

6.30 Franklin 2 - OPERATIVE

Franklin 2 Residential sub-precincts

The following activities, controls and assessment criteria and Auckland-wide rules apply in the Franklin 2 Residential sub-precincts unless otherwise specified. Refer to the planning maps for the location and extent of the sub-precincts.

1. Activity Table

The following table specifies the status of activities in the Franklin 2 Residential A and Franklin 2 Residential B sub-precincts.

Activity	Franklin 2 sub-precinct A	Franklin 2 sub-precinct B
Framework plans		
A framework plan, amendments to an approved framework plan or a replacement framework plan	RD	RD
New buildings on land subject to but not in accordance with an approved framework plan	NC	NC
Development		
Demolition of buildings and structures	P	P
New buildings on land subject to and in compliance with an approved framework plan	RD	RD
Alterations to existing buildings that are less than 10% of the existing GFA of the building	P	P
Internal alterations to buildings	P	P
Additions and alterations to buildings not otherwise provided for	RD	RD
Accessory buildings	RD	RD
Residential		
Dwellings	P	P
Home occupations	P	P
Integrated Residential Development	RD	RD
Retirement villages	D	RD
Supported residential care and boarding houses up to 200m ² GFA per site	P	P
Supported residential care and boarding houses not provided for above	D	RD
Visitor accommodation up to 200m ² GFA per site	RD	RD
Visitor accommodation not provided for above	D	D
Commerce		
Dairies up to 100m ² GFA per site	RD	RD
Restaurants and cafés up to 100m ² GFA per site	D	RD
Restaurants and cafés not provided for above	NC	NC
Offices up to 200m ² GFA per site	D	RD
Retail up to 200m ² GFA per site	D	RD
Service stations on arterial roads	D	D
Community		

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Care centres up to 200m ² GFA per site	P	P
Care centres between 200m ² - 400m ² GFA per site	D	RD
Care centres not provided for above	D	D
Community facilities (including places of worship, halls and marae complex)	D	D
Education facilities	D	D
Emergency services on arterial roads	D	D
Healthcare facilities up to 200m ² GFA per site	RD	RD
Healthcare facilities and associated buildings not provided for above	D	RD
Pedestrian and cycling facilities	P	P
Rural		
Farming	P	P

2. Notification

1. Restricted discretionary activity resource consent applications for framework plans, and amendments to framework plans, can be expected to be considered without the need for public notification. However, limited notification may be undertaken, including notice being given to any land owner and occupiers in the precinct who have not provided written approval.
2. All other restricted discretionary activities will be considered without public or limited notification, or the need to obtain written approval from affected parties, unless otherwise specified in the Unitary plan or special circumstances exist in accordance with s. 95A (4) of the RMA that make notification desirable.
3. To avoid doubt, discretionary and non-complying activities are subject to the statutory tests for notification under the relevant sections of the RMA, unless otherwise specified in the Unitary plan.
4. Buildings that do not comply with the following development controls will be subject to the statutory tests for notification under the relevant sections of the RMA:
 - a. building height;
 - b. height in relation to boundary;
 - c. building coverage and landscaping;
 - d. privacy;
 - e. outdoor living space.

3. Land use controls

The following land use controls apply in the Franklin 2 Residential sub-precincts. Any activity that does not comply with the land use controls is a non-complying activity unless otherwise stated.

3.1 Density

No density limits apply where dwellings are proposed in the Franklin Residential sub-precincts.

3.2 Framework plans

A resource consent application for a framework plan, amendment(s) to a framework plan or for a replacement framework plan:

1. Must comply with the rules, assessment criteria and special information requirements for framework plans specified for the Franklin 2 precinct;
2. May seek consent for the following land uses:
 - a. mix and location of housing types; and/or
 - b. the design and location of public open spaces, community or social infrastructure; and/or

- c. the design and location of blocks, roads and pedestrian connections; and/or
 - d. stormwater, water and wastewater infrastructure; and/or
 - e. earthworks associated with the development; and/or
 - f. vehicle accessways.
3. Identify the location of pedestrian, cycle and other transport connections in the precinct and to the surrounding neighbourhood.

4. Development controls

4.1 Development control infringements

Buildings that infringe three or more of the following development controls are a restricted discretionary activity:

1. Building height.
2. Height in relation to boundary.
3. Yards.
4. Maximum impervious area.
5. Building coverage.
6. Landscaping.
7. Outlook.

4.2 Height

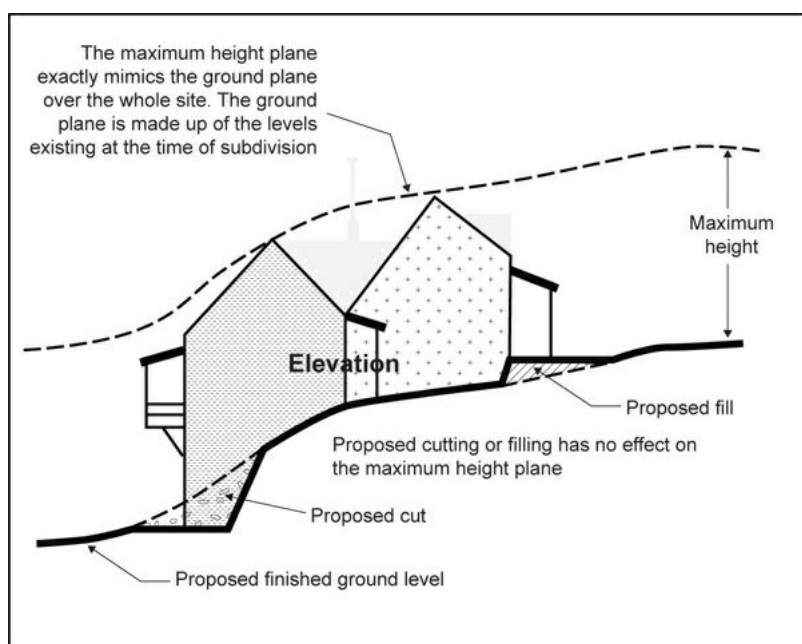
Purpose:

To manage the height of buildings to be consistent with an urban residential character of up to three storeys, particularly in the Franklin 2 Residential 2 sub-precinct area where greater height reflects the development potential of smaller site sizes.

Buildings must not exceed the heights set out below:

Sub precinct	Buildings and landscape
Franklin 2 Residential A	10 m except that 50% of a building's roof, measured vertically from the junction between wall and roof, may exceed this height by 1m where the entire roof slopes 15 degrees or more
Franklin 2 Residential B	13.5m

For the purpose of applying this control height is measured in accordance with the diagram below:

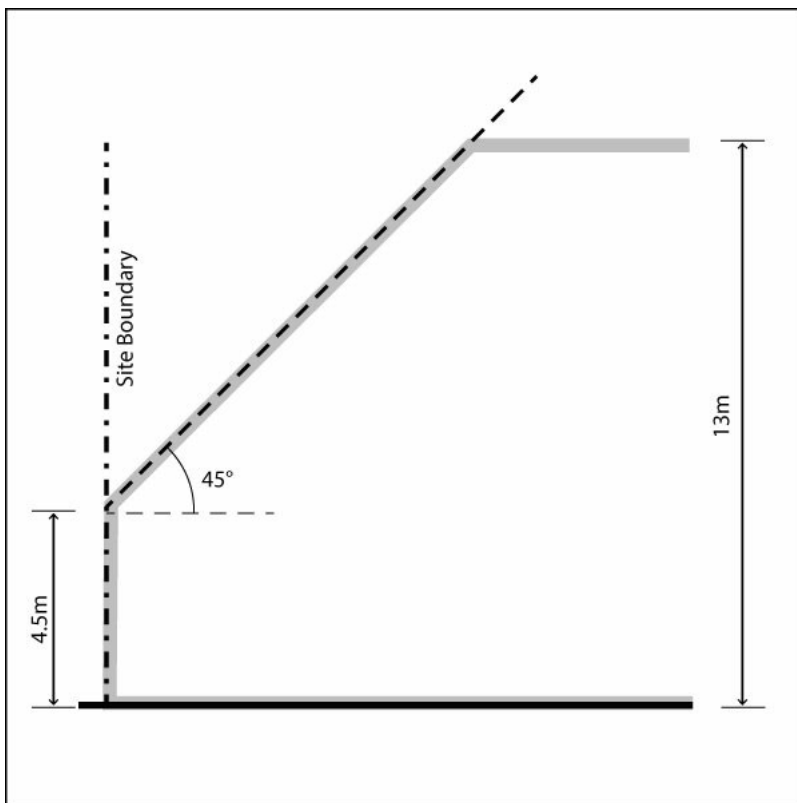


4.3 Height in relation to boundary

Purpose:

To manage the bulk and scale of buildings at boundaries to limit overshadowing of neighbouring sites and to provide a setback space between buildings on adjoining sites, particularly where dwellings are detached. The control in the Residential B sub-precinct is to enable dwellings to achieve the greater height intended by the zone while maintaining a good quality design outcome.

1. In the Franklin 2 Residential A sub-precinct buildings must not exceed a height of 3m measured vertically above ground level on the side and rear boundaries. Thereafter buildings must be set back 1m for every additional metre in height (45 degrees).
2. In the Franklin 2 Residential B sub-precinct buildings must not exceed a height of 4.5m measured vertically above ground level and thereafter must be set back 1m for every additional metre in height (45 degrees), as per the diagram below, for 50 percent of the side boundary. For the remaining 50 percent buildings must not exceed a height of 3m plus 45 degrees in accordance with the control for the Residential A sub-precinct.



3. Where the boundary forms part of a legal right of way, pedestrian accessway, or access site, the control applies from the furthest boundary of that legal right of way, pedestrian access way or access site.
4. A gable end or dormer may project beyond the recession plane where it is:
 - a. no greater than 1m in height and width measured parallel to the nearest adjacent boundary; and
 - b. no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

4.4 Common walls

Purpose:

To enable greater flexibility in housing mix and the pattern of development by enabling attached development as one form of residential development throughout the wider precinct.

The height in relation to boundary and yard controls do not apply where a common wall is proposed.

4.5 Yards

Purpose:

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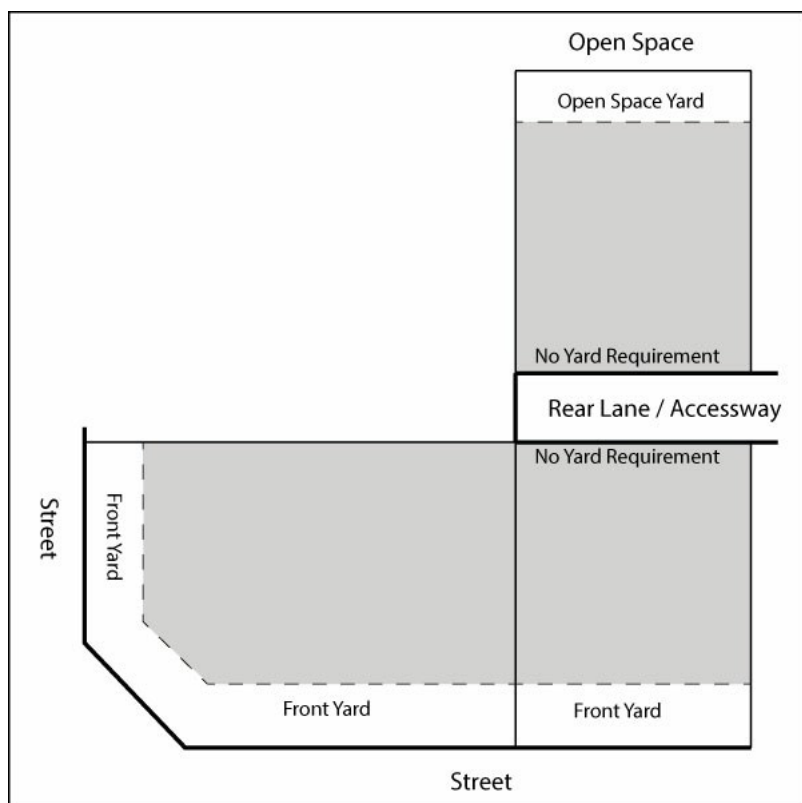
To create a transition from the front façade of the dwelling to the street that contributes to the quality of the streetscape commensurate with the nature of development. Open space and riparian yards ensure dwellings are adequately set back from the open space and stream network in the precinct to maintain a sense of open space and water quality respectively and to provide protection from natural hazards.

