

PART 3 - REGIONAL AND DISTRICT RULES»Chapter K: Precinct rules»6 South»

**6.6 Flat Bush**

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

**1. Activity table**

The activities in the relevant underlying zones apply in Flat Bush sub-precincts A and B except as specified in the activity table below.

Activity	Sub-precinct A						Sub-precinct B		
	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Area 8	Area 9
<b>Residential</b>									
One or more dwellings (including integrated landuse and subdivision resource consent)	RD	RD	RD	RD	RD	NA	RD	RD	NA
<b>Development</b>									
Alterations and additions to existing dwellings involving habitable room(s) within the Moderate Aircraft Noise Area	RD	RD	RD	RD	RD	P	RD	RD	NC
Cluster Housing on sites greater than 20ha	NA	NA	NA	NA	NA	NA	NA	D	D
<b>Community facilities</b>									
Educational facilities	RD	RD	RD	RD	RD	NA	RD	RD	NC
Entertainment facilities	NC	NC	D	D	NC	NA	RD	RD	NC
Formed Bridle Trails and Mountain Bike Trails	NA	NA	NA	NA	NA	C	NA	NA	C
<b>Rural</b>									
Farming	P	P	P	P	P	P	P	P	P
<b>Commerce</b>									
Food and beverage	D	D	D	D	D	NA	D	D	NA
Offices not exceeding 150sqm Gross Floor Area	D	D	D	D	D	NA	NC	NC	NA
Offices exceeding 150sqm Gross Floor Area.	NC	NC	D	D	D	NA	NC	NC	NA
Retail no greater than 150sqm Gross Floor Area	NC	D	D	D	D	NA	NA	NA	NA
Show homes	P	P	P	P	P	NC	P	NC	NC
<b>Subdivision</b>									

The Proposed Auckland Unitary Plan (notified 30 September 2013)

Any subdivision activity in Flat Bush Sub-precinct A that is integrated with a land use consent that does not comply with the site size identified in Clause 4.1 and the minimum site dimensions identified in Clause 4.2.	RD	NA	RD	RD	RD	NA	NA	NA	NA
Any subdivision activity on sites that include more than one Area [Areas 1 – 5 ], and which varies from the maximum or minimum average site size requirements specified in Clause 4.1	RD	RD	RD	RD	RD	NA	NA	NA	NA
Any subdivision that contains land within the Area 9	NA	NA	NA	NA	NA	NA	NA	RD	RD
Any subdivision that contains land within the that does not comply with Clause 4.3	D	D	D	D	D	D	D	D	D
Any activity (including subdivision) which includes wastewater disposal in the Area 8	NA	NA	NA	NA	NA	NA	NA	RD	NA
Any subdivision, building or structure within the Area 9	NA	NA	NA	NA	NA	NA	RD	RD	RD
Any subdivision, building or structure within the Area 6	RD	RD	RD	RD	RD	RD	NA	NA	NA

## 2. Land use controls

### 2.1 Density

- The following density requirements shall apply within Flat Bush Sub-precincts A and B.

Table 1

	Sub-precinct A						Sub-precinct B		
	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Area 8	Area 9
Minimum density (sqm net site area per dwelling)	425	300	425	250	425	NA	1000	2000	NA
Maximum allowable density within the MANA area (sqm per dwelling)	400	NA	150	180	300	NA	NA	NA	NA
Maximum density	NA	NA	NA	NA	NA	NA	1500	5000	NA

- Any application not meeting the density requirements of clause 2.1.1 shall be a non-complying activity.

## 3. Development Controls

### 3.1 Building height

- Buildings must not exceed the maximum height in the table below:

Table 2

	Sub-precinct A						Sub-precinct B		
	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Area 8	Area 9
Maximum height in meters	9	9	12	16	9	8	8	8	8

### 3.2 Yards

- Front, side and rear yards shall comply with the table below:

Table 3

	Sub-precinct A						Sub-precinct B		
	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Area 8	Area 9
Front Yard in meters	3	NA	3	3	3	0	4	6	6
Side Yard in meters	1.2	1.2	1.2	1.2	1.2	0	3	6	0
Rear yard <sup>1</sup> in meters	9	9	9	9	9	0	9	6	0

<sup>1</sup> a single storey building (or part of building) up to a maximum height of 5m with a maximum width of 4m that is no

closer than 5m from the rear boundary.

### 3.3 Building coverage

1. Maximum building coverage shall comply with table below:

Table 4

Maximum Building Coverage (as a percent of the site)									
	Sub-precinct A						Sub-precinct B		
	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Area 8	Area 9
Sites over 400sqm net site area	40	40	40	40	40	NA	30	15	NA
Sites between 200sqm-399sqm net site area	40	45	45	45	45	NA	NA	NA	NA
Sites under 200sqm net site area	50	50	50	50	50	NA	NA	NA	NA

### 3.4 Impervious area

1. Maximum impervious area within the front yard shall comply with table below:

Table 5

Maximum impervious area ( as a percent of the site)									
	Sub-precinct A						Sub-precinct B		
	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Area 8	Area 9
Maximum impervious area within front yard	50	50	50	50	50	NA	50	NA	NA

### 3.5 Noise Insulation Requirement for an Attached Dwelling

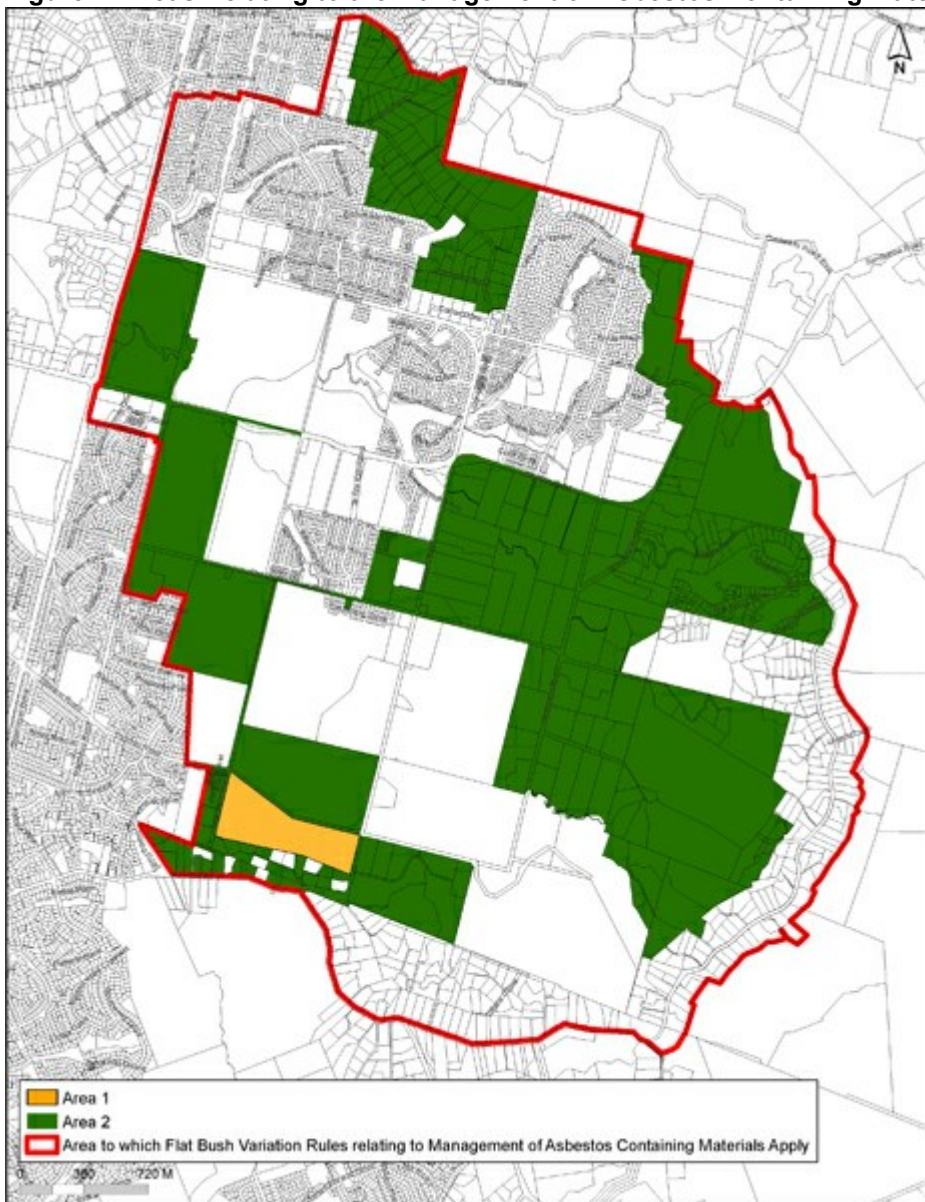
1. Dwellings (including erection and/or internal or external alteration or addition) in Flat Bush sub-precincts A and B that have common building elements between another dwelling or dwellings (irrespective of the activity within that dwelling or dwellings), shall only be permitted where they are designed, constructed and maintained in accordance with the following requirements:
  - a. The Sound Transmission Class of common walls shall be no less than 60 and the Sound Transmission Class of common floors and ceilings shall be no less than 55.
  - b. The Impact Insulation Class of floors shall be no less than 55.
  - c. The Verification Method shall be G6/VM1.
  - d. When assessing Impact Insulation Class, all floors, hallways and stairs in a building outside a dwelling are deemed to be common building elements to that dwelling. The impact requirement shall therefore apply between any other unit or common space and the habitable space of the dwelling irrespective of vertical or horizontal separation.

- e. A report is provided from a suitably qualified and experienced acoustic engineer stating that the building has been designed, constructed, and has passed field tests demonstrating compliance with the above.

### 3.6 Asbestos Containing Materials

1. For land identified in Area 1 of Figure 1 below, except as provided in clause 3.6.4 below, and excluding grazing, the following activities will be non-complying activities:
  - a. all land disturbing activities
  - b. subdivision.
2. For land identified in Area 2 of Figure 1 below, except as provided in clause 4.4 below, and excluding farming, the following activities shall be restricted discretionary activities:
  - a. Any land disturbance activities required for the installation of services such as electricity, water, telecommunications, sewerage and drainage
  - b. Any land disturbance activities required for the construction, renovation or demolition of buildings used for or in association with residential, business, recreational, educational or community activities
  - c. Land disturbance activities involving earthworks in excess of 200m
  - d. Subdivision.
3. Site investigation and remediation required by clauses 3.6.1 and 3.6.2 above must comply with [clause 4.5 - Contaminated Land](#) and [clause 4.2. - Earthworks](#) of the Auckland-wide rules.
4. The restrictions imposed by clauses 3.6.1 and 3.6.2 above will no longer apply to a site where contamination remediation has occurred and been approved by council.

Figure 1. Areas Relating to the Management of Asbestos Containing Materials



### 3.7 Fences

1. Where land within Flat Bush Sub-precinct A or B adjoins Flat Bush Area 6 or 9, then the boundary fencing or walls along the common boundaries shall be limited to a maximum height of 1.2m or up to 1.8m provided that the portion of the fence above 1.2m is at least 75% transparent.

