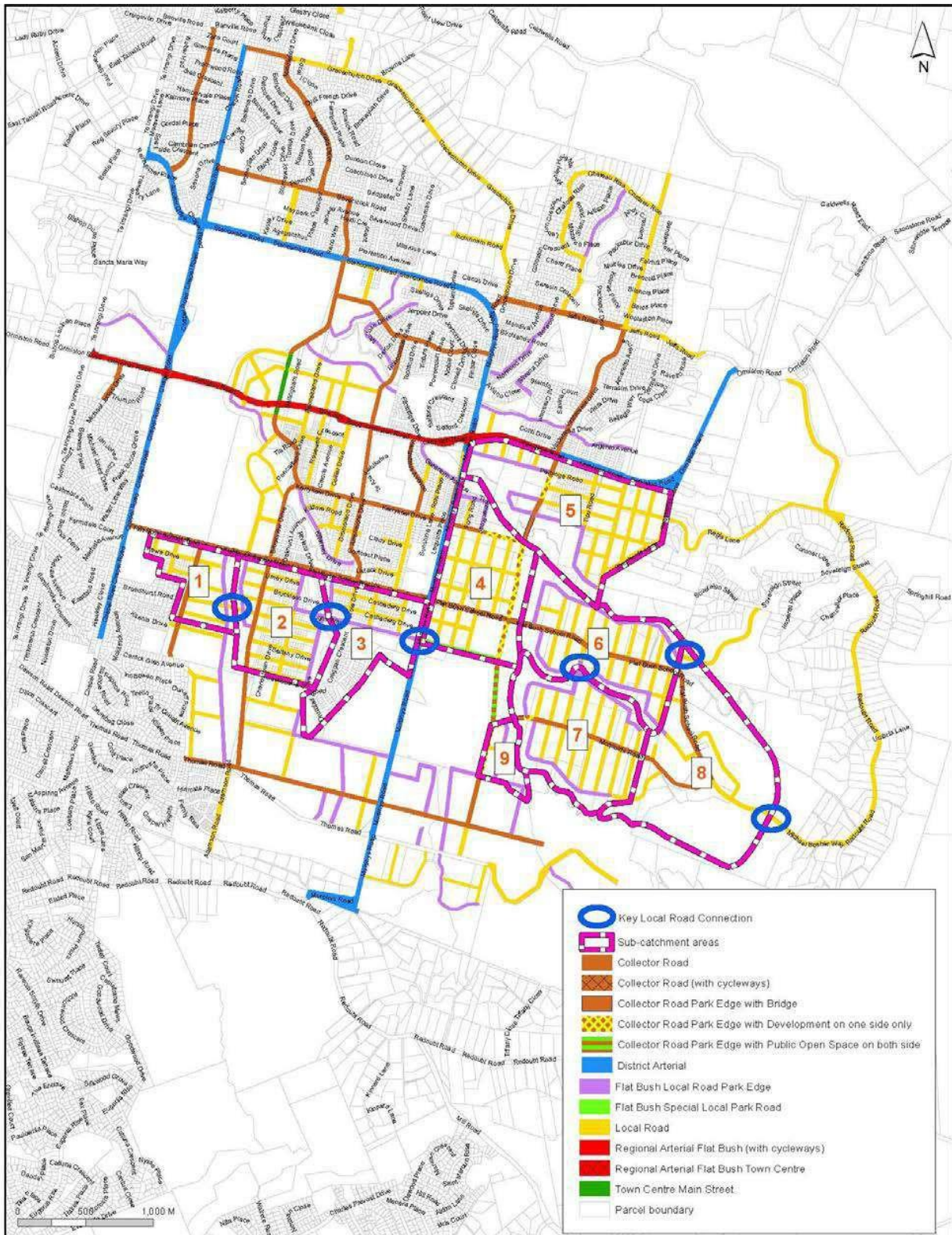
I412.10.2. Flat Bush: Precinct plan 2 – Road Network