No buildings shall be located in the following yards set out in table 2 and the diagram below:

Table 2

Yard	Franklin 2 Residential A sub precinct	Franklin 2 Residential B sub precinct
Front	2.5m applies except where there is a provision for garages and carports, in which case there shall be a minimum setback of 5m in that part of the yard. Except that where vehicle access is from a rear lane or rear access way no yard is required on that boundary with the rear lane or access way.	1m front yard except where there is a provision for garages and carports, in which case there shall be a minimum setback of 5m in that part of the yard. Except that where vehicle access is from a rear lane or rear access way no yard is required on that boundary with the rear lane or access way.
Riparian	10m from the edge of all permanent and intermittent streams as shown on precinct plan 1.	
Open space	Where the rear boundary on any site adjoins land zoned open space, a 3m set back from the boundary applies on these sites to create a private-public open space interface.	
Rural	15m set back from the boundary applies on sites identified in the precinct plan 1, to create a sense of openness and space between the precinct and the adjoining rural zoned land.	N/A

Where a site adjoins riparian margin and/or land zoned public open space, the more restrictive of the yard controls will apply.



4.6 Maximum impervious area

Purpose:

To manage the amount of stormwater runoff generated by a development.

1. Maximum impervious area for a site to be occupied by detached dwellings that are greater than or equal to 300m²: 60 percent.
2. Maximum impervious area for a site to be occupied by detached dwellings that are less than 300m²: 70 percent.
3. Maximum impervious area for a site to be occupied by attached dwellings: 70 percent.
4. Maximum impervious area applying to a site to be occupied by apartment building(s): 100 percent.

4.7 Building coverage

Purpose:

To ensure the scale of buildings and on site amenity are consistent with the urban residential character of the precinct.

1. Maximum building coverage for a site to be occupied by detached dwellings that are greater than or equal to 300m²: 40 percent.
2. Maximum building coverage for a site to be occupied by detached dwellings that are less than 300m²: 50 percent.
3. Maximum building coverage for a site to be occupied by attached dwellings: 55 percent.
4. Maximum building coverage does not apply to a site to be occupied by apartment building(s).

4.8 Landscaping

Purposes:

To provide for on-site amenity consistent with the urban residential character of the precinct;

To improve stormwater absorption on site.

1. Where a site to be occupied by detached dwellings that are greater than or equal to 300m²: 40 percent of the site must comprise landscaped area.
2. Where a site to be occupied by detached dwellings that are less than 300m²: 30 percent of the site must comprise landscaped area.
3. Where a site is to be occupied by attached dwellings: 30 percent of the site must comprise landscaped area.
4. The landscaping requirement does not apply to sites to be occupied by apartment buildings (Note: this requirement does apply to retirement villages).

4.9 Privacy

Purposes:

To ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living spaces, on the same or adjacent sites.

To encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites.

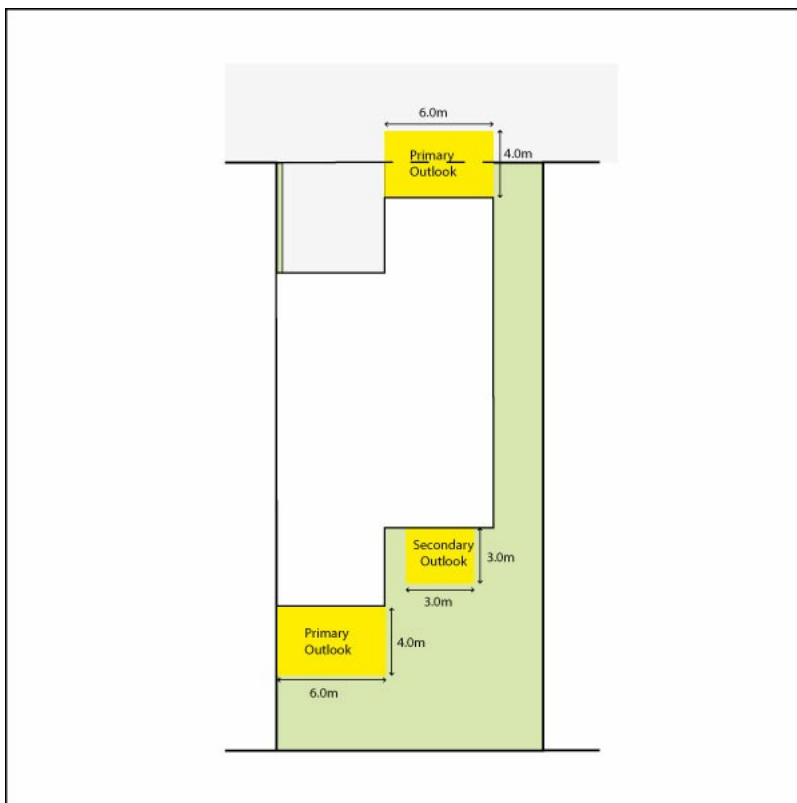
1. Privacy to and for dwellings is regulated through outlook space for individual dwellings and separation of buildings within a site for sites with apartments or multiple dwellings. The controls below replace those for outlook space and separation of buildings in the Unitary Plan.
2. All detached and attached housing in the precinct must be designed so that each external wall of a building is nominated with a primary outlook (i.e. principal living room), secondary outlook (i.e. other habitable rooms including bedrooms), or no outlook (i.e. non-habitable rooms).

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3. The minimum set-backs are set out in the table below:

Minimum set-back primary outlook	Minimum set-back secondary outlook	Minimum set-back for no outlook
6m x 4m	3m x 3m	0m

4. The minimum set-back of the outlook space is measured at right angles to and horizontal from the window or balcony to which it applies. Where the outlook space applies to a balcony, it will be measured from the edge of the balcony.
5. The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the control applies.
6. Outlook space may be over the street, public open space, shared access sites and private lanes.
7. Outlook spaces required from different rooms within the same dwelling may overlap.
8. Outlook spaces must:
 - a. be clear and unobstructed by buildings;
 - b. not extend over adjacent sites.
9. Apartments in the precinct are required to have a minimum set-back of 15m between the faces of the buildings for the primary outlook (i.e. living room) of any apartments that face the primary outlook of other apartments (whether in the same building or not).



4.10 Outdoor living space

Purpose:

To provide dwellings with outdoor living space that is of a usable size and dimension for the type of dwelling and is accessible from the principal living room.

1. The following development controls for outdoor living spaces apply to all:
 - a. detached and attached dwellings at ground level with 3 or more bedrooms;
 - b. principal living rooms above ground level;

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- c. entire dwellings located above ground level.
2. A dwelling at ground level must have an outdoor living space measuring at least 40m² that:
 - a. is free of buildings, parking spaces, servicing and manoeuvring areas;
 - b. excludes any area with a dimension less than 1m.
3. Where a dwelling has the principal living room at ground level part of the required outdoor living space must be able to contain a delineated area measuring at least 20m² that:
 - a. has no dimension less than 4m;
 - b. is directly accessible from the principal living room ;
 - c. has a gradient not exceeding 1 in 20.
4. Where a dwelling has the principal living room above ground level, part of the required outdoor living space must include a balcony or roof terrace that:
 - a. is directly accessible from the principal living room;
 - b. has a minimum area of 8m²;
 - c. has a minimum depth of 2.4m.
5. Except that the following outdoor living space controls apply where a detached or an attached dwelling at ground level has:
 - a. a studio or 1 bedroom: a minimum unobstructed outdoor living space of 20m² is required with no dimension less than 3m, being accessible from the unit to which it relates;
 - b. 2 bedrooms: a minimum unobstructed outdoor living space of 25m² is required with no dimension less than 4m, being accessible from the unit to which it relates.
6. Where an entire dwelling is above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 10m² and has a minimum depth of 2.4m.

4.11 Dwellings fronting the street

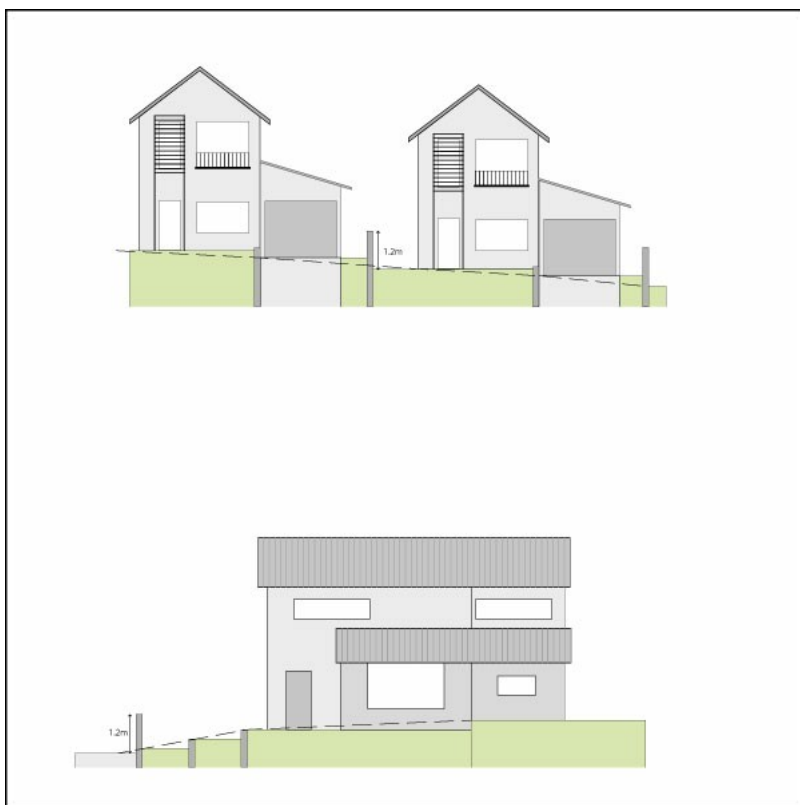
The underlying Mixed Housing Urban zone control for dwellings fronting the street does not apply to this precinct. This is regulated by the controls for privacy and by assessment criteria for building design for integrated residential developments.

4.12 Fences

Purpose:

To provide a reasonable level of privacy for dwellings while enabling passive surveillance over the street and public open space.

1. Fences on a road boundary, or adjoining a public open space, must not exceed 1.2m in height.
2. A combined fence and retaining wall on a front boundary must not exceed 1.2m in height.
3. Where there is no front fence, and a side boundary fence is to run between adjoining properties, the boundary fence must be setback at least 1m from the front corner of the building.
4. Fences on a rear boundary must not exceed 1.8m in height and where the rear boundary faces onto a lane the fence must be visually permeable across 50 percent of the area.
5. Fences on a side boundary must not exceed 1.8m in height.



4.13 Garages

Purpose:

To ensure a strong residential interface and to reduce the dominance of cars on the street frontage.

1. A garage door facing a street must be no greater than 50 percent of the width of the front elevation of the dwelling to which the garage relates.
2. Garage doors must not project forward of the front elevation of a dwelling.
3. The garage door must be set back at least 5m from the front boundary.



4.14 Minimum Dwelling Size

Purpose:

Dwellings are a sufficient size to provide for the day-to-day needs of residents.

Dwellings must have a minimum net internal floor area of 45m² for a one bedroom dwelling

4.15 Daylight to dwellings

The daylight to dwellings controls do not apply. This is regulated through the yard, height in relation to boundary, and outlook space controls.

4.16 Minimum dimensions of principal living rooms or principal bedrooms

The minimum dimensions of principal living rooms or principal bedrooms do not apply in this precinct. These are controlled by assessment criteria in section 5.

4.17 Servicing and Waste

Purpose:

Dwellings in medium to large scale residential development have sufficient space within the building to accommodate the storage of waste.

1. A building or site containing 10 or more dwellings must provide a communal storage area for waste. The size of the communal storage area must be a minimum area of 1.25m² per dwelling.
2. An additional 30 percent in area of the total floor area required above must be provided in the communal storage area for manoeuvring or sorting within the waste storage area.

4.18 Water and Wastewater

Purpose:

To ensure development occurs only where it can be serviced by connections to the water supply and wastewater networks.

At the framework plan stage, the applicant must demonstrate to the satisfaction of the council that there is an available connection to the water supply and wastewater networks.

4.19 Storage

Purpose: to ensure dwellings have sufficient space for the storage of everyday household items and bulky items such as bicycles.

1. A building or development containing 5 or more dwellings must provide covered storage space for each dwelling with internal measurements of at least 4m³, excluding storage within the kitchen and bedroom wardrobes. The storage may be within the dwelling or external to it, within the site.
2. The required storage space for each dwelling must include a single covered storage space within internal dimensions of at least 2m³.

4.20 Universal access

Purpose:

Medium to large scale residential development provides equal physical access and use for people of all ages and abilities.

1. Where a new building or development contains 10 or more dwellings, 20 percent of those dwellings must comply with the following:
 - a. doorways must have a minimum clear opening width of 810mm;
 - b. stairwells must have a minimum width of 900mm;
 - c. corridors must have a minimum width of 1050mm;
 - d. the principal means of access from the frontage, or the parking space serving the dwelling, to the principal entrance of the dwelling must have:
 - i. a minimum width of 1.2m;
 - ii. a maximum slope of 1:20;
 - iii. a maximum cross-fall of 1:50.
2. Where the calculation of the dwellings required to be universally accessible results in a fractional dwelling, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one dwelling.
3. All dwellings required to be universally accessible must provide at least one parking space for people with a disability. The dimensions and accessible route requirements for such parking spaces are detailed in Section 5.5 of the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS 41212001).