### 4. Subdivision controls

The subdivision controls in the Flat Bush precinct are those listed in the Auckland-wide rules – subdivision except as specified below.

#### 4.1 Minimum and average site sizes

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

Table 6

	Sub-precinct A					Sub-precinct B	
	Area 1	Area 2	Area 3	Area 4	Area 5	Area 7	Area 8
Average Site size in sqm	325 to 425	NA	325 to 425	325 to 425	325 to 425	1200 to 1500	5000
Average Site size in sqm within MANA	425 to 450	NA	NA	NA	NA	NA	NA
Minimum site size in sqm	325	NA	325	325	325	1000	2000

2. Average site size in sub-precinct B, Areas 7 and 8 may include land within Area 9.
3. Additional Development Standards to be met in the Flat Bush sub-precinct B, Area 8:
  - a. Subdivision creating sites will only be permitted on land held in a separate Certificate of title on 27 October 2010 (the existing site).
  - b. Subdivisions are permitted to be made in stages by reference back to the existing site. Multiple subdivision consent applications may not be used to negate the provision for an average site size or the maximum number of sites that would be permitted by the subdivision of the existing site.
4. Any application not meeting any of the above requirements shall be a non-complying activity.

#### 4.2 Minimum Site Dimensions

1. Minimum sites dimensions shall comply with the table below:

Table 7

	Sub-precinct A	Sub-precinct B	
	Area 1-5	Area 7	Area 8
Front Site Minimum Width in meters	12.5	20	25
Front Site Minimum Depth in meters	26	26	NA
Front Site Legal Width of Back Lanes in meters	7	NA	NA
Rear sites	NC	NC	NA

2. There shall be no minimum site size within Sub-precinct A - Areas 1-5 where subdivision is proposed as part of an integrated land use consent provided that within the MANA the maximum allowable densities set out in Clause 2.1 are complied with.
3. Any application not meeting the above requirements shall be a discretionary activity.





The Proposed Auckland Unitary Plan (notified 30 September 2013)

Maximum Block Length in meters	250	250	250	250	250	NA	NA	NA	NA
Maximum Block Perimeter Distance in meters	700	700	700	700	700	NA	NA	NA	NA
Maximum cul-de-sac lengths (excluding turning circle) in meters	0	0	0	0	0	NA	200	NA	NA

Table 9: Construction Standards For Additional Road Types Within The Flat Bush Precinct Plan Area

Types of road	Road	Carriage-way	Max. grade	Figure
Collector Road Park Edge with development on one side in meters	19.6	9.2	8.33%	Refer Figure 2
Collector Road Park Edge – Bridge in meters	15	7	8.33%	Refer Figure 3
Collector Road Park Edge - with public open space on both sides in meters	17.4	7	8.33%	Refer Figure 4
Flat Bush Local Road in meters	18.2	7.8	12.5%	Refer Figure 5
Flat Bush Local Road Park Edge in meters	14	7.8	12.5%	Refer Figure 6
Flat Bush Special Local Road Park Edge	14	8.1	2.5%	Refer Figure 7

iii. Alternative road layouts

- Alternative road layouts may be proposed which demonstrate the implications for the whole sub catchment within which the changes are proposed as identified in Precinct Plan 4. Sub Catchments. and shall be constructed to the standards contained within Table 9: Construction Standards for Additional Road Types within the Flat Bush Precinct Plan area, or where not contained in Table 8.
- All alternative road layouts shall meet the requirements of clause 4.4.1(b) and shall not alter the position of arterial roads as identified in Precinct Plan 3. Road Network.
- All alternative road layouts must maintain the position of key specified local road connections between sub catchment areas, as indicated in Precinct Plan 5. Key Road Connections.
- In the Sub-precinct A, the block depth shall accommodate the minimum site dimension as specified in clause 4.2.
- Any application not meeting the above requirements shall be a restricted discretionary activity. Unless special circumstances exist, a resource consent application under Clause 4.4.1 (c) may be considered on a limited notified basis within the sub-catchment as shown on Precinct Plan 4. Sub-catchments.