I412.10.3. Flat Bush: Precinct plan 3 – Sub-catchments

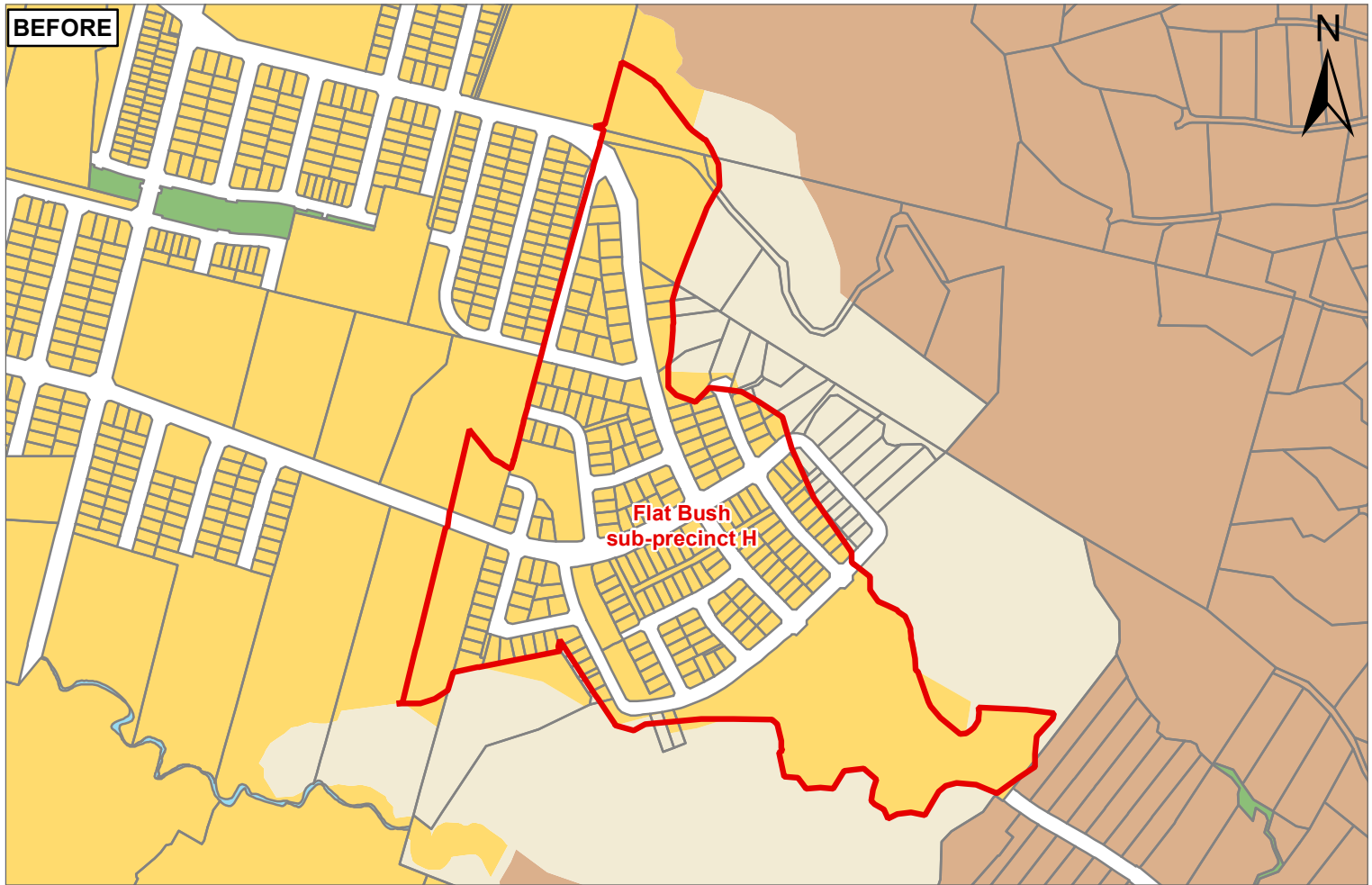


1412.10.4. Flat Bush: Precinct plan 4 – Key Connections

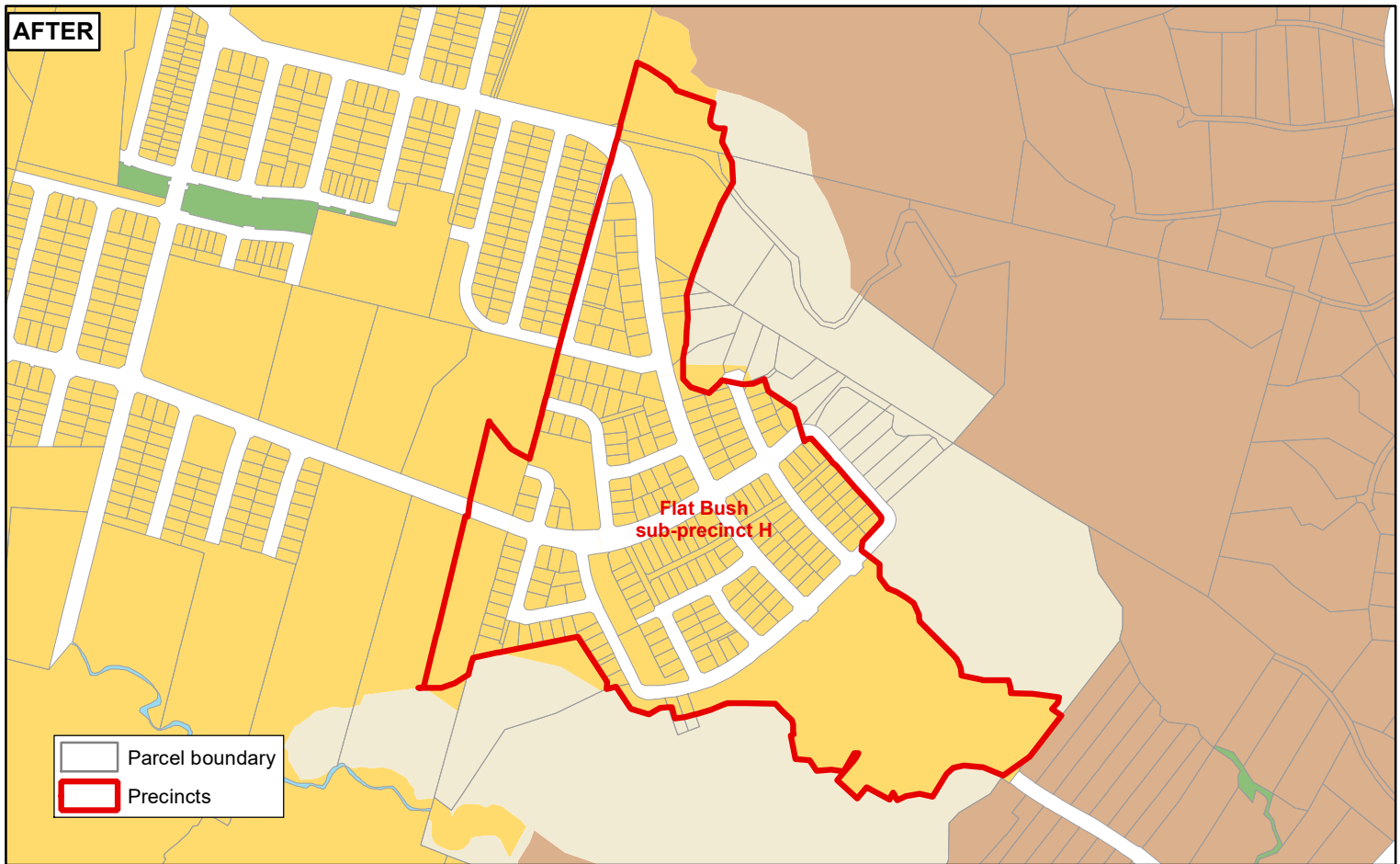


Attachment C: Updated GIS Viewer

BEFORE



AFTER



0 62.5 125 250 Metres

Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Date: 4/08/2021

Private plan change 47 Amend boundaries of Flat Bush sub-precinct H