5. Assessment

5.1 Restricted discretionary activities

5.1.1. Matters of discretion

The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the precinct activity table:

1. Framework plans

The council will restrict the exercise of its discretion to the matters listed below for creation of a framework plan, including any amendments to an approved framework plan or replacement framework plan, in the Franklin 2 precinct:

 - a. site layout and configuration;

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- b. the location, physical extent and design of public open space;
 - c. the location and design of roads, access and parking;
 - d. the location and capacity of infrastructure servicing;
 - e. integration of development with neighbouring areas;
 - f. staging of development;
 - g. the location, form of control, function and layout of road connections and corridor treatments, in particular those connecting with SH22;
 - h. the location and design of public transport and active mode infrastructure including walking and cycling;
 - i. design, layout and proposed use in relation to the GLN-DEV A National Grid Line, including:
 - i. impacts on the operation, maintenance, upgrade and development of the National Grid line;
 - ii. compliance with NZCEP34: 2001;
 - iii. the risk of electrical hazards affecting public or individual safety;
 - iv. the nature and location of any vegetation to be planted in the vicinity of the National Grid line.
2. Integrated Residential Development
- a. building design and external appearance;
 - b. design and scale of buildings adjoining or across the street from identified buildings to be retained in the Wesley sub-precinct;
 - c. topography, earthworks and natural features;
 - d. design and layout of dwellings, visitor accommodation and boarding houses;
 - e. design of landscaping;
 - f. design of parking and access;
 - g. infrastructure and servicing;
 - h. design of infrastructure that promotes walking and cycling.
3. Retirement Villages
- a. building design and external appearance;
 - b. topography, site orientation and earthworks;
 - c. design of communal open space and of the site landscaping;
 - d. design and layout of dwellings;
 - e. design of parking and access;
 - f. infrastructure and servicing.
4. Visitor Accommodation, Dairies, Restaurants and Cafés and Offices
- a. intensity and scale;
 - b. noise, lighting and hours of operation;
 - c. design of parking, access and servicing.
5. Retail up to 200m²
- a. intensity and scale;
 - b. noise, lighting and hours of operation;

- c. design of parking, access and servicing.
- 6. Care centres between 200m²-400m² and Healthcare facilities
 - a. intensity and scale;
 - b. noise, lighting and hours of operation;
 - c. design of parking, access and servicing.

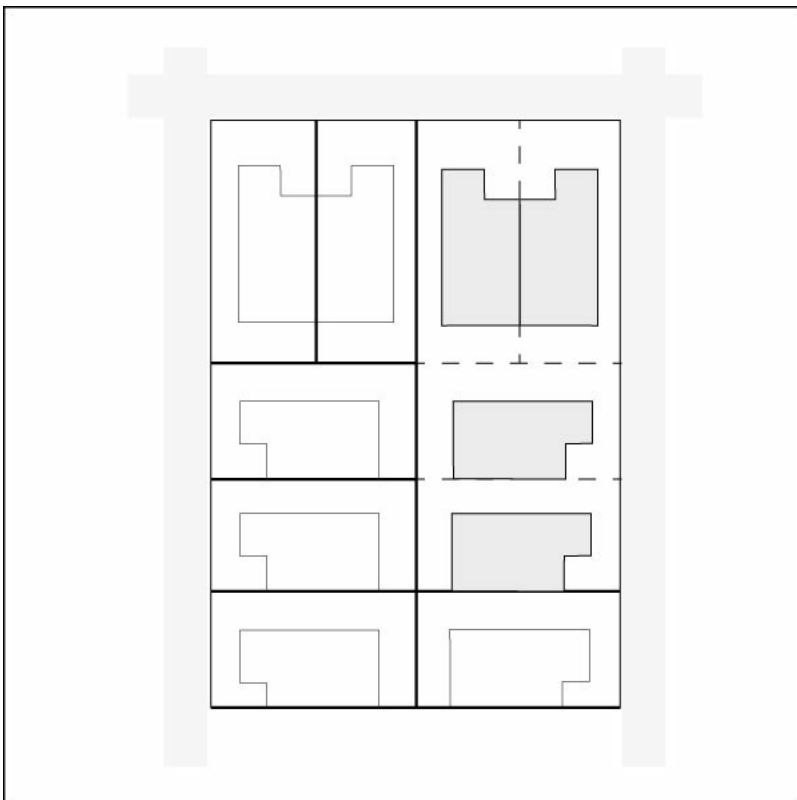
5.2 Assessment Criteria

For development that is a restricted discretionary activity in the Franklin Residential sub-precincts, the following assessment criteria apply:

1. Framework plans

When considering a restricted discretionary application for a framework plan, amendments to an approved framework plan or replacement framework plan, the council will consider the proposal against the following criteria:

- a. site layout and configuration (refer to the diagram below):
 - i. orientation of sites to support appropriate solar access for development on the site;
 - ii. site configuration and size to enable a range of appropriate housing typologies and encourage scale and modulation of built form when viewed from public open space;
 - iii. site proportion to enable provision of setback and quality, private outdoor living spaces for dwellings/developments;
 - iv. site configuration that enables the provision of dwellings/development that provides good passive surveillance of the street and contributes to streetscape amenity.



- b. the location, physical extent and design of public open space:

Public open spaces should be provided in the location(s) identified in the precinct plan to meet the needs of the local community. Where no location is identified, open space should be provided and located to serve the future needs of the local community.
- c. the location and design of roads, access and parking:

Streets and pedestrian connections should be provided in the location identified in the precinct

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plan to achieve a legible street network. Where no location is identified, an integrated and efficient street and pedestrian network should be provided, including connections to existing and future streets and networks.

- d. the location and capacity of infrastructure servicing:
Adequate infrastructure should be provided to service the proposed development including stormwater, wastewater, water supply, electricity and telecommunications.
- e. integration of development with neighbouring areas:
Where the framework plan is for a particular site or sub-precinct within a wider precinct, the framework plan should demonstrate how the development achieves the overall objectives of the precinct, including the integration of streets, pedestrian connections, open spaces and other infrastructure that will serve the development.
- f. staging of development:
The framework plan should provide details of how the development will be staged. The council may impose conditions enabling a lapse period longer than five years, having regard to s. 79 of the RMA and the need for unimplemented resource consents generally to reflect the planning strategy in the Unitary plan.
- g. the location, form of control, function and layout of road connections and corridor treatments, in particular those connecting with SH22:
The framework plan should provide details of the location, form, function and layout of road connections, corridor treatments and access/egress points. The framework plan should demonstrate how the development achieves the overall objectives of the precinct, in particular delivery of an integrated transport network with well-connected internal streets. Particular attention should be given to any connection with SH22 to ensure the safe and efficient operation of the adjoining State Highway network is not adversely impacted.
- h. the location and design of public transport and active mode infrastructure including walking and cycling:
The framework plan should provide details on the design and location of all public transport and active mode infrastructure to be provided to demonstrate how these will deliver a highly interconnected, safe and efficient network that provides for all modes of transport, particularly walking and cycling.
- i. design, layout and proposed use in relation to the GLN_DEV A National Grid Line:
Where the framework plan includes land that is identified in the Electricity Transmission Overlay the council will consider:
 - i. the effects on the ability of Transpower to operate, maintain, upgrade and develop the National Grid line, including access to the line;
 - ii. the extent to which the design and layout will enable earthworks, buildings and structures to comply with NZECP34: 2001;
 - iii. the extent to which the design and layout, including the location of roads and reserves, landscaping and building platforms, allows for activities to be set back from the National Grid line to ensure adverse effects on, and from, the National Grid and on public safety are appropriately avoided;
 - iv. the extent to which the design and layout will minimise the potential for reverse sensitivity effects.

2. Integrated Residential Development

The council will consider the assessment criteria applying to more than one dwelling in the Residential A and B sub-precincts as set out below:

- a. building design and external appearance
 - i. buildings should have clearly defined public fronts that contribute positively to the amenity and pedestrian safety of streets and public open space as set out in the diagram below:
 - maximising doors, windows and balconies over all levels on the front façade;

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- introducing visual interest through a variety of architectural detail and building materials;
- clearly defining the boundary between the site and the street or public open space by planting or fencing.



- ii. ground level balconies or patios that front to a street or public open space should be at a height sufficient to provide privacy for residents while enabling sightlines to the public realm.
 - iii. the number of dwellings that directly front, align and orientate to public streets should be maximised.
 - iv. buildings should be designed to break up their mass into visually distinct elements, particularly when of a greater height or bulk than surrounding buildings, to reflect a human scale.
 - v. techniques to achieve this include the use of physical separation, variations in building height and roof form, façade modulation and articulation and building materials.
 - vi. building frontages to streets, accessways and public open spaces should avoid blank walls. Side or rear walls should be designed to provide interest in the façade; including modulation, relief or surface detailing.
 - vii. for larger scale developments:
 - encourage modulation of building façade;
 - balconies should be designed as an integral part of the building and a predominance of cantilevered balconies should be avoided.
 - vii. quality, durable and easily maintained materials should be used on the façade of dwellings, with particular emphasis on frontages to the street and public open space.
- b. topography, site orientation and earthworks
- i. the topography, orientation, size and proportions of the site should be suitable to accommodate the housing type proposed. In particular, development on steep land with poor solar orientation or narrow sites is discouraged unless sites are carefully designed to optimise on-site amenity values and to complement the surrounding neighbourhood landform;
 - ii. building platforms, outdoor living spaces, car parking areas and driveways should be located and designed to respond to the natural landform and site orientation in an integrated manner;
 - iii. earthworks should be minimised and retaining avoided where possible. However, where retaining or earthworks are required they should be incorporated as a positive landscape or site feature by:
 - integrating retaining as part of the building design;
 - stepping and landscaping earthworks or retaining over 1m in height to avoid dominance or overshadowing effects;
 - ensuring all earthworks or retaining visible to the public, including neighbours, is attractively designed and incorporates modulation, landscaping and quality materials to provide visual interest.
- c. design and layout of dwellings, visitor accommodation and boarding houses
- i. dwellings should be located, proportioned and orientated on a site to maximise the amenity of

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- future residents by:
- clearly defining communal, semi-private and private areas, including outdoor living space, within the development;
 - maximising passive sunlight access, particularly for high density development, by methods including maximising north facing windows, while balancing the need for dwellings to front the street;
 - providing for natural cross ventilation by window openings facing different directions.
- ii. outdoor living space should balance the need to achieve the following, in order of priority:
- avoid a southerly orientation and be located on site to maximise the number of hours that the outdoor living space receives winter sunlight;
 - maintain privacy between the outdoor living space of adjacent dwellings and between outdoor living space and the street;
 - be sheltered from the prevailing wind;
 - be located to take advantage of any views or outlook from or within the site.
- iii. in addition to the above, any communal outdoor living spaces should be designed to:
- provide an attractive, functional and high quality outdoor environment, located on the site to form a focus of the development;
 - be conveniently accessible to all residents;
 - be overlooked by the principal living rooms and balconies of dwellings, at ground or lower levels, to enhance safety.
- iv. the size of the communal outdoor living space should be adequate for the number of people the development is designed to accommodate.
- v. appropriate management and maintenance systems should be provided for communal outdoor living space, depending on the scale of development and the extent of communal access, to ensure it is available for all residents of the development.
- d. design of landscaping
- i. development should integrate and retain significant natural features including trees, streams and ecological areas;
- ii. site landscaping should be located and designed to:
- complement the streetscape and/or any adjacent public open space;
 - enhance energy efficiency and stormwater management, including shading and swale systems;
 - enhance on-site amenity and improve privacy between dwellings.
- e. design of parking and access
- i. developments on larger sites with frontages to two or more streets should extend and connect a pedestrian and cycle link.
- ii. individual or communal car parking areas should be located and designed to:
- be close and convenient to dwellings;
 - be secure, well lit, or visible from dwellings;
 - be well ventilated, if enclosed;
 - minimise noise and fumes by providing separation from bedroom windows;
 - avoid surface car parking areas fronting streets and public open spaces;
 - provide visual interest and an attractive appearance, including the use of paving patterns

and different material types in combination with landscaping.

- iii. where practicable, parking should be located underground, or in semi-basements projecting no more than 1m above ground.
 - f. location and design of vehicle and pedestrian access
 - i. vehicle crossings and accessways should be designed to reduce vehicle speed, be visually attractive and clearly signal to pedestrians the presence of a vehicle crossing or accessway.
 - ii. vehicle crossings and accessways should be clearly separated from pedestrian access. The spaces may be integrated where designed as a shared space with pedestrian priority.
 - iii. the design of pedestrian routes between dwelling entries, carpark areas, private and communal open space and the street should provide equal physical access for people of all ages and physical abilities and provide a high level of pedestrian safety and convenience.
 - g. accessibility of common areas

Common areas in buildings should be designed to provide equal physical access for people of all ages and abilities.
 - h. infrastructure and servicing
 - i. required infrastructure should integrate into the design of the site. This includes stormwater management devices, overland flow paths/floodplains, wastewater systems, and water supply.
 - ii. rubbish storage areas should be incorporated into the design of the building and screened from public view.
 - iii. plant, exhaust, intake units and other mechanical and electrical equipment located on the roof of a building should be integrated into the overall design and be contained in as few structures as possible.
3. Retirement villages
- Refer to the assessment criteria set out in Wesley sub-precinct at clause 2.7.