Figure 2. Collector Road Park Edge with development on one side

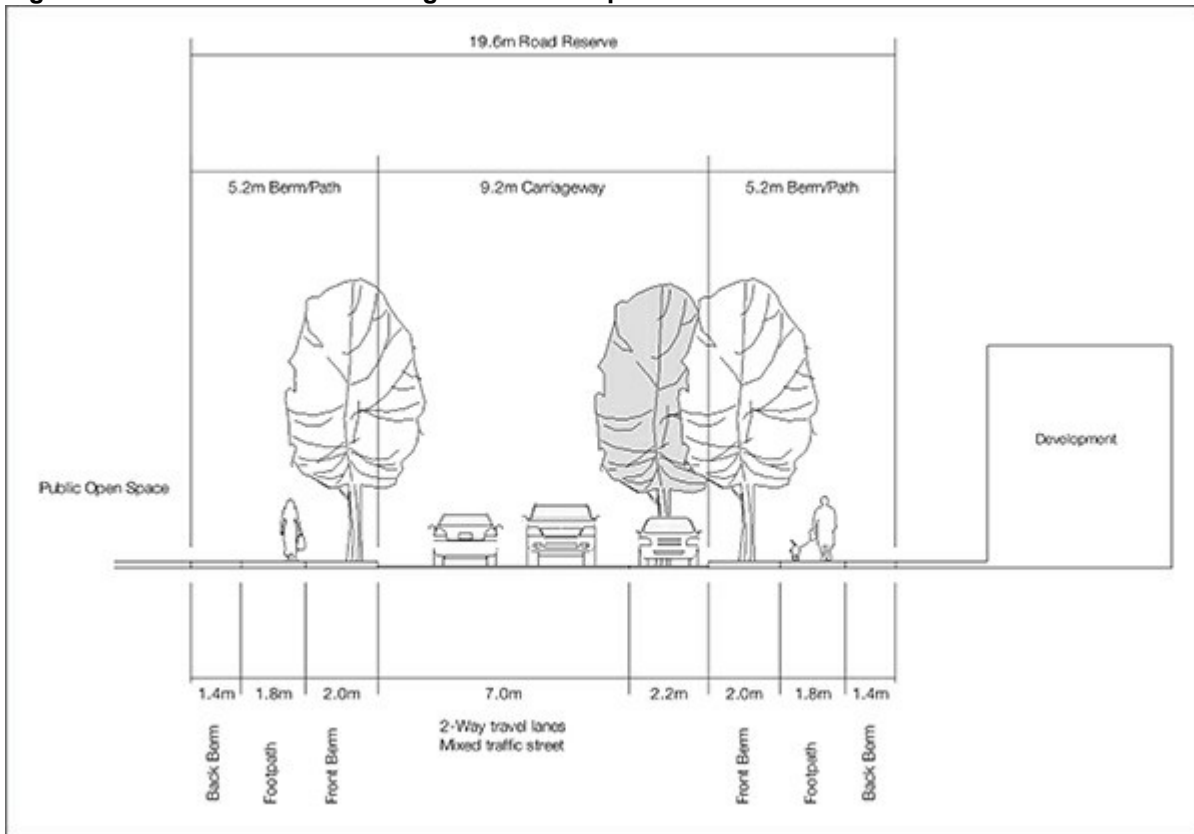


Figure 3. Collector Road Park Edge - Bridge

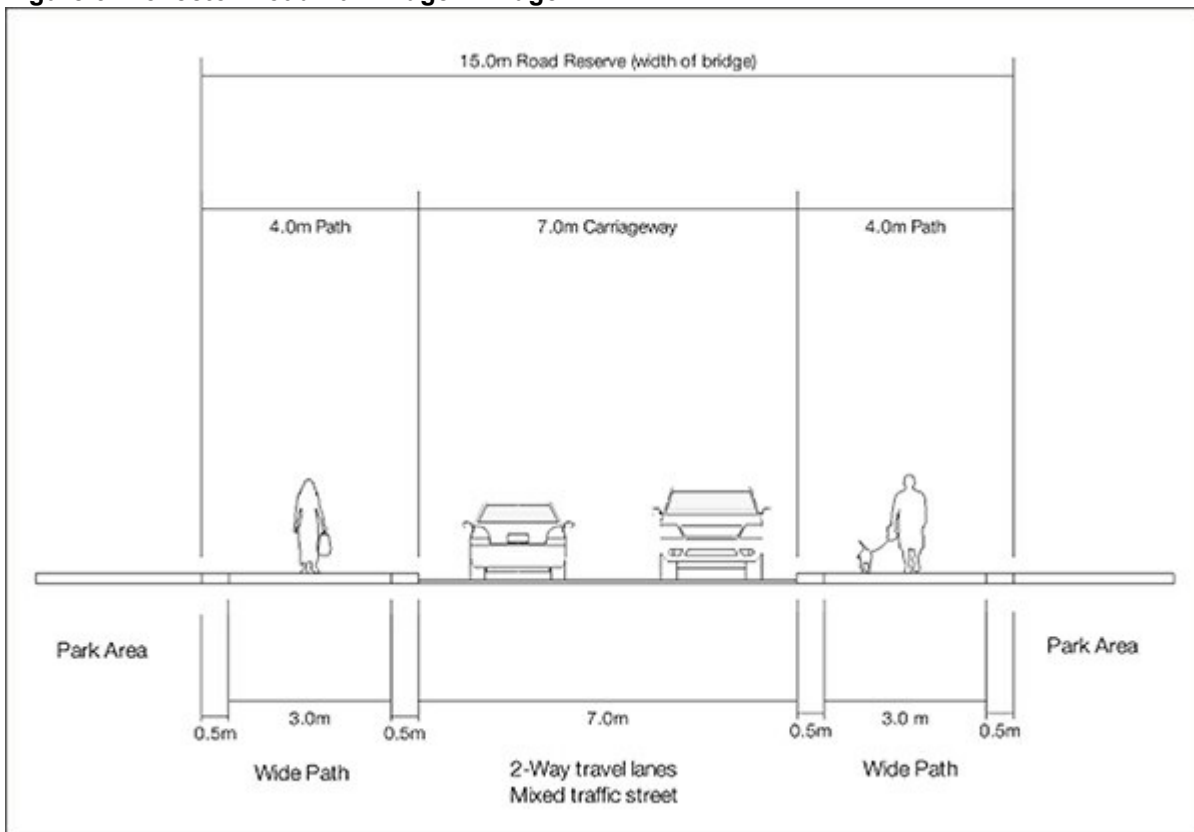


Figure 4. Collector Road Park Edge with public open space on both sides

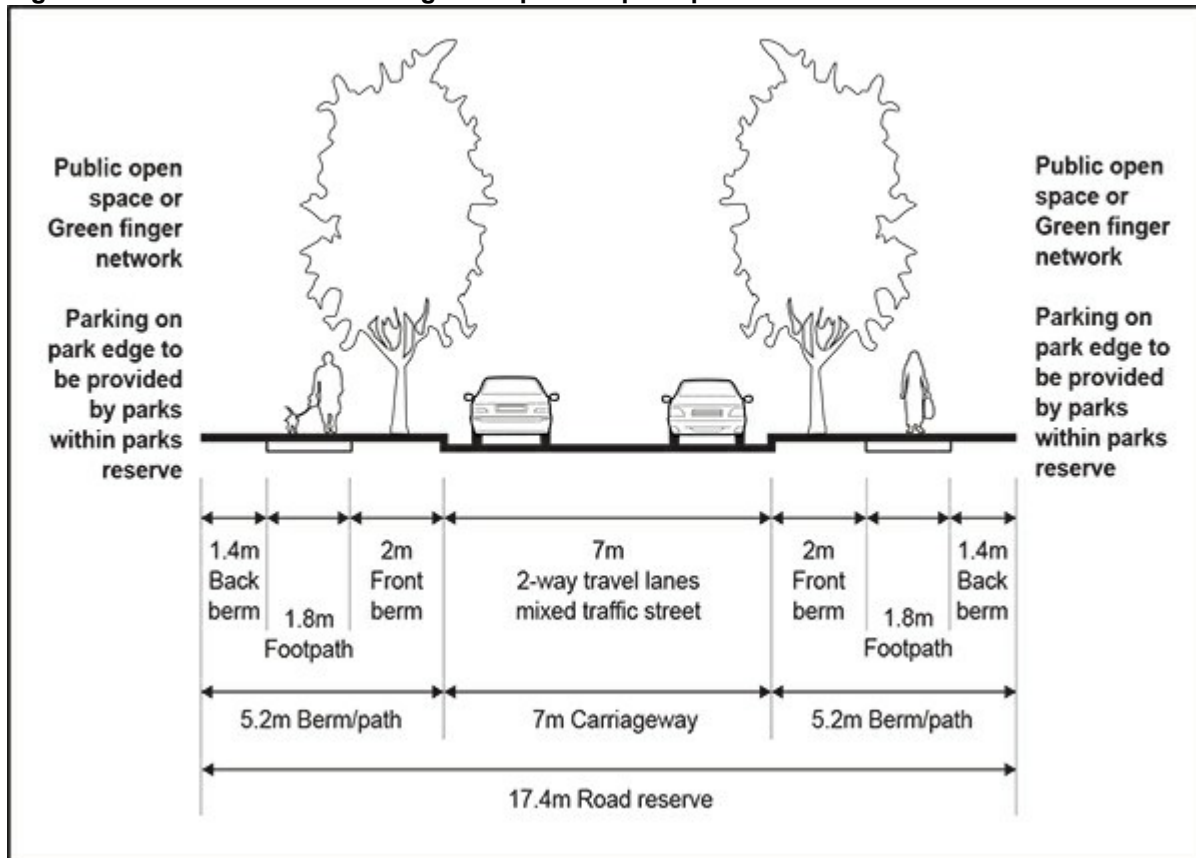


Figure 5. Flat Bush Local Road

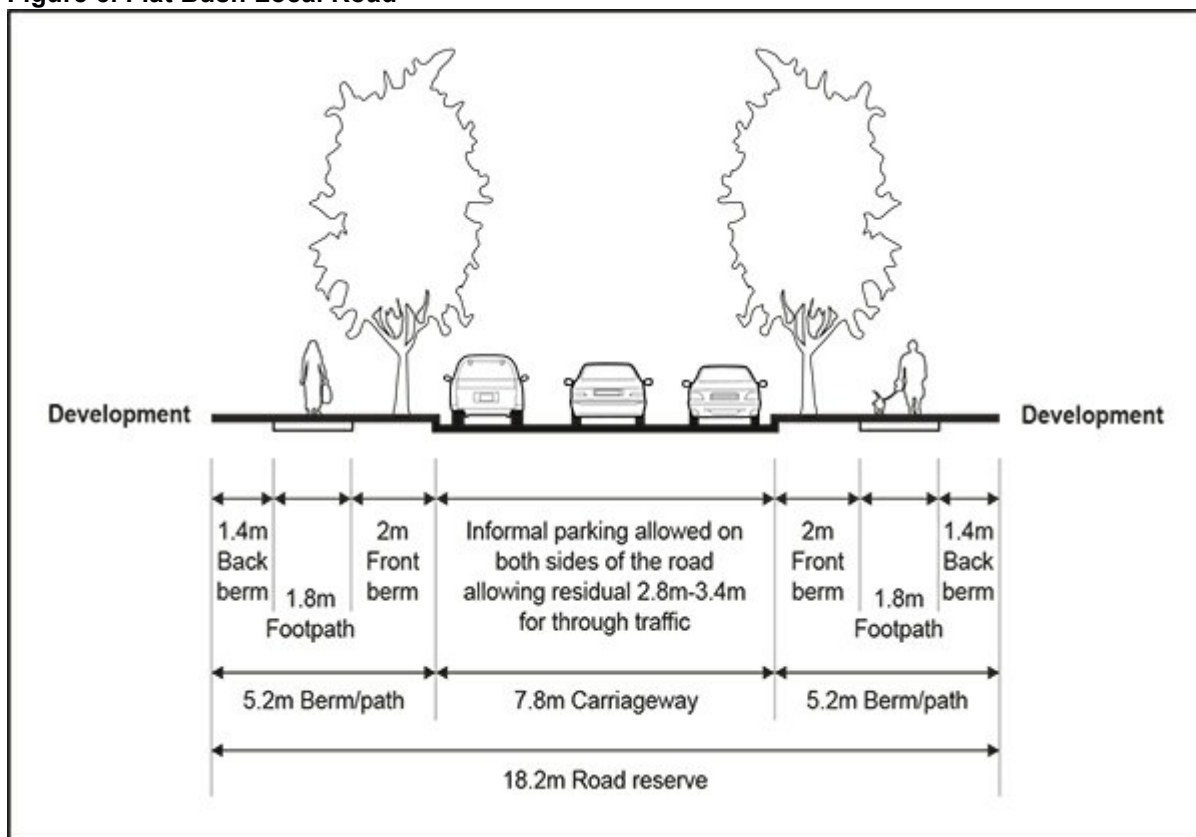


Figure 6. Flat Bush Local Road Park Edge

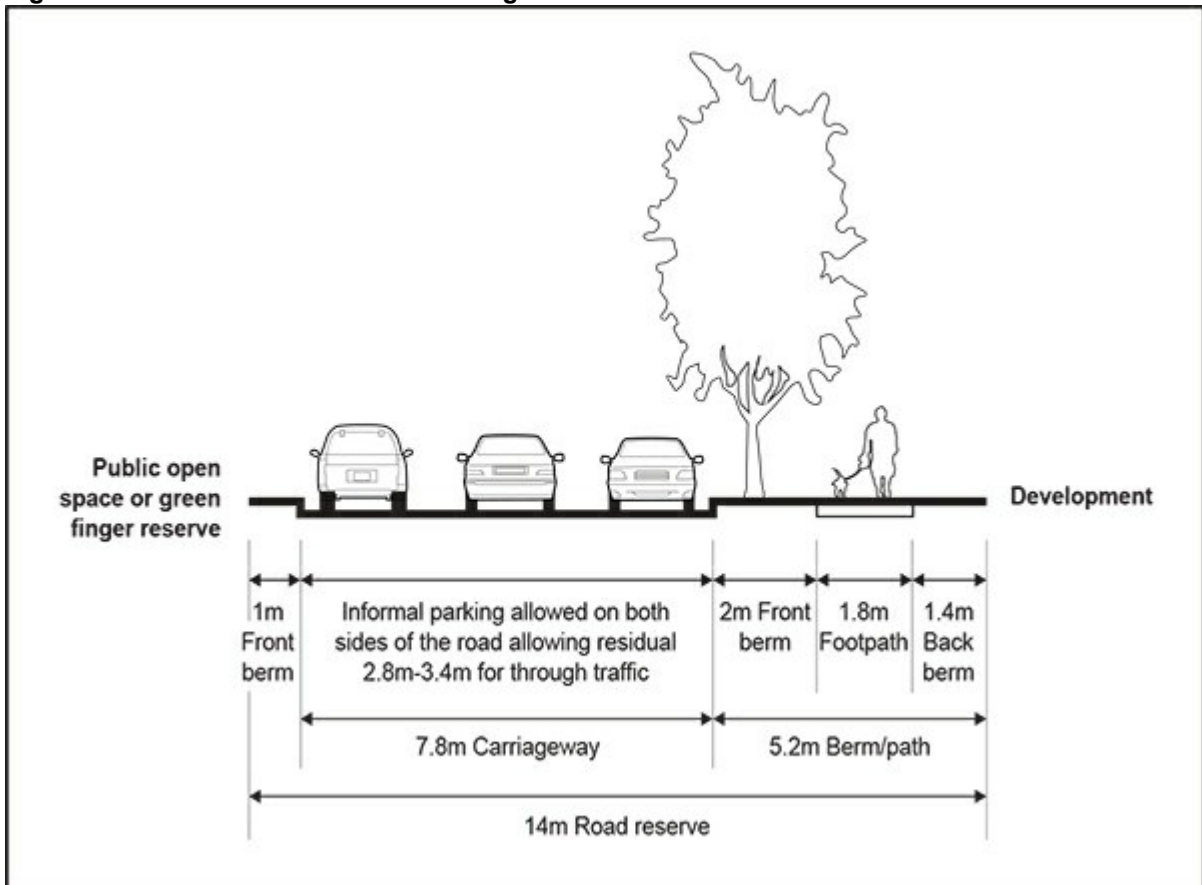
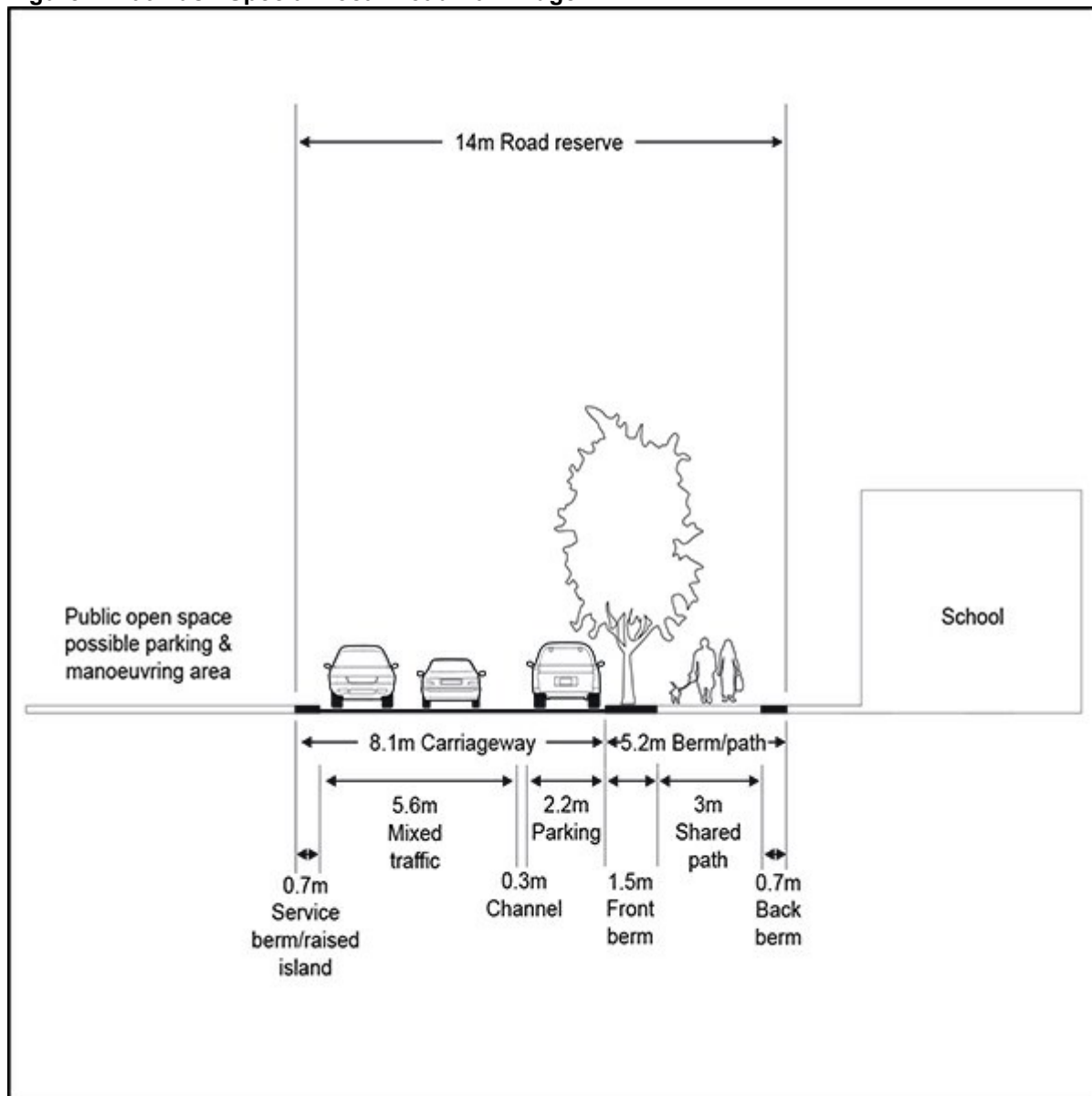