6. Sub-precinct: Wesley

The following activities, controls and assessment criteria and Auckland-wide rules apply in the Wesley sub-precinct unless otherwise specified. Refer to the planning maps for the location and extent of the sub-precincts.

1. Activity table

1.1 Area A

The following table specifies the status of activities in Area A of the Wesley sub-precinct concept plan:

Activity	
Framework plans	
Framework plan, amendments to an approved framework plan or a replacement framework plan	RD
New buildings on land subject to, but not in accordance with, an approved framework plan	NC
Accommodation	
Dwellings	P
Conversion of building or part of a building to dwellings, visitor accommodation or boarding houses	RD
Retirement villages	RD
Supported residential care	P
Visitor accommodation and boarding houses	P
Commerce	
Commercial Services	P
Commercial sexual services	NC
Drive-through facilities	RD
Entertainment facilities	D
Food and Beverage	P
Funeral directors' premises	P
Garden Centres	D
Offices up to 500m ² GFA per site	P
Dairies up to 100m ² GFA per site	P
Motor vehicle sales	D
Restaurants and cafés up to 100m ² GFA per site	P
Restaurants and cafés not otherwise provided for	RD
Retail up to 450m ² GFA per site	P
Retail between 450m ² -799m ² GFA per site	RD
Retail greater than 800m ² GFA per site	NC
Service stations on arterial roads	D
Supermarkets up to 4000m ² GFA per site	P
Supermarkets greater than 4000m ² GFA per site	RD
Trade suppliers	NC
Community	
Care centres	P

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Community facilities (including marae complex)	P
Emergency services	D
Educational facilities	P
Healthcare facilities	P
Places of assembly	P
Industry	
Artisan industries	P
Repair and maintenance services	P
Transport infrastructure	
Pedestrian and cycling facilities	P
Development	
Integrated Residential Development	RD
New Buildings	RD
Alteration to building façades that are less than: - 10% of its total surface area, or - 15m ² whichever is the lesser	P
Alteration to buildings that are less than: - 10% of the existing GFA of the building, or - 250m ² whichever is the lesser	P
Internal alterations to buildings	P
Additions and alterations to buildings not otherwise provided for	RD
Demolition of Buildings (except those defined on the concept plan as scheduled, proposed or potentially to be retained)	P
Demolition of the following buildings located on Lot 1 DP 72819: - William Henry Caughey Memorial Hospital - Fire station - Water tower	RD
Demolition of the W H Smith Memorial Chapel	NC
Accessory Buildings	RD

1.2 Area B

In Area B of the Wesley sub-precinct concept plan, the activities in the Franklin 2 Residential B sub-precinct apply.

2. Notification

1. Restricted discretionary resource consent applications for framework plans, and amendment to framework plans, can be expected to be considered without the need for public notification. However, limited notification may be undertaken, including notice being given to any land owner and occupiers in the precinct who have not provided written approval.
2. Buildings that infringe the building height and height in relation to boundary development controls set out in the Wesley sub-precinct are subject to the statutory tests for notification under the relevant sections of the RMA.

3. Development controls

In the Wesley sub-precinct the following development controls will apply in conjunction with the Wesley sub-precinct concept plan.

3.1 Maximum Retail Floor Area

In Area A of the Wesley sub-precinct concept plan, the gross floor area of retail activity is 15,000m².

3.2 Development control infringements

Buildings that infringe three or more of the following development controls are a discretionary activity:

1. Building height;
2. Height in relation to boundary;
3. Buildings fronting the street;
4. Yards;
5. Outlook.

3.3 Building height

Purpose:

To manage the effects of building height;

To allow reasonable sunlight and daylight access to streets, public open space and adjoining sites;

To minimise visual dominance effects particularly on historic buildings.

1. Within the Chapel street overlay area buildings must not exceed 13.5m (or 3 storeys).
2. Elsewhere in the Wesley sub-precinct buildings must not exceed 16.5m (or 4 storeys) in accordance with the underlying Local Centre zone.

3.4 Height in relation to boundary

Purpose:

To manage the effects of building height;

To allow reasonable sunlight and daylight access to streets, public open space and adjoining sites;

To avoid visual dominance effects on neighbouring residential zones where lower height limits apply.

The underlying Centre's height in relation to boundary controls apply except where the boundary of a site adjoins the Franklin 2 Residential A sub-precinct or the Franklin 2 Residential B sub-precinct. In these situations the residential height in relation to boundary controls will apply.

3.5 Building setback at upper levels

The building setback at upper levels control does not apply in the Wesley sub-precinct. The height limit and height in relation to boundary and buildings fronting the street controls will determine setbacks.

3.6 Buildings fronting the street

Purpose:

To encourage built form on the principal streets within the local centre to define the street edge and to contribute to:

Providing an attractive streetscape by positively contributing to street definition and enclosure;

Creating a vital, active street and enhancing pedestrian amenity;

Making buildings universally accessible by providing convenient and direct access between the street and the building;

While recognising that a different setback may be more appropriate in the context of the historic College buildings to preserve a sense of green space.

1. With the exception of required vehicle access, any new building located within the identified Main street frontage areas must adjoin the entire length of the road frontage.
2. Any new building located within the identified Chapel street overlay must be setback 10m from the road frontage.

3.7 Building entrances

Purpose:

To ensure the pedestrian entrances are clearly visible from the street, universally accessible and facilitate pedestrian

movement along the street.

1. The principal pedestrian entrance to any new building must be located on or within 3m of the site road frontage.
2. This control does not apply in the Chapel street overlay area.

3.8 Verandahs

Purpose:

To provide pedestrians with weather protection, safety and amenity on the frontages of sites on retail oriented streets.

1. The ground floor of a new building fronting Main street must provide a verandah along the full extent of the frontage. The verandah must:
 - a. be related to its neighbours to provide continuous pedestrian cover of the footpath, excluding vehicle access;
 - b. have a minimum height of 3m and a maximum height of 4.5m above the footpath;
 - c. be set back at least 600mm from the kerb.
2. Lighting outside daylight hours must be provided under a verandah to a minimum of 20 lux (light illumination) on the footpath, where the lux level is measured at ground level on a horizontal plane at 2m from the building adjoining the footpath. Lighting of the footpath must have a uniformity ratio of 0.5.
3. Lighting levels required under verandahs may be met by one or more of the following methods, providing it also complies with the Auckland-wide lighting rules in Chapter H 6.1.1:
 - a. providing lighting beneath a verandah;
 - b. providing lighting within the shop/office that spills out through windows to the outside footpath;
 - c. the use of internally illuminated advertising signage of light colour which will spill light out onto the footpath;
 - d. providing downwardly directed lighting on the exterior of the building.

3.9 Building Frontage Heights

Purpose:

To ensure buildings provide an attractive streetscape by positively contributing to street definition and enclosure and to enhance pedestrian amenity.

Any new building in the Wesley sub-precinct fronting Main street must have a minimum height of 8.5m or two storeys for a minimum depth of 10m from the road frontage.

3.10 Minimum floor to floor/ceiling height

Purpose:

To ensure buildings are adaptable to a wide variety of uses over time and create a sense of spaciousness inside the building.

1. The ground floor of a new building or any addition to an existing building in the Chapel street or Main street frontage areas must have a minimum finished floor to floor height of 4.5m for a minimum depth of 10m.
2. Except as identified above, for all other sites in the Wesley sub-precinct, the ground floor of a new building must have a minimum finished floor to floor height of 4m for a minimum depth of 6m.
3. The finished floor to floor height of new buildings above ground floor must be at least 3.6m where those floors will accommodate non-residential activities.
4. The finished floor to finished ceiling height of new buildings above ground floor must be at least 2.55m where those floors will accommodate dwellings.

3.11 Glazing

Purpose:

To avoid blank walls at the ground floor to:

Create an attractive streetscape environment and enhance the amenity of streets and public open space;

Provide a high degree of visibility between the street / public open space and the building interior and positively contribute to pedestrian amenity;

Enable passive surveillance of the street from the ground floor of buildings.

1. The ground floor of a building must have clear glazing for:
 - a. at least 50 percent of its width and 50 percent of its height where it fronts a street or public open space; and
 - b. at least 30 percent of its width and 75 percent of its height where its side or rear boundary adjoins a public open space.
2. Where a publicly accessible through-site link is provided through a site or block as part of a development, the ground floor of those buildings with façades facing the through-site link must have clear glazing for at least 30 percent of the length of the ground floor building façade that faces the through-site link and 75 percent of its height.

3.12 Roller Doors

Purpose:

It is recognised that security devices (e.g. grills/roller doors) may be required for retail and commercial premises.

Where used these should, as much as practicable, be integrated into the design of the building to create an attractive streetscape environment and to enhance the amenity of streets and public open space as well as to provide a high degree of visibility between the street / public open space and the building interior and contribute to pedestrian amenity and safety.

Roller doors on street facing ground floor facades must be:

1. Located inside the building façade;
2. At least 75 percent transparent.

3.13 Ground Floor at Street Frontage

The ground floor at street frontage controls do not apply in the Wesley sub-precinct. There is a desire to retain the identified existing Wesley College buildings in this locality which will influence the pattern of development and relationship to the street frontage.

3.14 Yards

Purpose:

To provide a buffer and screening between commercial activities and neighbouring residential activities and public open space, to mitigate adverse visual and nuisance effects;

To ensure buildings are adequately setback from the streams, maintain water quality, amenity, provide protection from natural hazards, and potential access to the stream network.

1. No yards are required in the Wesley sub-precinct except where sites adjoin the Franklin 2 Residential sub-precincts.
2. Where sites adjoin the Franklin 2 Residential sub-precincts a 3.0 m setback will apply.

3.15 Dwellings, Visitor Accommodation and Boarding Houses

Purpose:

To ensure a good standard of amenity within and between dwellings and visitor accommodation dwellings in relation to the Wesley local centre.

1. Dwellings must comply with the zone controls specified in the Franklin 2 Residential B sub-precinct.
2. Visitor accommodation and boarding houses must comply with the outlook space controls of the Franklin 2 Residential sub-precincts.

4. Assessment

4.1 Restricted discretionary activities

4.1.1 Matters of discretion

The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the activity table.

1. Framework Plans

The council will restrict the exercise of its discretion to the matters listed below for the creation of a framework plan, including any amendments to an approved framework plan or replacement framework plan, in the Wesley sub-precinct:

- a. site layout and configuration;
 - b. the location, physical extent and design of public open space;
 - c. the location and design of roads, access and parking;
 - d. the location and capacity of infrastructure servicing;
 - e. integration of development with neighbouring areas;
 - f. staging of development.
 - g. the location, form of control, function and layout of road connections and corridor treatments, in particular those connecting with SH22;
 - h. the location and design of public transport and active mode infrastructure including walking and cycling;
 - i. design, layout and proposed use in relation to the GLN_DEV A National Grid Line, including:
 - i. impacts on the operation, maintenance, upgrade and development of the National Grid line.
 - ii. compliance with NZECP34: 2001.
 - iii. the risk of electrical hazards affecting public or individual safety.
 - iv. the nature and location of any vegetation to be planted in the vicinity of the National Grid line.
2. Conversion of a building or part of a building to dwellings, visitor accommodation and boarding houses
- a. design and layout of dwellings, visitor accommodation and boarding houses.
3. Restaurants and Cafés greater than 100m²
- a. intensity and scale;
 - b. noise, lighting and hours of operation;
 - c. design of parking and access.
4. Drive-through facilities and Supermarkets greater than 4000m²
- a. building design, form and relationship to public realm;
 - b. intensity and scale;
 - c. design of landscaping;
 - d. design of parking, access and servicing;
 - e. compatibility with surrounding activities;
 - f. noise, lighting and hours of operation.
5. Retail greater than 450m²
- a. centre vitality;
 - b. intensity and scale;
 - c. lighting and hours of operation;
 - d. design of parking, access and servicing.
6. Integrated Residential Development and new buildings and alterations and additions to buildings not

otherwise provided for

- a. building form and relationship to public realm that promotes walking and cycling.
7. Retirement Villages
 - a. building form and relationship to the public realm;
 - b. topography, site orientation and earthworks;
 - c. design of communal open space and of landscaping for the site;
 - d. design and layout of dwellings;
 - e. design of parking and access;
 - f. infrastructure and service
 8. Demolition of buildings identified as proposed to be retained or potentially retained
 - a. effect demolition or partial demolition will have on the heritage values and character of the Chapel street overlay area;
 - b. effect demolition will have on the grouping of remaining buildings proposed to be retained;
 - c. pedestrian amenity and safety during and post demolition;
 - d. potential for re-use of building materials;
 - e. site condition post demolition;
 - f. traffic generation.

4.1.2 Assessment criteria

For development that is a restricted discretionary activity in the Wesley sub-precinct, the following assessment criteria apply in addition to the criteria specified for the relevant restricted discretionary activities in the underlying Local Centre zone, or where applicable the Mixed Housing Urban zone.

1. Framework Plans

When considering a restricted discretionary application for a framework plan, amendments to an approved framework plan or replacement framework plan, the council will consider the proposal against the following criteria:

- a. site layout and configuration:
 - i. site proportion to enable provision of setback and quality relationship to street;
 - ii. site configuration to enable good passive surveillance of the street and contribute to streetscape amenity.
- b. the location, physical extent and design of public open space:
 - i. public open spaces should be provided in the location(s) identified in the precinct plan to meet the needs of the local community. Where no location is identified, open space should be provided to and located to serve the future needs of the local community.
- c. the location and design of roads, access and parking:
 - i. streets and pedestrian connections should be provided in the location identified in the precinct plan to achieve a legible street network. Where no location is identified, an integrated and efficient street and pedestrian network should be provided, including connections to existing and future streets and networks.
- d. the location and capacity of infrastructure servicing:
 - i. adequate infrastructure should be provided to service the proposed development including stormwater, wastewater, water supply, electricity and telecommunications.
- e. integration of development with neighbouring areas:
 - i. where the framework plan is for a particular site or sub-precinct within a wider precinct, the framework plan should demonstrate how the development achieves the overall objectives of the precinct, including the integration of streets, pedestrian connections, open spaces and

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other infrastructure that will serve the development.

- f. staging of development:
 - i. the framework plan should provide details of how the development will be staged. The council may impose conditions enabling a lapse period longer than five years, having regard to s. 79 of the RMA and the need for unimplemented resource consents generally to reflect the planning strategy in the Unitary Plan.
 - g. the location, form of control, function and layout of road connections and corridor treatments, in particular those connecting with SH22.
 - i. the framework plan should provide details of the location, form function and layout of road connections, corridor treatments and access/egress points. The framework plan should demonstrate how the development achieves the overall objectives of the precinct, in particular delivery of an integrated transport network with well-connected internal streets. Particular attention should be given to any the connection with SH22 to ensure the safe and efficient operation of the adjoining state highway network is not adversely impacted.
 - h. the location and design of public transport and active mode infrastructure including walking and cycling.

The framework plan should provide details of the design and location of all public transport and active mode infrastructure to be provided to demonstrate how these will deliver a highly interconnected, safe and efficient network that provides for all modes of transport, particularly walking and cycling.
 - i. design, layout and proposed use in relation to the GLN_DEV A National Grid Line.
 - i. where the framework plan includes land that is identified in the Electricity Transmission Overlay the council will consider:
 - ii. the effects on the ability of Transpower to operate, maintain, upgrade and develop the National Grid line, including access to the line.
 - iii. the extent to which the design and layout will enable earthworks, buildings and structures to comply with NZECP34: 2001.
 - iv. the extent to which the design and layout, including the location of roads and reserves, landscaping and building platforms, allows for activities to be set back from the National Grid line to ensure adverse effects on, and from the National Grid and on public safety are appropriately avoided.
 - v. the extent to which the design and layout will minimise the potential for reverse sensitivity effects.
2. conversion of a building or part of a building to dwellings, visitor accommodation and boarding houses
 - a. design and layout of dwellings, visitor accommodation and boarding houses
 - i. common areas in buildings containing dwellings, visitor accommodation or boarding houses should provide equal physical access for people of all ages and physical abilities, in particular by providing doorways, corridors and circulation spaces of sufficient dimension to allow ease of movement and minimising stairs where possible.
 - ii. visitor accommodation and boarding houses should be designed to achieve a reasonable standard of internal amenity. Consideration will be given to:
 - any specific internal design elements that facilitate the more efficient use of internal space;
 - the relationship of windows or balconies to principal living rooms;
 - the provision of larger indoor or outdoor living spaces, whether communal or exclusive to the dwelling, especially in dwellings that are not self-contained.
 3. Drive-through facilities, activities within 30m of a residential zone, supermarkets greater than 4000m²
 - a. building design, form and relationship to the public realm:

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Contributing to sense of place

- i. the design of buildings should contribute to the local streetscape and sense of place by responding to the existing and planned future form and character of the surrounding area;

Creating a positive frontage

- ii. buildings should have clearly defined public frontages that address the street and public open spaces to contribute positively to the public realm and pedestrian safety;
- iii. pedestrian entrances should be located on the street frontage and be clearly identifiable and conveniently accessible from the street;
- iv. for mixed use buildings, separate pedestrian entrances should be provided for residential uses;
- v. activities that engage and activate streets and public open spaces are encouraged at ground and first floor levels;
- vi. internal space at all levels in buildings should be designed to maximise outlook onto street and public open spaces;
- vii. servicing elements should be avoided on the street frontage of buildings unless integrated into the façade design.

Visual interest and variation in building form

- viii. buildings, including external alterations and additions, should be designed as a coherent scheme and should demonstrate an overall design strategy that positively contributes to the visual quality of development;
 - ix. where the proposed development is an extension or alteration to an existing building, it should be designed with consideration to the architecture of the original building and respond positively to the visual amenity of the surrounding area;
 - x. buildings should be designed to:
 - visually break up their mass into distinct elements to reflect a human scale and the typical pattern of development in the area;
 - differentiate the ground level from upper levels and the roof (techniques to achieve this include use of recesses, variation in building height and roof form, horizontal and vertical rhythms and façades modulation and articulation);
 - xi. blank walls should be avoided on all levels of building frontages to streets and public open spaces;
 - xii. where side or rear walls do not have windows or access points, these should be used as an opportunity to introduce creative architectural solutions that provide interest in the façade including modulation, relief or surface detailing;
 - xiii. buildings should provide a variety of architectural detail at ground and middle levels including maximising the use of entrances, and windows and balconies overlooking the streets and public open spaces;
 - xiv. roof profiles should be designed as part of the overall building form and contribute to the architectural quality of the skyline as viewed from both ground level and the surrounding area. This includes integrating plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design.
- b. intensity and scale
 - i. the intensity and scale of the land use activity, in particular the number of people involved and traffic generated by the activity, should not compete with the Pukekohe Town Centre.
 - c. noise, lighting and hours of operation
 - i. noise and lighting from the activity should not adversely affect the amenity of surrounding residential properties. In determining this, consideration will be given to the location of any potentially noisy activities e.g. outdoor play areas associated with a care centre, and any

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proposed measures to mitigate noise including:

- locating noisy activities away from neighbouring residential boundaries;
- screening or other design features;
- the proposed hours of operation.

- d. design of parking, access and servicing
 - i. parking should be separated from the street frontage by uses that activate the street (e.g. parking should be underground or to the rear of the building);
 - ii. vehicle crossings and accessways should be designed to reduce vehicle speed, be visually attractive, and clearly signal the presence of a crossing or accessway to both vehicles and pedestrians;
 - iii. surface parking should be softened with landscaping, including tree planting;
 - iv. pedestrian access between parking areas, building entrances/lobbies and the street should provide universal access for people of all ages and physical abilities and provide a high level of pedestrian safety;
 - v. separate vehicle and pedestrian access should be provided in parking areas, and between parking areas, buildings and the street. Shared pedestrian and vehicle access may be appropriate where a lane or street is proposed within a development site. The shared access should prioritise pedestrian movement;
 - vi. ventilation and fumes from parking structures or other uses should not be vented into the adjacent pedestrian environment at ground level;
 - vii. where practicable service lanes should be provided within blocks to allow access to the rear of buildings and to minimise gaps in the streetscape;
 - viii. where ramps are used they should be minimal in length and integrated into the design of the building;
 - ix. for commercial activities, suitable provision should be made for on-site rubbish storage and sorting of recyclable materials that:
 - is a sufficient size to accommodate the rubbish generated by the proposed activity;
 - is accessible for rubbish collection;
 - for new buildings, is located inside the building;
 - for alterations or additions to existing buildings where it is not possible to locate the storage area inside the building, is located in an area not visible from the street or public open spaces;
 - x. the development must be able to be adequately served by wastewater and transport infrastructure.
4. Restaurants and cafés greater than 100m²
 - a. intensity and scale
Refer to the assessment criteria in 3.b. above.
 - b. noise, lighting and hours of operation
Refer to the assessment criteria in 3.d. above.
 - c. design of parking and access
Refer to the assessment criteria in 3.e. above.
5. Retail greater than 450m²
 - a. intensity and scale
Refer to the assessment criteria in 3.b. above.

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- b. centre vitality
Retail and office activities should be of a scale and form that:
 - i. provides for the day-to-day needs of the local community living in Franklin;
 - ii. does not have a substantial adverse effect upon the amenity values, vitality and functions of Pukekohe as the principal service centre for the greater locality.
 - c. lighting and hours of operation
Refer to the assessment criteria in 3.d. above.
 - d. design of parking, access and servicing
Refer to the assessment criteria in 3.e. above.
6. Integrated residential development and new buildings, accessory buildings and alterations and additions to buildings not otherwise provided for:
- a. building design and external appearance
Contributing to sense of place
 - i. the design of buildings should contribute to the local streetscape and sense of place by responding to the planned future form and character of the surrounding area;
Creating a positive frontage
 - ii. buildings should have clearly defined public frontages that address the street and public open spaces to contribute positively to the public realm and to pedestrian safety;
 - iii. pedestrian entrances should be located on the street frontage and be clearly identifiable and conveniently accessible from the street;
 - iv. where buildings have a mix of uses, separate pedestrian entrances should be provided for residential uses;
 - v. activities that engage and activate streets and public open spaces are encouraged at ground and first floor levels;
 - vi. internal space at all levels in buildings should be designed to maximise outlook onto streets and public open spaces;
 - vii. servicing elements should be avoided on building façades unless integrated into the façades design;
 - viii. mechanical and electrical equipment located on the roof of a building should be integrated into the overall design and contained in as few structures as possible;
Visual interest and variation in building form
 - ix. buildings, including alterations and additions, should be designed as a coherent scheme and should demonstrate an overall design strategy that positively contributes to the visual quality of development;
 - x. where the proposed development is an extension or alteration to an existing building, it should be designed with consideration to the architecture of the original building and respond positively to the visual amenity of the surrounding area;
 - xi. buildings should be designed to:
 - visually break up their mass into distinct elements to reflect a human scale and the typical pattern of development in the area;
 - differentiate the ground level from upper levels and the roof;
 - techniques to achieve this include the use of recesses, variation in building height and roof form, horizontal and vertical rhythms and façade modulation and articulation;
 - xii. side or rear walls without windows or access points should be modulated or contain relief or surface detailing;
 - xii. buildings should provide a variety of architectural detail at ground and middle levels including

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maximising the use of entrances, and windows and balconies overlooking the streets and public open spaces;

- xiv. roof profiles should be designed as part of the overall building form and contribute to the architectural quality of the skyline as viewed from both ground level and the surrounding area. This includes integrating plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design;
- xv. for residential development:
 - balconies should be designed as an integral part of the building avoiding cantilevered balconies;
 - apartments above ground floor should generally be accessed from internal corridors or entrance ways, avoiding the use of external walkways / breezeways;

Materials and finishes

- xvi. buildings should use quality, durable and easily maintained materials and finishes on the façade, particularly at street level;
 - xvii. buildings should not use reflective materials that would adversely affect safety, pedestrian amenity or the amenity of surrounding properties;
 - xviii. where provided, signage should be designed as an integrated part of the building façade.
- b. design and scale of buildings in or adjoining the Chapel street overlay
- New Buildings in or adjoining the Chapel street overlay:
- i. should be located and designed to have regard to the history and built form of the place, particularly those buildings proposed to be retained. This does not mean a rigid adherence to the height of the place, nor does it reduce the development potential of the site, but it does require careful consideration in terms of the form and design of the building to minimise the effects of dominance;
 - ii. may not be required to adjoin the site frontage if a better design outcome could be achieved by respecting the setback and/or spatial location of the place;
 - iii. should use materials and/or design detail that respects rather than replicates any patterns or elements existing in the place, however new and contemporary interpretations in form and detail may be used.
- c. design of public open space
- i. where provided, through-site links and public open spaces should be designed to integrate with the existing or planned streets and public open spaces, be visually attractive and contribute positively to the streetscape and sense of place;
 - ii. through-site links should be publicly accessible preferably with 24 hour a day and seven day a week access;
 - iii. public open spaces should provide a high level of pedestrian safety and prioritise pedestrian and cycle movement over vehicle and service traffic;
 - iv. where new publicly accessible open spaces are provided they should be designed and managed to be accessible to people of all ages and abilities.
- d. design of landscaping
- i. where provided, landscaping should:
 - integrate the development into the surrounding area and contribute to the site and surrounding area amenity.
 - maintain the personal safety of people and enhance pedestrian comfort.
 - be designed for on-going ease of maintenance;
 - ii. where landscaping is provided for a visual buffer to an adjoining residential or open space zone

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it should form a continuous screen at all times of the year.