Figure 7. Flat Bush Special Local Road Park Edge



## 5. Assessment - Controlled Activities

### 5.1 Matters of control

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

1. Formed Bridle Trails and Mountain Bike Trails in Area 6 and 9
  - a. Location and Design
  - b. Personal Safety and Damage to and Effects on Neighbouring Properties

### 5.2 Assessment Criteria

1. Formed Bridle Trails and Mountain Bike Trails in Areas 6 and 9
  - a. Location and Design
    - i. The bridle trail should provide for safe and convenient access and address effects on the safe and efficient operation of the adjoining road network.
    - ii. The access should have a minimal adverse effect on pedestrian access and safety and/or the recreational or environmental functions of the areas.
  - b. Personal Safety and Damage to and Effects on Neighbouring Properties
    - i. The activity should not result in a dangerous situation to other public open space users or otherwise detract from other users enjoyment of the public open space.

- ii. The activity should not cause damage to neighbouring residential properties.

## 6. Assessment - Restricted discretionary activities

### 6.1 Matters of Discretion

For activities/development listed as restricted discretionary activities in the Flat Bush precinct activity tables, the council will restrict its discretion to the matters in the table below, in addition to the matters specified for the relevant underlying zones:

Table 10

Activity	Existing Native vegetation, riparian planting, ecosystem and Natural Landscape Quality	Placement of buildings infrastructure and other structures	Design and external appearance	Servicing - Wastewater disposal and discharge of contaminants	Site stability
Restricted Discretionary Activity within Area 8	X	X	X	X	X
Restricted Discretionary Activity within Area 9	X	X			X
All other Restricted Discretionary activities in Sub Precinct A and B	X	X	X	X	X

### 6.2 Assessment Criteria

For activities/development listed as restricted discretionary activities in the Flat Bush precinct activity tables, the following assessment criteria apply, in addition to the criteria specified for the relevant restricted discretionary activities in the relevant underlying zones:

1. Existing Native vegetation, riparian planting, ecosystem and Natural Landscape Quality
  - a. The development should not alter the existing topography of the site or affect existing natural features or existing native vegetation.
  - b. The development should not negatively impact the ability in the future to protect land within Area 9 from development and undertake native riparian planting.
  - c. The development should propose a Riparian Planting Plan for Area 9 that should add ecological and amenity values as public open space.
  - d. The proposal should not impact in any way on the freshwater and terrestrial ecosystems including the quality of the water and riparian vegetation, areas of native forest and wetlands or on the natural habitats of birds, aquatic species and wildlife found within Areas 6 or 9.
  - e. The proposal should not impact on the natural landscape quality of Areas 6 or 9.
  - f. The proposed planting should be sufficiently robust to survive in the proposed location.
  - g. The pest and weed management programme for the area should protect the planting from damage and ensure plant survival.
  - h. A refundable bond may be required to ensure that the riparian planting undertaken in accordance with the approved riparian planting plan survives for a two-year period from the time of planting.

## The Proposed Auckland Unitary Plan (notified 30 September 2013)

2. Placement of buildings infrastructure and other structures
  - a. The design and external appearance of a building or structure in terms of scale, form, materials and colour should respect the natural character and aesthetic qualities of the sub-precinct.
  - b. The proposed building or structure should make a positive contribution to the built form of the surrounding streetscape and to any existing buildings on the public open space.
  - c. The placement of buildings and structures should avoid Area 9.
3. Design and external appearance
  - a. The proposed building or structure should be sympathetic to the surrounding natural landscape qualities and characteristics.
  - b. The car parking and access for the proposed building or structure should be safe and convenient while still maintaining an acceptable aesthetic quality.
  - c. The proposed activity should not generate noise levels that adversely affect the amenity of adjoining properties and whether any mitigation measures are proposed to reduce noise effects on these properties.
  - d. The development must satisfactory provide for attenuation of aircraft noise.
  - e. The design and external appearance of buildings including the scale, articulation, orientation and spacing should complement the existing buildings in the vicinity.
  - f. The bulk or repetitive form of buildings should not detract from the visual amenities of the neighbourhood.
  - g. The car parking should be safe and convenient while still maintaining an acceptable aesthetic quality as viewed from the street in particular the hard paved areas associated with parking and garaging should not dominate the streetscape.
4. Servicing - Wastewater disposal and discharge of contaminants
  - a. The site should have sufficient area available to accommodate an adequate wastewater disposal system which should not create an erosion, land instability or water pollution problem and that should not adversely affect the stormwater treatment and discharge systems on the site, or adversely affect public health and safety.
  - b. Adequate provision should be made on site for rubbish storage and servicing and the areas should be adequately screened from view from public places and neighbouring sites.
  - c. The proposal should not generate any dust, smoke, fumes or other discharges to air which would potentially detract amenity values of the area.
5. Site stability
  - a. The building, structure or activity should not adversely affect the stability of the site or adjacent sites.

## 7. Assessment - Discretionary activities

### 7.1 Matters of discretion

While not limiting the exercise of its discretion, the council may consider the particular matters specified for the discretionary activities listed below:

1. Retail activity in the Flat Bush Sub-Precinct A
  - a. Two or more consented retail sales premises located adjacent or generally opposite to each other are a 'retail cluster' for the purposes of this criterion.
  - b. In assessing the appropriateness of allowing a retail cluster to be located in residential sub-precincts, consideration will be given to:
    - i. The number of retail premises in each retail cluster.
    - ii. The scale of the individual premises should be no more than 150sqm.
    - iii. Retail should not be a dominant activity in the immediate vicinity or just one element within an otherwise residential environment.





## The Proposed Auckland Unitary Plan (notified 30 September 2013)

Land modification, Development and Subdivision	X	X	X	X	X	X		X
Land modification, Development and Subdivision of land in Areas 7 and/ 8 containing Area 9 land						X		X
Land modification, Development and Subdivision in Area 9						X	X	
Alternative Road network in Sub-Precinct A			X					X
Alternative Road network in Sub-Precinct B			X					X

### 7.2 Assessment Criteria

In addition to the general assessment criteria in [clause 2.3](#) of the general provisions and the specific assessment criteria for the infringement of controls in the relevant underlying zones, the council will consider the relevant assessment criteria below for the infringement listed:

1. Construction of more than one dwelling within Flat Bush sub-precincts A and B (including integrated land use and subdivision):
  - a. Subdivision as part of an Integrated Land use
    - i. The proposed subdivision should follow rational boundaries with regard to access, privacy, amenity etc.
    - ii. Acceptable levels of private outdoor living should be achieved for each dwelling.
    - iii. Restrictions should be included in the proposal such as, limitations on placements of windows, no build yard areas and maximum heights to ensure that privacy and avoiding domination of buildings is achieved.
2. Contaminated land
  - a. Site assessment
    - i. The site assessment should be undertaken to the satisfaction of council.
  - b. Means of remediation
    - i. The means of remediation including, the possibility of a requirement for the removal off-site of asbestos containing materials.
  - iii. Management of remediation
    - The duration, timing and methodology for remediation.

## The Proposed Auckland Unitary Plan (notified 30 September 2013)

- iv. Validation
    - The effectiveness of remediation including the provision of a remediation validation report
  - v. Management plan
    - On-going management including the provision of a site management plan relating to any remaining asbestos containing materials on the site and related health and safety issues.
  - vi. Monitoring
    - The options outlined in the management plan(s) for monitoring, including health and safety.
    - The options for institutional controls associated with remediation.
3. Subdivision
- a. Road Standards
    - i. Cycleways should provide continuous routes between subdivisions.
    - ii. Subdivisional road and site layout and dimensions should optimise the orientation of the sites to the sun in terms of their likely future development.
  - b. Provision of Back Lanes that connect roads and/or provide alternative access to the rear of residential sites:
    - i. Back lanes should be limited in length to ensure that long repetitive lanes are avoided.
    - ii. Building line restrictions should be introduced in relation to rear lanes to ensure that adequate opportunities are provided for landscaping and to limit repetitive building forms.
  - c. Legibility of Network, Safety, Block Pattern and Neighbourhood Identity
    - i. Whether changes to the park edge local roads have an adverse impacts on the design, amenity and usability of the adjacent public open space and result in substantially greater earthworks and retaining structures adjacent to the open space than would otherwise be required.
    - ii. The proposal should not impact in any way on the clarity, legibility and connectivity of the roading network with particular regard to any 'domino effect' which might result from considering properties in isolation without regard to the wider neighbourhood in each sub-catchment as shown on Precinct Plan 4. Sub-catchments
    - iii. The proposal should achieve straight roads that maximise legibility to reveal the topography and strengthen visual connection to the wider landscape.
    - iv. The proposed layout should promote good connectivity by all modes of travel including short walking routes to potential bus routes and other community infrastructure such as schools, neighbourhood centres and public open space.
    - v. The proposal should achieve a neighbourhood identity by maximising connections to landscape features and to other features such as schools, neighbourhood centres, public open space and community facilities.
    - vi. The proposed layout should contribute to a clear and legible understanding of the neighbourhood within the wider context.
    - vii. The proposed road layout should create flexibility for a range of potential activities and residential densities to occur in appropriate places now and in the future.
    - viii. Vehicle access should to be restricted (including on arterial routes) to achieve spatial outcomes that reinforce a sense of place and achieve a high quality public realm.
    - ix. The proposed block pattern should result in the opportunity to create regular shaped sections with the inherent flexibility to be developed for a range of potential activities and residential densities now and into the future.
    - x. The proposed street design and layout should provide for consistency of treatment down

lengths of street and appropriate integration to adjoining areas.