- e. topography, earthworks and natural features
 - i. building platforms, parking areas and vehicle entrances should be located and designed to respond to and integrate with the natural landform, landscape features and site orientation.
 - ii. earthworks should be minimised and retaining walls avoided where possible. However, where retaining walls or earthworks are required they should be incorporated as a positive landscape or site feature by:
 - integrating retaining walls as part of the building design;
 - stepping and landscaping earthworks or retaining walls over 1m in height, to avoid dominance or overshadowing effects;
 - ensuring that earthworks or retaining walls visible to the public, including adjoining sites, provide visual interest through attractive design and by incorporating modulation, landscaping and quality materials;
 - where practicable retain mature vegetation and large trees on site. Retention of mature trees is particularly encouraged where their size, location or species makes a significant contribution to the streetscape or where they could be logically incorporated to enhance on-site amenity.
 - f. design of parking, access and servicing
 - i. refer to the assessment criteria in 3.d. above.
 - g. design and layout of dwellings, visitor accommodation and boarding houses
 - i. dwellings should be located, proportioned and orientated on a site to maximise the amenity of future residents by:
 - clearly defining communal, semi-communal and private areas in a development;
 - maximising passive solar access while balancing the need for buildings to front the street;
 - providing for natural cross-ventilation by window openings facing different directions;
 - ii. adequate storage space for larger items such as bikes, gardening and cleaning equipment, should be provided either in each dwelling or in the building containing the dwellings;
 - iii. common areas in buildings containing dwellings, visitor accommodation and boarding houses should provide equal physical access for people of all ages and physical abilities, in particular by providing doorways, corridors and circulation spaces of sufficient dimension to allow ease of movement and minimising stairs where possible;
 - iv. visitor accommodation and boarding houses should be designed to achieve a reasonable standard of internal amenity. Consideration will be given to:
 - any specific internal design elements that facilitate the more efficient use of internal space;
 - the relationship of windows or balconies to principal living rooms;
 - the provision of larger indoor or outdoor living spaces whether communal or exclusive to the dwelling, especially in dwellings that are not self-contained.
7. Retirement villages
- a. building design and external appearance
 - i. refer to the assessment criteria set out in 6.a. above.
 - b. topography, orientation and earthworks
 - i. building platforms, outdoor living spaces, car parking areas and driveways should be located and designed to respond to the natural landform and site orientation;
 - ii. significant natural features including trees, streams, and ecological areas should be retained

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and integrated into the development.

- c. design of communal open space
 - i. communal open spaces should be located at ground or lower levels and be designed to:
 - provide an attractive, functional and high quality outdoor environment;
 - be conveniently accessible to all residents;
 - maximise winter sunlight access;
 - be overlooked by the principal living rooms and balconies of dwellings to enhance safety;
 - be located within the site to form a focus of the development;
 - be sheltered from the prevailing wind.
- d. design and layout of dwellings
 - i. dwellings should be located, proportioned and orientated on a site to maximise the amenity of future residents by:
 - clearly defining communal, semiprivate and private areas within the development;
 - maximising passive sunlight access, particularly, while balancing the need for dwellings to front the street and maximise views;
 - providing for natural cross ventilation by window openings facing different directions.
 - ii. dwellings should be designed to provide a good standard of internal amenity by providing adequate circulation space around standard sized household furniture. The Auckland Design Manual illustrates possible ways of achieving this;
 - iii. outdoor living space should balance the need to achieve the following, in order of priority:
 - be located to maximise winter sunlight access;
 - maintain privacy between the outdoor living space of adjacent dwellings and between;
 - outdoor living space and the street;
 - be sheltered from the prevailing wind;
 - be located to take advantage of any views or outlook from or within the site.
- e. design of parking and access
 - i. individual or communal parking areas should be located and designed to:
 - be close and convenient to the facilities/ dwellings they service;
 - be secure and well lit;
 - be well ventilated if enclosed;
 - provide visual interest and an attractive appearance.
 - ii. parking areas should be designed and grouped to make efficient use of land;
 - iii. vehicle access ways should be designed to reduce vehicle speed and be visually attractive by limiting the width of the access and using quality paving and landscaping clearly separated from pedestrian access;
 - iv. the design of pedestrian routes between building entries, parking areas, open space areas and the street should provide equal physical access for people of all ages and abilities provide a high level of pedestrian safety and convenience;
- f. infrastructure and servicing
 - i. there should be adequate and confirmed capacity in the existing stormwater and wastewater network to service the proposed development;
 - ii. rubbish storage areas visible from the street or public open space should be either incorporated

into the design of the building or screened from public view.

8. Demolition of buildings
 - a. pedestrian amenity and safety
 - i. sites containing buildings that are proposed to be demolished should not have significant adverse effects on the quality and amenity of the public realm and the safety and efficiency of the surrounding transport network. In particular:
 - a high-quality and safe temporary hard or landscaped edge should be provided along the site boundaries so that a defined boundary to streets and public open spaces is maintained. This should include the provision and maintenance of continuous pedestrian cover along Main Street;
 - an edge treatment should be maintained that is designed to reduce its vulnerability to graffiti and vandalism.
 - b. re-use of building materials

Demolished materials should be re-used and recycled as much as possible.
 - c. site condition post demolition

If the site is not developed following demolition, the site should be landscaped to provide good standard of visual amenity and the site should not be used for temporary or permanent parking.
 - d. traffic generation

With regard to the effects of building demolition on the transport network, consideration should be given to the proposed hours of operation, the frequency and timing of truck movements to and from the site, and the location of vehicle access.

7. Additional Provisions

1. Passenger Transport Interchange – Additional development provisions

Where land with the underlying Mixed Housing Urban zone is located within a 400m radius of a designated passenger transport interchange, the provisions of the Franklin Residential 2B sub-precinct will apply.

2. Wesley College

Wesley College is currently located in the precinct in the area depicted on precinct plan 4. Planning is underway to relocate the college to a new site outside the precinct. While the existing college operation remains on this site the provisions of the Special Purpose School zone will apply in addition to the precinct provisions.

3. Affordable Housing

Where a new development contains 15 or more dwellings or the creation of 15 or more vacant sites, 7 percent of the total number of dwellings or vacant sites must meet the following affordability criteria:

1. The price at which a dwelling may be sold does not exceed 75 percent of the Auckland region median house price for the most recent full month, as published by the Real Estate Institute of New Zealand, at the date that the relevant building consent is issued for the development; and
2. If the application is for a subdivision consent, the applicant—
 - a. identifies the lots of the subdivision allocated for the building of dwellings that meet the criterion in paragraph (1.); and
 - b. specifies the mechanism for ensuring that any building built on any of those lots is a dwelling that will meet that criterion or is a building associated with such a dwelling; and
3. If the calculation of the percentage of dwellings that must be affordable dwellings results in a fractional dwelling of one-half or more, that fraction is counted as 1 dwelling, and any lesser fraction may be disregarded.

4. Vehicle Access to State Highway 22

1. Paerata road and Karaka road form part of State Highway 22 (SH 22) and are Limited Access Roads. The maximum number of direct vehicle access/egress points from the precinct to SH 22 is limited to four and

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these will be located generally at the points shown on precinct plan 1, with the final location and design of each intersection to be approved by the New Zealand Transport Agency.

2. Any development that does not comply with this rule shall be a restricted discretionary activity and will be assessed in accordance with the development control infringement provisions set out in Chapter H.1.2.
5. Limited notification may be undertaken in relation to the application, including notice being given to the New Zealand Transport Agency.

5. Access upgrades and timing of development

Purpose:

To ensure that the rate of development is aligned with access upgrades

The number of dwellings in the Franklin 2 precinct must not exceed the numbers in the table below until the relevant access upgrade has been constructed and is operational. For the purposes of this rule “dwelling” is a dwelling that has been granted building consent under the Building Act 2004.

Table 1: Rate of development and alignment with access upgrades

Trigger (completion of)	Access Measure
Prior to the first dwellings in the Franklin 2 precinct	Interim Access off SH22 Paerata in one of the four locations generally consistent with precinct plan 1 for the Franklin 2 precinct
Prior to 350 dwellings being completed across the Franklin 2 precinct	Upgrade of the “Interim Access” off SH22 Paerata road. The upgrade, in conjunction with the subsequent SH22 accesses shown on precinct plan 1, shall be able to cater for the full build out of the Franklin 2 precinct
Prior to 1200 dwellings and 5000m ² GFA of commercial development (in Area A shown in precinct plan 2) being completed across the Franklin 2 precinct	A second SH22 Paerata road access in one of the four locations generally consistent with precinct plan 1 for the Franklin 2 precinct
More than 1200 dwellings and a further 5000m ² GFA of commercial development (in Area A shown on Franklin 2 precinct plan 2) being completed across the Franklin 2 precinct	Two additional SH22 Paerata road accesses in the remaining two locations generally consistent with precinct plan 1 for the Franklin 2 precinct
Any framework plan and/or subdivision resource consent for commercial development in Area A shown on precinct plan 2	Assessment of the need for one or both of the access points off SH22 Paerata road immediately adjacent to the Wesley sub-precinct, in the locations generally consistent with precinct plan 1 for the Franklin 2 precinct and the construction of such access point(s) if assessed to be necessary
Between 2500 and 3900 residential units across the Franklin 2 precinct	Assessment of the need for an upgrade of the SH22 Karaka road/Sim road intersection and associated Sim road upgrade and the construction of such upgrade(s) if assessed to be necessary

Development that does not comply with the table above shall be a restricted discretionary activity.

Assessment criteria

In addition to the general assessment criteria for development control infringements in clause 2.3 of the general provisions the council will consider the relevant criterion below for the listed development control infringements:

1. Access upgrades and timing of development
Development that exceeds the trigger in relation to a specific infrastructural upgrade item will need to demonstrate that the actual trip generation of the additional development proposed will not have unacceptable adverse effects on the efficiency of the roading network.

8. Special information requirements

1. Framework plans

An application for a framework plan, amendment(s) to an approved framework plan or a replacement framework plan must be accompanied by the following information:

1. The overall context of the land area relative to existing buildings, including any public open space, transport connections, the electricity transmission corridor, any approved buildings and approved framework plans;
2. Where land re-contouring is proposed, the relationship of site contours to existing and proposed streets, and, where information is available, public open space;
3. The location and layout of any proposed public open space including the general location of soft and hard landscaping areas, such as pocket parks, plazas and linking spaces, ecological linkages and any natural features to be retained or enhanced;
4. An indicative layout of proposed sites and the location of building platforms;
5. The general location and design of streets and lanes, including the design of all main road linkages as identified in precinct plans 1 and 5, and including cross sections where applicable;
6. Identification of the location and function of main pedestrian and cycling routes to and within the sub-precincts, and their relationship to schools, parks and community services, connections with Paerata Road and/or Karaka Road (SH22) and transport nodes. This must include representative cross-sections showing the width of the paths;
7. The location of stormwater, wastewater and water supply infrastructure;
8. Areas to be developed for stormwater treatment and detention purposes consistent with the relevant network discharge consent;
9. The distribution of various densities/site sizes throughout the application area;
10. The general location of activity types (residential and non-residential);
11. Proposed staging of development and the means of managing any vacant land through the staging process
12. Development should be generally in accordance with the Neighbourhood Design Statement for the Franklin precinct;
13. The location, form of control, function and layout of road connections and corridor treatments, in particular those connecting with SH22;
14. The location and design of public transport and active mode infrastructure including walking and cycling network.

Note: All connections to SH22 are required to be designed in accordance with the NZTA's requirements for physical works to State Highways.

9. Stormwater Mitigation

Purpose:

To ensure all development and subdivision in the precinct is capable of including water sensitive design (WSD) approaches to manage the quality and quantity of stormwater runoff.

These rules control the management of stormwater that arises from development in the Franklin 2 precinct.

1. Activity Table

Activity	Activity Status
Impervious areas (including roads created through subdivision of land) in SMAF 1	P
Stormwater devices designed in accordance with the criteria set out in clause 5 3.1	P

Stormwater devices that fail to comply with the criteria set out in clause 5 3.1	RD
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2. Notification

1. Restricted discretionary activities will be considered without public or limited notification, or the need to obtain written approval from affected parties, unless special circumstances exist in accordance with s. 95A (4) of the RMA that make notification desirable.
2. To avoid doubt, discretionary and non-complying activities are subject to the statutory tests for notification under the relevant sections of the RMA.

3. Development controls

Stormwater management

1. Development shall comply with the maximum impervious areas in the precinct impervious coverage rules set out in clause 1.4.6.
2. Any new development in the precinct shall meet the following design criteria:
 - a. retention of stormwater runoff of 10mm/m², for all new impervious surfaces (Note: retention of runoff is independent of native soil permeability);
 - b. detention of stormwater runoff of 28mm/m² for all new impervious surfaces. (Note: If retention is in a separate device the detention shall be 18mm/m²). Release of the net detention of 18mm/m² shall be over 24 hours;
 - c. treatment to achieve stormwater runoff quality of total zinc <30 µg/l, copper <10 µg/l, TSS <20 mg/l, and temperature <25°C from all high use roads (>5000 vehicles per day) and carparks greater than 1000m²;
 - d. new roofing, spouting, external wall cladding or architectural features used on buildings shall not exceed:
 - i. an exposed surface or surface coating of metallic zinc or any alloy containing greater than 10 percent zinc;
 - ii. exposed surface or surface coating of metallic copper or any alloy containing greater than 10 percent copper.
 - e. where a development meets the retention and detention criteria in 2.a. and b., there is no further requirement to include specific stormwater treatment devices.
3. All development shall achieve the stormwater management design criteria set out in 2.a. at-source.
4. At-source stormwater management shall be provided by one or a combination of the following approaches:
 - a. rain tanks
 - i. retention of stormwater runoff will be met for a dwelling where rain tanks, collecting rooftop stormwater, meet the design criteria set out in 2.a. and are plumbed to provide the non-potable water supply for toilets, washing machines, and irrigation purposes for the dwelling;
 - ii. rain tanks may also be used to comply with the required detention of stormwater runoff design criteria set out in 2.b.;
 - iii. rain tanks shall be located in a position that is easily accessible for maintenance and inspection purposes.
 - b. bioretention and infiltration devices
 - i. retention of stormwater runoff from all impervious surfaces will be met where devices are designed and installed to meet the design criteria set out in 2.a.
 - ii. detention of stormwater runoff from all impervious surfaces may be met where devices are designed and installed to meet the design criteria set out in 2.b.
 - iii. all bioretention and infiltration devices shall be easily accessible for maintenance and

inspection purposes.

- c. permeable pavements
Requirements for retention, detention and attenuation of stormwater runoff do not apply to permeable paving, provided it is in accordance with council and manufacturers' requirements.
5. Alternatively, detention volumes may be directed to an identified lower-catchment stormwater management control in an ephemeral stream or restored wetland, where these locations suit the existing topography, and in a manner that will enhance the landscape amenity and ecology of the precinct.
6. Where a site is within the contributing catchment of an existing wetland, the design criteria of 2.a. for the retention of stormwater shall be achieved by infiltration practices such as bioretention or infiltration devices.
7. All stormwater management devices shall be installed as soon as practicable after site construction is complete and earth surfaces are stabilised.
8. A council approved covenant under s. 108 of the RMA or a consent notice under s. 221 of the Act shall be registered against the Title of every site required to undertake at-source stormwater management. The effect of the covenant or consent notice shall be to ensure the efficient future functioning and ongoing maintenance of the at-source stormwater management system.

4. Assessment - Restricted discretionary activities

4.1 Matters of discretion

1. The council will restrict its discretion to the following matters when dealing with applications for stormwater management that fail to comply with the design criteria set out in development controls 5.3.1:
 - a. the extent of impervious area
 - b. the best practicable option (BPO) for the management of adverse effects of stormwater runoff on receiving environments, buildings, and property
 - c. the methodology and programme for implementing the BPO for both existing and, where relevant, future development.
 - d. operations and maintenance requirements.

4.2 Assessment criteria

1. Stormwater devices that fail to comply with the design criteria set out in development controls 5.3.1:
 - a. the extent to which the proposal prevents or minimises the adverse effects of stormwater runoff and discharge, including cumulative effects, having regard to:
 - i. the nature, volume, and peak flow of the stormwater discharge;
 - ii. the ecological functions of receiving environments;
 - iii. the sensitivity of the receiving environment to stormwater contaminants and flows;
 - iv. avoiding the creation or increase of flood risk to other properties;
 - v. options for managing stormwater at-source or through communal management devices;
 - vi. degree of compliance with the criteria set out in clause 5.3.1;
 - vii. practical limitations on the measures that may be used.
 - b. opportunities to reduce existing adverse effects and to enhance receiving environments.

10. Subdivision controls

The Auckland-wide Chapter H. 5 Subdivision rules apply in the Franklin 2 precinct unless otherwise specified below.

1. Activity Table

Activity	Activity Status
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Subdivision in accordance with an approved framework plan	RD
Subdivision around existing buildings and development in accordance with an approved framework plan	RD
Subdivision not in accordance with an approved framework plan	NC
Subdivision not in accordance with the stormwater management rules 6.3.4	RD

2. Notification

1. Restricted discretionary activities will be considered without public or limited notification, or the need to obtain written approval from affected parties, unless special circumstances exist in accordance with s. 95A (4) of the RMA that make notification desirable.
2. To avoid doubt, discretionary and non-complying activities are subject to the statutory tests for notification under the relevant sections of the RMA.

3. Development controls

The subdivision controls in the Auckland wide rules – subdivision apply in the Franklin precinct unless otherwise specified below:

3.1 Minimum site size

All proposed sites shall comply with the minimum areas set out in the following table 1:

Table 1: Minimum net site area

Zone	Minimum net site area
Franklin 2 Residential sub-precinct A	300m ² for vacant proposed sites
Franklin 2 Residential sub-precinct B	200m ² for vacant proposed sites
Wesley sub-precinct	200m ² for vacant proposed sites

3.2 Size shape

All proposed vacant sites shall contain the following:

1. Access and manoeuvring that meets the requirements of the Auckland-wide and underlying zone rules
2. Private outdoor space required by the precinct rules
3. A rectangle measuring 8m by 15m shall be able to be located outside any of the following:
 - a. natural hazard area identified in a council natural hazard register/database or GIS viewer
 - b. slopes greater than an average of 1 in 5
 - c. protected root zone of a notable tree
 - d. network utility installations, including private and public lines
 - e. building line restrictions in the Unitary Plan and on a Certificate of Title
 - f. right-of-way easements
 - g. area of esplanade reserves and esplanade strips required by clause 2.1.6
 - h. yard setback
 - i. riparian yard
 - j. separation distance from national grid transmission lines.

3.3 Rear lanes/Rear accessways

Vehicle access to residential sites where direct vehicle access to a formed legal road is not feasible shall be by way

of a formed rear lane or accessway. A rear lane shall be a minimum width of 8m and shall provide a surface that creates a slow zone to allow shared pedestrian and vehicle movement.

3.4 Stormwater Management

1. These rules control the management of stormwater that arises from subdivision in the Franklin 2 precinct. In applying the following rules reference shall be made to the Stormwater Management zones depicted in precinct plan 3.
2. Subdivision proposals shall demonstrate that the sites to be created can reasonably accommodate development able to comply with the stormwater management development controls in 5.3.1, including the actions to be taken to address the on-going operation and maintenance of at-source stormwater management devices (including covenants and/or consent notices under s. 221 of the Act).
3. In the case of sites where infiltration practices are required to meet the design criteria of 5.3.1 but are precluded by potential geotechnical instability or steepness of slope, the retention of stormwater runoff shall be met by a nearby at-source device. Where this is not practicable, the retention of stormwater runoff shall be provided by raintank or added to the detention volume 5.3.1.2.b. of a lower-catchment stormwater management control such as an ephemeral stream gully, restored wetland, or communal stormwater management device.
It is anticipated that approaches to areas of land instability and steep sites, and the potential to utilise ephemeral streams, existing wetlands, and centralised stormwater devices for detention and attenuation of stormwater runoff, will be identified through the subdivision approval process.
4. Stormwater Management zone A (SWMZ A)
Stormwater management in SWMZ A shall be in accordance with rule 5.3.1.
5. Stormwater Management zone Ai (SWMZ A.i)
Stormwater management in SWMZ A.i shall be in accordance with rule 5.3.1 above except retention of stormwater runoff shall be achieved solely by infiltration practices, such as bioretention or infiltration devices or permeable paving, designed in accordance with the requirements of 5.3.1.2.a. in order to recharge upper catchment stream environments.
6. Stormwater Management zone B (SWMZ B)
Stormwater management in SWMZ B shall be in accordance with rule 5.3.1 above except:
 - a. detention of stormwater runoff may be directed to a stormwater device lower in the catchment, prior to discharge to the receiving environment; and
 - b. attenuation of stormwater runoff from the 10 percent and 1 percent AEP events shall match pre-development flood peaks for properties outside the precinct boundary. To achieve this, live storage volume of 20mm/m² of new impervious area and a weir type outlets shall be provided.
7. Stormwater Management zone C (SWMZ C)
Stormwater management in SWMZ C shall be in accordance with rule 5.3.1 above except the attenuation of stormwater runoff from the 10 percent and 1 percent AEP events shall match pre-development flood peaks for properties outside the precinct boundary. To achieve this live storage volume of 20mm/m² of new impervious area and a weir type outlet shall be provided.
8. Existing overland flow paths and post-development overland flowpaths shall be identified and provided for, taking into account the need for connectivity with overland flow paths above and below the site.
9. Where stormwater devices are proposed to serve more than one unit title, or are located on public land or land vested in the council, then these shall be vested in council. If communally-owned measures are to be partly relied upon, then:
 - a. bio-retention, rain tanks and other localised detention and treatment devices designed to serve a number of sites under the one unit title (e.g. multi-unit apartment building) shall be retained in private ownership and shall be managed by an appropriate management structure (e.g. body corporate);
 - b. the use of proposed reserves for stormwater management will be accepted only where these are to vest as local purpose drainage reserves and will not be deducted from development contributions

for parks and reserves.

3.5 Water and Wastewater

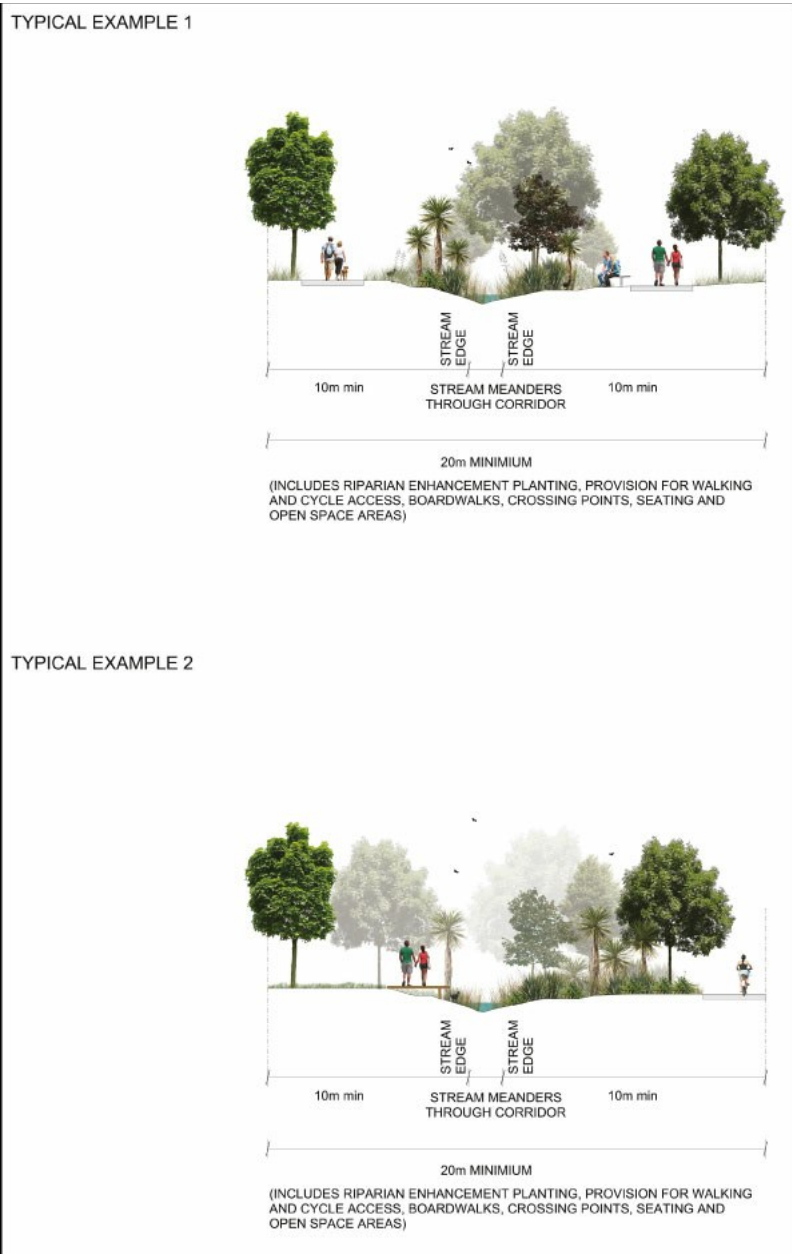
Subdivision proposals shall demonstrate that the sites to be created can be serviced for water and wastewater purposes and that there is sufficient capacity available in the respective networks.