- xi. The proposal should not impact in any way on the clarity and legibility of the roading network with particular regard to the sub-catchment within which the proposed subdivision is located, as shown in Precinct Plan 4. Sub-catchments.
- iv. Movement Network: Maximum Block Length and Maximum Block Perimeter Distance
    - The proposed road layout should provide for convenient and safe access for pedestrian, cycle and vehicle users.
    - The proposed road layout should provide for a clear and easily understood network that is easy to navigate through for all users.
    - The proposed road layout should not be constrained by topography, trees or bush to be retained and/or fragmented land ownership and/or existing buildings.
  - v. Variations in the maximum or minimum allowable average site sizes after adjustment of the boundaries between adjoining sub-precincts and Areas
    - This assessment is intended to apply where the area boundaries, as defined on the relevant planning maps, have been modified. In such instances the council will assess whether the proposed subdivision yields the same number of sites as it would have in the case of a subdivision which complied with the maximum or minimum subdivision clauses had the Area boundary(s) remained unaltered.
    - Whether the target densities of each of the adjoining precincts are being generally achieved.
    - The extent to which the average site size in each of the adjoining precincts differs from the requirements of Clause 4.1.
  - vi. Design and Layout of Subdivision, Staging and Design
    - In the case of a staged subdivision, each stage of subdivision should comply with the development and performance standards (including density) of the sub-precinct. Council may, by way of either a consent notice or a condition of consent, require that any such density shortfall or surplus be made good in, or be carried forward to, subsequent stages of the subdivision.
    - The subdivision design should provide an adequate buffer between the proposed sites and the conservation and stormwater management area.
    - The design and layout of the subdivision protects land in the conservation and stormwater management area from inappropriate development.
    - The subdivision provides an appropriate structure for the future ownership and management of land within the conservation and stormwater management area having regard to the native riparian planting requirement and on-going maintenance responsibilities.
    - The proposal should achieve neighbourhood identity by maximising connections to landscape features and to other features such as schools, neighbourhood centres, public open space and community facilities.
  - vii. Impact of previous subdivision within Area 8 where the site previously subdivided under sub-precincts A and B has reduced the average site size of the original subdivision below the average density of one per 5000sqm.
    - The proposed subdivision should not detract from the character of the area.
    - The proposed subdivision should have sufficient open space within the conservation and stormwater management area to offset the effects of further subdivision on the site.
    - The proposed subdivision should allow sufficient space for wastewater disposal outside of the conservation and stormwater management area.
    - The proposed subdivision should make use of existing infrastructure including private ways, roads, reticulated water, wastewater disposal and power.

### viii. Movement Network

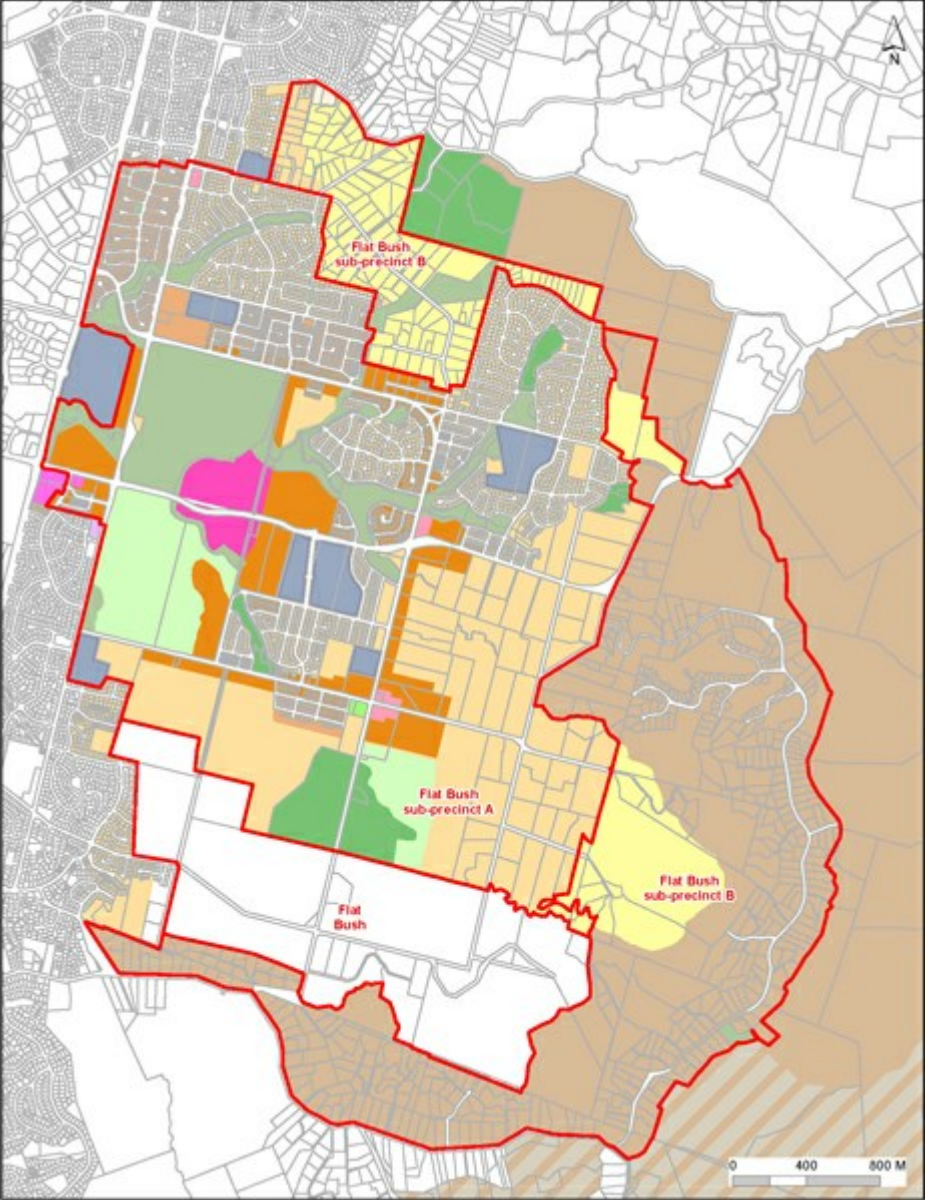
- There are significant factors or constraints, which mean that roads cannot be provided in accordance with council's road design standards. In relation to collector roads, only minor changes due to significant topographical, geotechnical or other environmental factors are anticipated.
- The proposed road layout should respect and relate to the existing contour and avoid permanent features such as steep cut faces and retaining structures which are highly visible.
- The layout should promote good vehicular and pedestrian connectivity within the area including to community infrastructure such as bus stops, schools, neighbourhood centres, public open space and community facilities.
- The proposal should achieve an acceptable low impact stormwater management solution having regard to integrating good urban design and stormwater management solutions.
- The road serves only a small number of dwellings or is for a short length.
- An alternative design of the road addresses traffic and pedestrian volumes, safety and amenity and access for emergency vehicles.
- On-street car parking is catered for.
- A footpath is required or is desirable on both sides of the road.
- Visual and physical differentiation is required and, if so, the modified section of road links appropriately with adjoining sections of road.

## 9. Special information requirements

1. A riparian planting plan shall be provided as part of any application for land modification, development and subdivision.

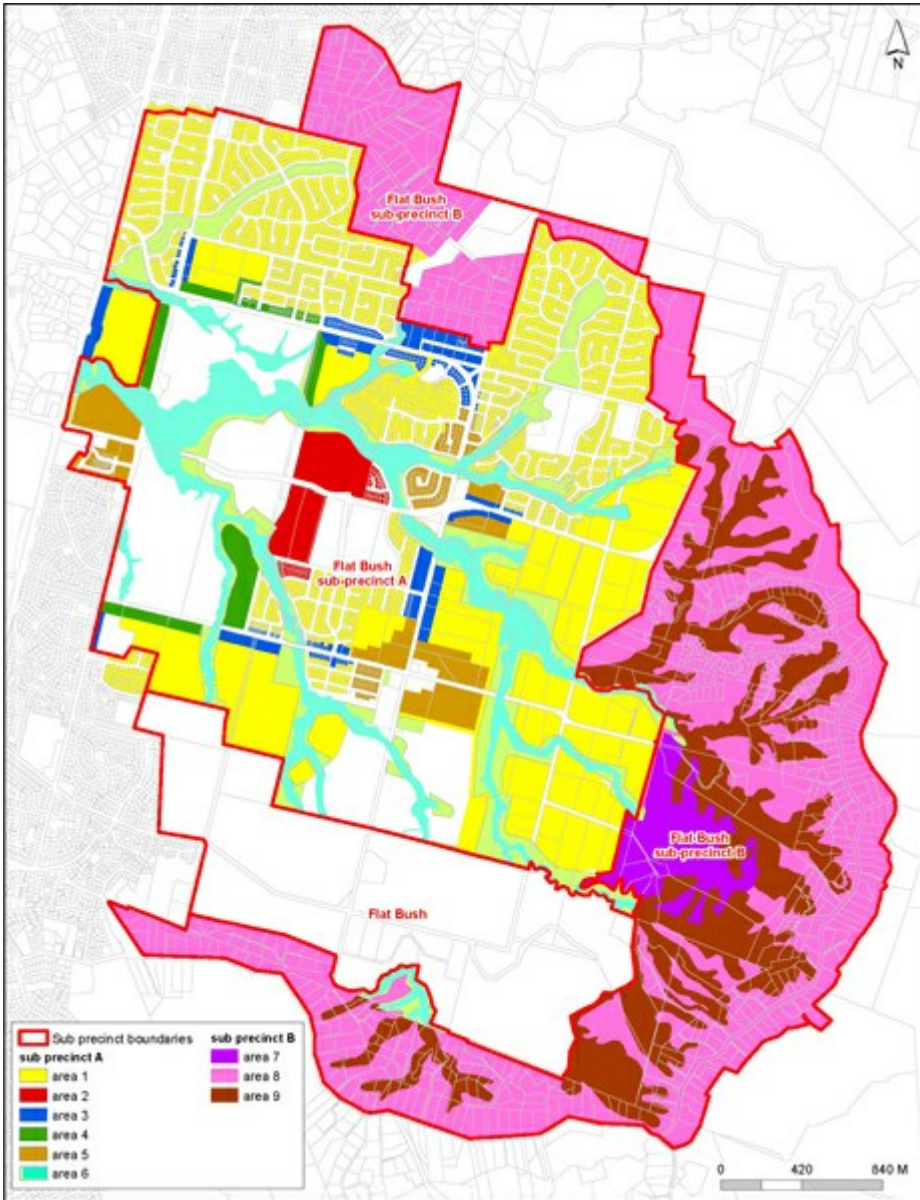
10. Precinct plans

Precinct Plan 1: Flat Bush Precinct

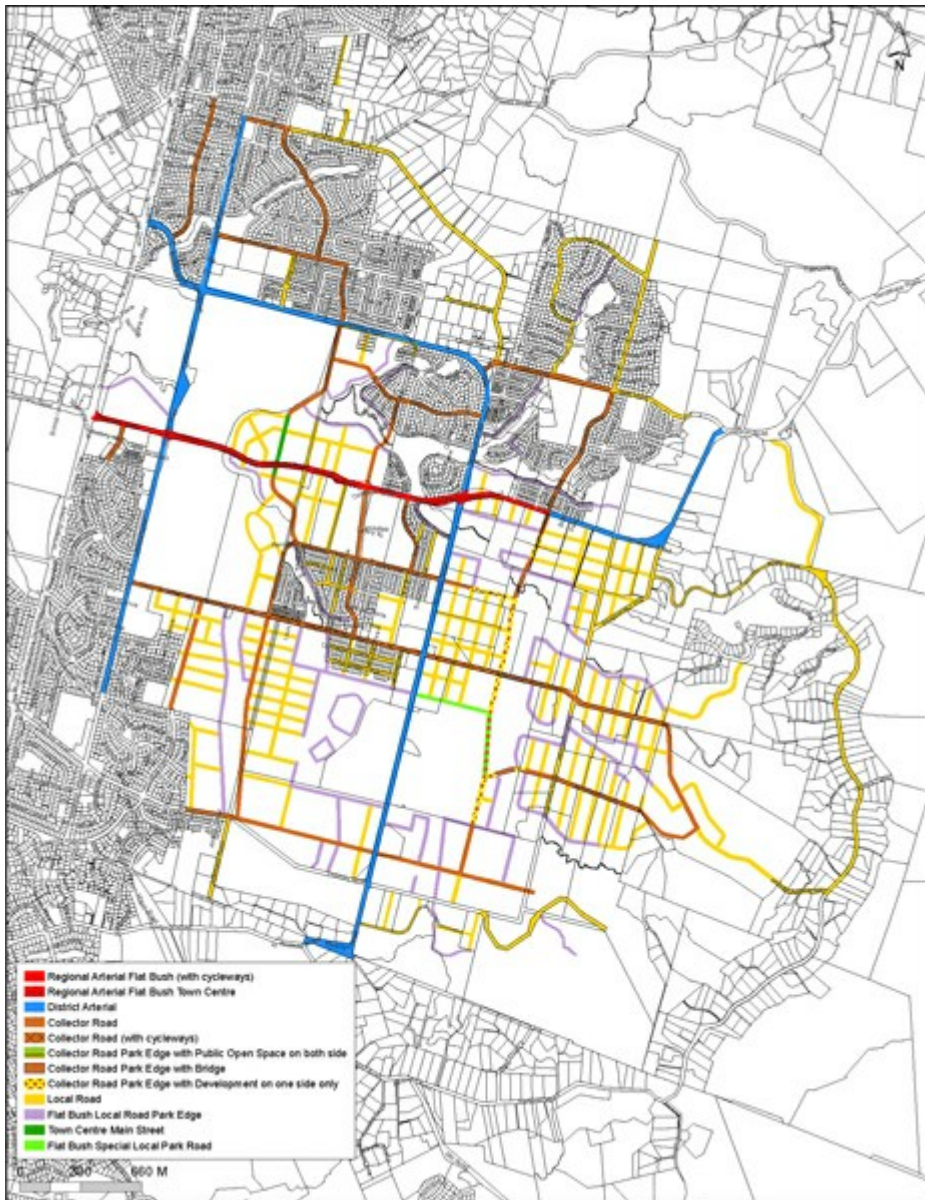




Precinct Plan 2: Flat Bush Sub-Precinct Areas

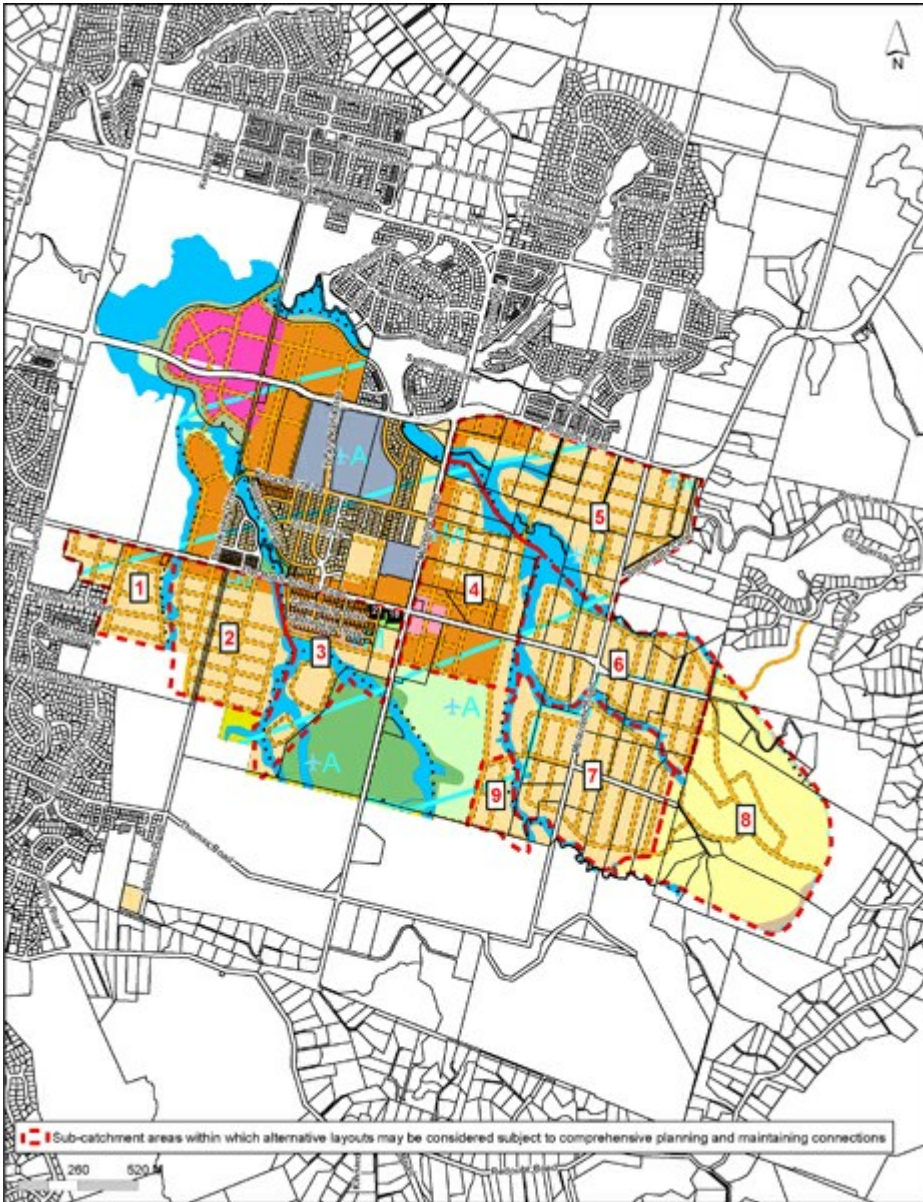


Precinct Plan 3. Road Network



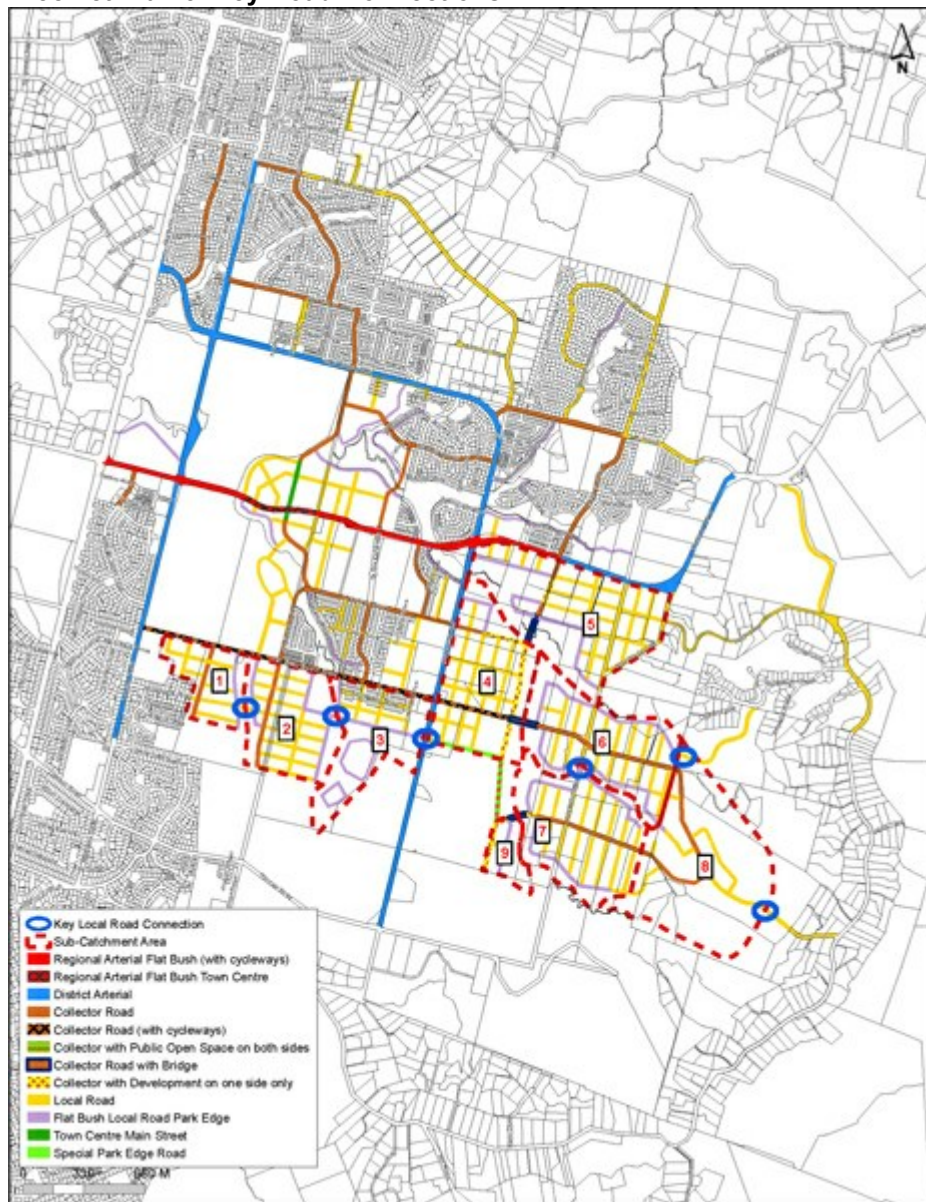


Precinct Plan 4. Sub-catchments





**Precinct Plan 5. Key Road Connections**



**11. Flat Bush Sub-precinct C - OPERATIVE**

The rules below apply to Flat Bush sub-precinct C and replace all relevant provisions in the preceding sub-precincts A and B rules. The provisions of Appendix K6.6.11.11 apply within the Electricity Transmission (National Grid) Corridor until the PAUP becomes operative, at which time the operative provisions of the Electricity Transmission (National Grid) Corridor overlay in Chapter J will apply (and Appendix K6.6.11.11 will cease to have effect).