3.6 Riparian Enhancement

Purpose:

Riparian yards ensure residential development is adequately set back from the open space and stream network within the precinct to enhance ecology and water quality respectively, to provide protection from natural hazards and to maintain a sense of open space. The Riparian Enhancement provisions are designed to facilitate the restoration of the riparian margins while enabling public access and enjoyment of these natural features.

1. All subdivision plans in the Franklin 2 precinct, excluding boundary adjustments, must show any stream or wetland depicted on precinct plan 1 that exist on, or on the boundary of, the land being subdivided along with the riparian yard requirement.
 2. All subdivisions which include riparian yards shall be accompanied by a riparian enhancement plan that must give effect to objectives and policies that will facilitate the restoration of the riparian margins while enabling public access and enjoyment of these natural features.
 3. The riparian enhancement plan shall include the following information:
 - a. identification of the area of land within the riparian yard to be set aside for planting;
 - b. identification of stream banks, slope, soil type and existing or potential erosion;
 - c. details of the areal extent of any existing and proposed structures (e.g. boardwalks, footpaths, cycleways, furniture) in the yard;
 - d. identification of all existing areas of native and exotic bush and vegetation including that to be retained and removed;
 - e. details of soil quality and depth including any required soil reconditioning of compacted areas as the result of previous land uses and site works;
 - f. species types, source of plant material, size of plants and density of planting;
 - g. details of noxious weed, pest and animal control;
 - h. details of timing of planting and possible staging of planting;
 - i. details of maintenance programme to be implemented and a programme for replanting where the survival rate of planting is less than 90 percent;
 - j. details of any fencing or alternative stock proof methods proposed;
 - k. proposed means of ownership and ongoing management.
-



4. Assessment - Restricted discretionary activities

4.1 Matters of discretion

The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the Activity Table:

1. Subdivision in accordance with an approved framework plan, including around existing buildings and development.
 - a. consistency with approved framework plan;
 - b. site sizes and dimensions;
 - c. location and design of roads, lanes and reserves;
 - d. location and design of reserves;
 - e. location and capacity of infrastructure servicing;
 - f. stormwater management.
2. Subdivision not in accordance with the stormwater management rules 6.3.4.
 - a. the council will restrict its discretion to the following matters when dealing with applications for stormwater management that fails to comply with the design criteria set out in development controls 6.3.5:

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- i. geotechnical matters;
- ii. the extent of impervious area;
- iii. the best practicable option (BPO) for the management of adverse effects of stormwater runoff on receiving environments, buildings, and property;
- iv. the methodology and programme for implementing the BPO for both existing and, where relevant, future development;
- v. operations and maintenance requirements.

4.2 Assessment criteria

The council will consider the relevant assessment criteria below for the restricted discretionary activities listed above.

1. Subdivision in accordance with an approved framework plan, including around existing buildings and development.
 - a. matters should be in accordance with the approved framework plan;
 - b. site sizes and dimensions should be appropriate for the intended housing typology and able to accommodate stormwater treatment devices;
 - c. location and design of roads, lanes and reserves should be detailed including carriageway design, footpaths and berms, utilities and on-site stormwater management;
 - d. location and design of proposed reserves and public spaces to be set aside and/or vested with the council;
 - e. location and capacity of infrastructure servicing;
 - f. stormwater management in accordance with the precinct design criteria.
2. Stormwater devices that fail to comply with the design criteria set out in development controls 6.3.4.
 - a. the extent to which the proposal prevents or minimises the adverse effects of stormwater runoff and discharge, including cumulative effects, having regard to:
 - i. ground stability and steepness of slope;
 - ii. the nature, volume, and peak flow of the stormwater discharge;
 - iii. the ecological functions of receiving environments;
 - iv. the sensitivity of the receiving environment to stormwater contaminants and flows;
 - v. avoiding the creation or increase of flood risk to other properties;
 - vi. options for managing stormwater at-source or through communal management devices;
 - vii. degree of compliance with the criteria set out in clause 6.3.4;
 - viii. practical limitations on the measures that may be used.
 - b. opportunities to reduce existing adverse effects and enhance receiving environments.
 - c. bioretention devices are generally not suitable for meeting the intent of the rules in locations with ground instability or steep slopes.

11. Definitions

Apartment

A multi-storey set of dwelling units contained in one building.

Attached dwelling

A self-contained dwelling that adjoins with another dwelling, sharing walls and/or intermediate floors. Unlike the apartment typology, all ground floor dwellings must have direct street access.

Detached dwelling

A free standing dwelling that does not share walls with another dwelling. The ground floor plan shape may or may not have one edge on a side boundary known as a zero lot condition. The zero lot setback typically occurs in the southern or eastern quarters giving a more efficient use of private open space to the opposing side and capitalising on good solar orientation to the north and west. Parking and servicing is from the street or a rear lane and can be integrated with the house or be detached.

Integrated Residential Development

Residential development on sites greater than 2000m² where elements of the development such as building design, open space, landscaping, vehicle access, roads and subdivision are designed to form an integrated whole. The height in relation to boundary and yards development controls do not apply to internal site boundaries within the integrated residential development.

Open Space Yard

The area along the full length of a site's rear boundary which adjoins land zoned or proposed to be zoned public open space, except that the yard does not apply to any area zoned or proposed to be zoned open space where the primary purpose of the area is to provide access to the open space area.

Bioretention device

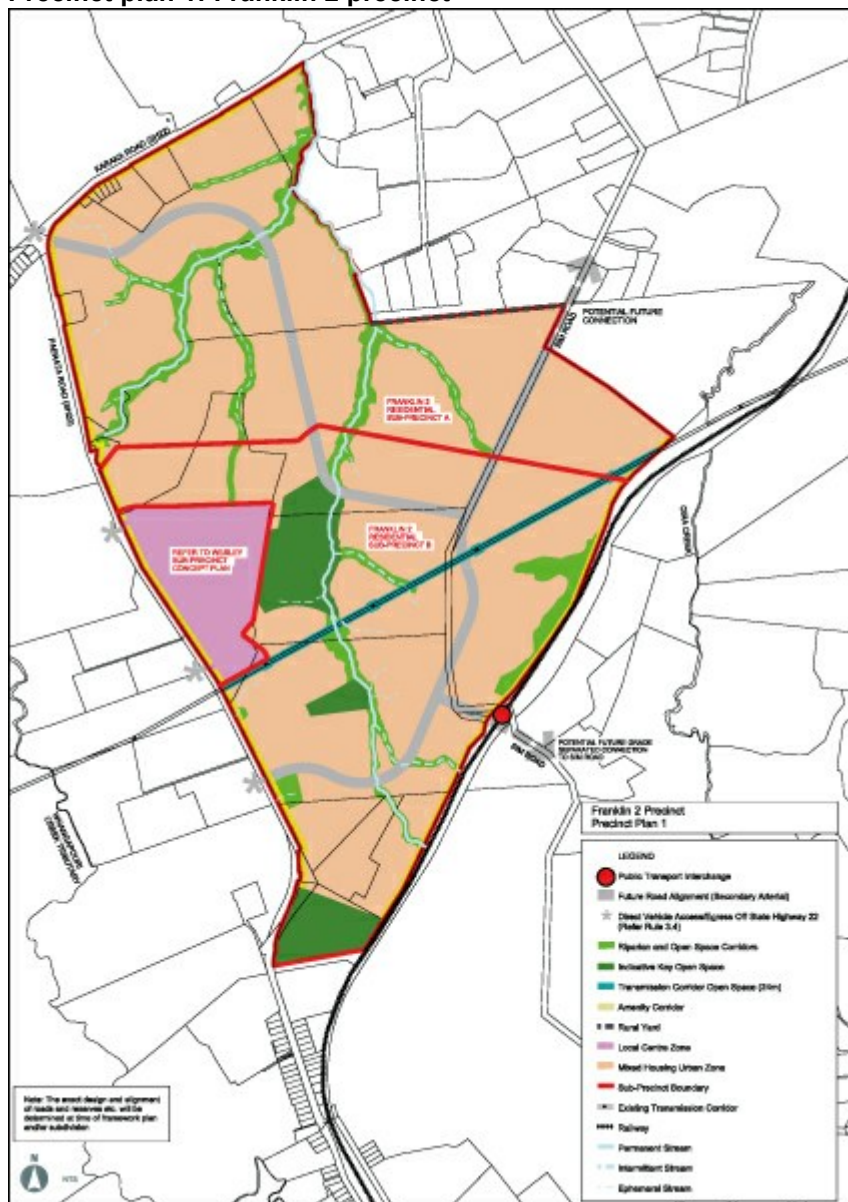
A device that collects stormwater to pass through vegetation into a relatively porous media (e.g. rock aggregate, loam) below ground for disposal to either a stormwater system via sub-soils, or baseflow into nearby streams or to the groundwater system. Bioretention devices can accommodate both retention and detention of stormwater flow. Examples of bioretention devices include raingardens, tree pits, planter boxes, swales with an infiltration trench, and filter strips with loam topsoil layer.

Infiltration device

A device that collects and holds stormwater in a relatively porous media (e.g. rock aggregate, loam) below ground for disposal to either baseflow into nearby streams or to the groundwater system. In general, infiltration devices accommodate only retention of stormwater flow. Examples of infiltration devices are similar to bioretention devices except there is no disposal to a stormwater system.

12. Precinct plans

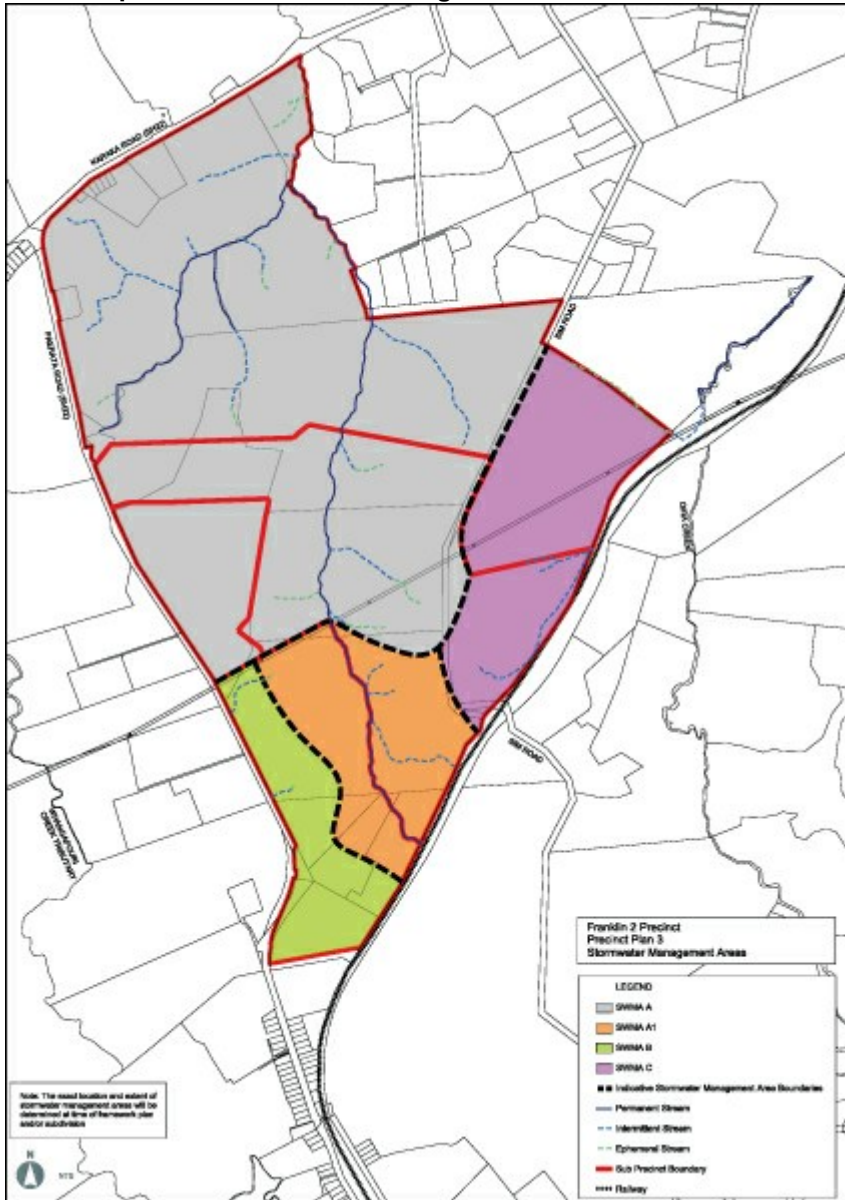
Precinct plan 1: Franklin 2 precinct



Precinct plan 2: Wesley Sub-Precinct Concept Plan



Precinct plan 3: Stormwater Management Areas



Precinct plan 4: Wesley College



Precinct plan 5: Indicative Transport Network