Note:

The rules in this section implement the relevant objectives and policies in the Chapter F, section 6.6 and includes Objectives 1 - 8 and Policies 1 - 8 as set out in the Chapter F, section 6.6 PAUP as notified in September 2013.

**1. Activity Table**

The activities in the relevant underlying zones apply in Flat Bush sub-precinct C except as specified in the activity tables below and that in Appendix K6.6.11.11.

1. Residential

ACTIVITY TABLE: RESIDENTIAL ZONES – SUB-PRECINCT C	
ACTIVITY	ACTIVITY STATUS

## The Proposed Auckland Unitary Plan (notified 30 September 2013)

<b>Residential</b>	
Retirement villages not located within the MANA	RD
<b>Rural</b>	
Farming	P
<b>Commerce</b>	
Show home	P
<b>On-site stormwater management (dwellings and impervious areas excluding roads)</b>	
Impervious areas (excluding roads) of less than or equal to 25m <sup>2</sup> within a site	P
Impervious areas (excluding roads) greater than 25m <sup>2</sup> within a site that meet hydrology mitigation requirements in Rule 11.3.18 below	P
Impervious areas unable to comply with the activity controls	RD

### 2. Neighbourhood Centre Zone

<b>ACTIVITY TABLE: NEIGHBOURHOOD CENTRE ZONE – SUB-PRECINCT C</b>	
<b>ACTIVITY</b>	<b>ACTIVITY STATUS</b>
<b>Commerce</b>	
Individual retail tenancies not exceeding 450m <sup>2</sup> GFA	P
Individual retail tenancies exceeding 450m <sup>2</sup> GFA	NC
<b>On-site stormwater management (dwellings and impervious areas excluding roads)</b>	
Impervious areas (excluding roads) of less than or equal to 25m <sup>2</sup> within a site	P
Impervious areas (excluding roads) greater than 25m <sup>2</sup> within a site that meet hydrology mitigation requirements in Rule 11.4.1 below	P
Impervious areas unable to comply with the activity controls	RD

## 2. Land Use Controls - Residential Zones

The activities in the relevant zones apply in Flat Bush sub-precinct C except as specified below.

### 2.1 Density

The activities in the relevant zones apply in Flat Bush sub-precinct C except as specified below.

1. The density requirements of Table 12 apply within the MANA.

<b>TABLE 12: Density</b>	
<b>Density</b>	<b>SUB-PRECINCT C</b>
Maximum allowable average density within the MANA area (sqm per dwelling)	400

2. The density requirements of Table 13 apply outside the MANA.

<b>TABLE 13: Density</b>
--------------------------

## The Proposed Auckland Unitary Plan (notified 30 September 2013)

Zone	SUB-PRECINCT C
Mixed Housing Suburban	Maximum allowable average density of 200m <sup>2</sup> per dwelling where the requirements of rule 11.2.1.3 below are met
Mixed Housing Urban	No density limits apply where four or more dwellings are proposed and the requirements of rule 11.2.1.4 below are met

3. Within the Mixed Housing Suburban zone the site:

- a. has a minimum net site area of 1200m<sup>2</sup>
- b. is at least 20m wide at the frontage of the site.

4. Within the Mixed Housing Urban zone the site:

- a. has a minimum net site area of 1200m<sup>2</sup>
- b. is at least 20m wide at the frontage of the site.

### 2.2 Affordable Housing

Purpose:

To ensure that the precinct contains affordable housing to help address Auckland's housing affordability needs.

Provision of relative and retained affordable dwellings not in accordance with the Land Use Controls below is a Restricted Discretionary Activity.

1. New residential developments containing 15 or more dwellings/vacant sites must provide for affordable dwellings/ vacant sites that are either (B) relative affordable or (C) retained affordable that will meet the requirements of clauses 2-8 below.
2. All resource consent applications requiring the provision of affordable dwellings/vacant sites must be accompanied by details of the location, number and percentage of relative and/or retained affordable dwellings/vacant sites.
3. Affordable dwellings/vacant sites must be spread throughout the development, with no more than six in any one cluster.
4. For staged developments, a proportionate number of affordable dwellings and/or vacant sites must be provided at each respective stage on a pro rata basis and spread throughout the development in accordance with clause 3 above.
5. For apartments, no more than one-third of the total number of identified affordable dwellings are to be located on a single building level/storey, unless the development is two levels, in which case no more than half of the identified affordable dwellings are to be located on a single building level.
6. If the calculation of the percentage of dwellings (and/or vacant sites) that must be affordable dwellings (and/or vacant sites) results in a fractional dwelling (or vacant site) of one-half or more, that fraction is counted as 1 dwelling (or vacant site), and any lesser fraction may be disregarded.

7. For avoidance of doubt, the land use rules do not apply to resource consent applications processed under the Housing Accords and Special Housing Areas Act 2013 (HASHAA) as the provisions specified within the relevant Order in Council amendment to that Act apply. The above provisions apply to consents that are not processed under HASHAA.
8. Retirement villages are excluded from the affordable housing provisions applying in the precinct.

## **B. Relative Affordable**

### **Number of Relative Affordable Dwellings or Sites**

#### **Purpose:**

To ensure that the precinct contains price relative affordable housing available to first home buyers to help address Auckland's housing affordability needs.

1. For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites, (or a mixture of both with the total cumulative number of dwellings and/or vacant sites being 15 or more), at least 10 percent of the total number of dwellings/vacant sites must be relative affordable and meet the following criteria:
  - a. the price at which a dwelling may be sold does not exceed 75 percent of the Auckland region median house price (calculated as an average of three calendar months previous to the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later) that is published by the Real Estate Institute of New Zealand.
  - b. if the application is for a subdivision consent, the applicant must identify the sites of the subdivision allocated for the building of relative affordable dwellings and must specify the mechanism (consent notice for example) for ensuring that the combined value of the building and the land upon completion will meet that criterion or is a building associated with such a dwelling.
  - c. dwellings must be sold to first home buyers who must reside in the dwelling and retain ownership for three years from the date of first transfer. Any dwellings built on vacant sites identified for affordable housing must be sold to first home buyers who must reside in the dwelling and retain ownership for three years from the date of transfer.

### **Eligibility for Relative Affordable Housing**

#### **Purpose:**

To ensure relative affordable housing is purchased by appropriate persons

2. Prior to the first transfer of affordable dwellings (including new dwellings that have never been occupied and are built on vacant sites that are identified for affordable dwellings), the consent holder must provide to Council a statutory declaration that confirms the sale complies with the following eligibility requirements:
  - a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 percent of the Auckland median household income as set at the date of signing the unconditional sale and purchase agreement.
  - b. the consent holder has sold the dwelling (and any associated parking that is required by resource consent and storage) at a price which is not more than that defined by the 75 percent median price in accordance with clause 8.1(a) above.
  - c. the purchaser intends to own and occupy the affordable dwelling exclusively as their residence for no less than three years from the date of purchase.
  - d. the purchaser is a first home buyer and has never owned any other real property.
  - e. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in the

name of any other person or entity.

3. Prior to the transfer of a vacant site identified for affordable dwellings, the purchaser must be made aware of the consent notice mechanism required to ensure any building built on the site is a dwelling that will meet the relative affordable criteria in 8.1 above or is a building associated with such a dwelling.
4. Prior to the transfer of a vacant site identified for an affordable dwelling to a purchaser that intends to develop, own and occupy the affordable dwelling themselves, the consent holder must provide to Council a statutory declaration executed by the intended purchaser that confirms the sale complies with the following eligibility requirements:
  - a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 percent of the Auckland median household income as set at the date of signing the unconditional sale and purchase agreement.
  - b. any development of the site must be such that the combined value of the dwelling and the land upon completion, as confirmed by a valuation carried out by a registered valuer, must be no more than that defined by the 75 per cent median price in accordance with clause 8.1(a) above.
  - c. the purchaser intends to own and occupy the affordable dwelling exclusively as their residence for no less than three years from the date of purchase.
  - d. the purchaser is a first home buyer and has never owned any other real property.
  - e. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in the name of any other person or entity.
5. A consent notice must be placed on the computer freehold register for the respective affordable dwellings/vacant sites requiring the above eligibility criteria be met for three years from the date of the transfer to the eligible purchaser

#### C. Retained Affordable

##### Eligibility for Retained Affordable Housing

Purpose:

To ensure that the precinct contains income related retained affordable housing to help address Auckland's housing affordability needs and to ensure retained housing is appropriately managed by Community Housing Providers to achieve on-going provision and availability where required.

1. Purchasers in respect of retained affordable housing must be a registered community housing provider or Housing New Zealand Corporation. This rule does not apply to Retirement villages.

##### Number of Retained Affordable Dwellings or Sites

2. For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites, (or a mixture of both with the total cumulative number of dwellings and/or vacant sites being 15 or more), at least 5 percent of the total number of dwellings, or vacant sites, in any development must be retained affordable and meet the following criteria.
  - a. the price at which a dwelling may be sold would mean that the monthly mortgage payments for a household receiving the Auckland median household income (as published by Statistics New Zealand for the most recent June quarter before the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later) would not exceed 30 percent of the household's gross monthly income, based on the assumptions that:
    - i. the dwelling is purchased with a 10 percent deposit; and
    - ii. the balance of the purchase price is financed by a 30-year reducing loan, secured by a single

## The Proposed Auckland Unitary Plan (notified 30 September 2013)

mortgage over the property, at a mortgage interest rate equal to the most recent average two-year fixed rate. This interest rate used is that published most recently by the Reserve Bank of New Zealand, in relation to the date application for resource consent is made.

3. As part of the resource consent application evidence must be provided to demonstrate a community housing provider will purchase the dwellings/sites. Prior to the transfer of the retained affordable dwellings/sites a Council approved statutory declaration must be returned by the consent holder to demonstrate the dwellings/sites are sold at the price point outlined in clause 9.2 above.

### Where the following definitions apply:

#### Retained affordable

Housing that is:

- a. built by a registered community housing provider or Housing New Zealand Corporation; or
- b. sold to a registered community housing provider or Housing New Zealand Corporation; and
- c. sold at a price defined by the Auckland median household income as published by Statistics New Zealand for the most recent June quarter before the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later.

#### Relative Affordable

Housing that is:

- a. bought by first home buyers and remains in the same ownership for three years from the date of first transfer, where the purchaser has a gross household income that does not exceed 120 percent of the Auckland median household income as set at the date of signing the unconditional sale and purchase agreement.
- b. sold at a price that does not exceed 75 percent of the Auckland region median house price published by the Real Estate Institute of New Zealand and calculated as an average of three calendar months previous to the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later

#### Community Housing Provider

means a housing provider (other than Housing New Zealand Corporation) that has, as one of its objectives

- a. social rental housing;
- b. affordable rental housing

#### Household Income

Household income must include all taxable income as defined by the New Zealand Inland Revenue Department.

## 3. Development Controls - Residential Zones

The development controls in the relevant zones apply in Flat Bush sub-precinct C except as specified below.

### 3.1 Height in Relation to Boundary

1. The following height in relation to boundary controls apply:



## The Proposed Auckland Unitary Plan (notified 30 September 2013)

- a. for all lots, the height in relation to boundary control does not apply to the street boundary.
- b. in the case of front lots (not being a corner lot or adjacent to a corner lot) a building height in relation to boundary of 5m and 45° must apply on side boundaries adjoining other front lots, up to a maximum distance of 8m from the rear boundary.
- c. a height in relation to boundary of 2.5m and either 45°(for east or west boundaries), 55°(for north boundaries), 35°(for southern boundaries) must apply to the remaining part of any side boundary that is within 8m from the rear boundary.
- d. in the case of front lots which adjoin a corner lot the following apply:
  - i. on side boundaries that adjoin the shortest side boundary of the corner lot, a height in relation to boundary of 2.5m and either 45°(for east or west boundaries), 55°(for north boundaries), 35°(for southern boundaries) must apply to the whole length of the boundary including where that side boundary extends beyond the corner lot.
  - ii. on side boundaries that adjoin the longest side boundary of the corner lot, a building height in relation to boundary of 5m and 45° must apply up to a maximum distance of 8m from the rear boundary. Rule 11.3.1.1c) must apply to the remaining part of the side boundary that is within 8m from the rear boundary.
  - iii. in relation to the shortest side boundary of a corner lot (including where that side boundary extends beyond the corner lot) all windows above the ground floor level facing the corner lot (or facing a lot adjoining the corner lot) must have a window sill level at least 1.6m above the floor level or be fitted with opaque glass
- e. In the case of corner lots the following apply:
  - i. on the shortest side boundary of the corner lot, a height in relation to boundary of 2.5m and either 45°(for east or west boundaries), 55°(for north boundaries), 35°(for southern boundaries) must apply
  - ii. on the longest side boundary of the corner lot, a building height in relation to boundary of 5m and 45° must apply up to a maximum distance of 8m from the side boundary. A height in relation to boundary of 2.5m and either 45°(for east or west boundaries), 55°(for north boundaries), 35°(for southern boundaries) must apply to the remaining part of the side boundary that is within 8m from the rear boundary.
  - iii. all buildings within 6m of the shortest side boundary must be limited to a single storey and a 5m maximum height.
- f. Exceptions for Height in Relation to Boundary identified in rule 11.3.1.1(a)-(e) above:
  - i. a gable end including fascia up to a maximum of 7m<sup>2</sup> may intrude into the height in relation to boundary recession plane. For the purposes of this rule a gable end is defined as the triangular sides of a building with a gable roof where the wall reaches all the way to the ridge.
  - ii. no account shall be taken of minor projections such as radio and television aerials, antennas, solar heating devices and chimneys (not exceeding 2.0m in any horizontal direction and projecting no more than 2.0m above the maximum permitted height of the main structure).
  - iii. where a site abuts an entrance strip, private way, access lot, access way or public walkway the furthest boundary of these may be deemed to be the site boundary for the purpose of rule 11.3.1.1.
  - iv. there is no height in relation to boundary applicable to the length of the common wall between abutting buildings.

### 3.2 Building Height

1. In the Mixed Housing Suburban Zone buildings must not exceed 9m in height.
2. In the Mixed Housing Urban Zone buildings must not exceed 11m in height.

### 3.3 Yards

1. In the Mixed Housing Suburban Zone the front yard must be a minimum of 3m.
2. In the Mixed Housing Urban Zone the front yard must be a minimum of 2.5m.
3. For any site which adjoins the Countryside Living Zone any yard is a minimum of 9m from the zone boundary.
4. Rear yards on all lots (except rear lots) must be a minimum of 8m, except that a single storey building (or part of a building) up to a maximum height of 5m, is permitted within the rear yard provided that it is no closer than 3m from the rear boundary.
5. The rear yard in rule 11.3.3.4 does not apply where the site adjoins a rear lane or access lot.
6. In the Mixed Housing Suburban Zone and Mixed Housing Urban Zone the side yard must be a minimum of 1m.
7. For sites with a road frontage width less than 12.5m, one side yard can be reduced to 0m provided that legal provision is made for access for maintenance of the structure.
8. For rear sites, all yards (except those required to comply with Rule 11.3.3.3 above) must be a minimum of 3m.

Note:

Additional yard setbacks may be required to meet compliance with Appendix K6.6.11.11 and/or the requirements of the National Grid Electricity Transmission Corridor Overlay.

### 3.4 Building Coverage

1. Maximum building coverage must comply with Table 14 below:

Sites over 400 net site area	40 percent
Sites under 400 net site area	50 percent

### 3.5 Impervious Area

1. The maximum impervious area of the gross site area must be 70 percent.

### 3.6 Noise Insulation Requirement for an Attached Dwelling

1. The standards of Rule 3.5 above apply

### 3.7 Asbestos Containing Materials

1. The standards of Rule 3.6 above apply

### 3.8 Landscaping

1. The minimum landscaped area must be 30 percent of the net site area.
2. At least 50 percent of the front yard must comprise landscaped area.

### 3.9 Outdoor Living



## The Proposed Auckland Unitary Plan (notified 30 September 2013)

1. A dwelling at ground level must have an outdoor living space that is at least 20m<sup>2</sup> that comprises ground floor space that:
  - a. has no dimension less than 4m;
  - b. has a gradient not exceeding 1 in 20;
  - c. is directly accessible from the principal living room, kitchen or dining room;
  - d. is free of buildings, parking spaces, servicing and maneuvering areas
2. Where an entire dwelling is located above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 5m<sup>2</sup> for studio and one bedroom dwellings and 8m<sup>2</sup> for two or more bedroom dwellings and has a minimum dimension of 1.8m.

### 3.10 Outlook

1. The underlying Mixed Housing Urban zone and Mixed Housing Suburban zone control does not apply.
2. For rear sites the minimum dimension for a required outlook space from the principal living room, where located above ground floor level must be a depth of 6m and a width of 4m.

### 3.11 Separation Between Buildings Within a Site

1. The underlying Mixed Housing Urban zone and Mixed Housing Suburban zone control does not apply.

### 3.12 Dwellings Fronting the Street

1. The front façade of a dwelling or dwellings on a front site must contain:
  - a. glazing that is cumulatively at least 20 percent of the area of the front façade measured on the basis of a storey height of 2.4m per storey (excluding garage door).
  - b. a main entrance door that is visible from the street.

### 3.13 Fences

1. Fences in a front yard must not exceed 1.2m in height.

### 3.14 Maximum Building Length

1. The underlying Mixed Housing Urban zone and Mixed Housing Suburban zone control does not apply.

### 3.15 Garage

1. A garage door facing a street:
  - a. must be no greater than 50 percent of the width of the front façade of the dwelling to which the garage relates.
  - b. must not project forward of the front façade of a dwelling.
  - c. must be set back at least 5m from the site's frontage.

### 3.16 Storage

1. The underlying Mixed Housing Urban zone and Mixed Housing Suburban zone control does not apply.

### 3.17 Vehicle Access

1. Sites fronting parts of Thomas Road identified as having a Vehicle Access Restriction – Sightline on Precinct Plan 6 must be provided with an alternative access.
2. Rule H1.2.3.3e(i) does not apply to the Flat Bush sub-precinct C.

### 3.18 On-site stormwater management (dwellings and onsite impervious areas, excludes roads)

1. All new dwellings and impervious surfaces within a site (lot) must be designed to achieve the following:
  - a. stormwater runoff from impervious areas greater than 25m<sup>2</sup> must be directed to an on-site device

## The Proposed Auckland Unitary Plan (notified 30 September 2013)

designed and sized to accommodate stormwater runoff from the site and achieve retention (volume reduction) of 5mm plus detention (temporary storage) of 17.7mm (for runoff from the 95th percentile 24 hour rainfall event) 95th percentile event).

- b. stormwater devices must be designed to achieve a minimum of 0.005m<sup>3</sup> (5 litres) of retention plus 0.018m<sup>3</sup> (18 litres) of detention for every 1m<sup>2</sup> of impervious surface.
- c. stormwater device/s on private land must be operated and maintained by the site owner in perpetuity.
- d. a proposal may use more than one device to achieve compliance with (a).
- e. if rainwater tanks are proposed to achieve the retention requirements of (a), the rainwater tank must be dual plumbed to non-potable uses such as toilet and washing machine in the dwelling.
- f. in respect to the dwelling and driveway, compliance with Rule 11.3.18 must be demonstrated to the Council in conjunction with any application for building consent, or by way of certificate of compliance.
- g. stormwater devices within the National Grid Yard must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001, including their on-going operation and maintenance.

### 4. Development Controls - Neighbourhood Centre

#### 4.1 On-site stormwater management (impervious areas, excludes roads)

1. All new impervious surfaces must be designed to achieve the following:
  - a. stormwater runoff from impervious areas greater than 25m<sup>2</sup> must be directed to an on-site device designed and sized to accommodate stormwater runoff from the site and achieve a retention (volume reduction) of 5mm plus detention (temporary storage) of 17.7mm (for runoff from the 95th percentile 24 hour rainfall event).
  - b. stormwater device/s on private land must be maintained and operated by the site owner in perpetuity.

### 5. Subdivision Controls

The subdivision controls in the Flat Bush sub-precinct C are those listed in the Auckland-wide rules – subdivision except as specified below and in Appendix K6.6.11.11.

#### 5.1 Minimum and Average Site Sizes – Residential Zones

1. Minimum and average site sizes must comply with Table 15 below:

AVERAGE SITE SIZE	SUB- PRECINCT C
Average site size within the MANA	400m <sup>2</sup>
Average site size in the Mixed Housing Suburban Zone (excluding any lot greater than 1200m <sup>2</sup> )	325 to 425m <sup>2</sup>
Minimum site size where the minimum front site width is 12.5m or greater	325m <sup>2</sup>
Minimum site size where the minimum front site width is between 10m and 12.49m and Table 16 (Alternative Front Site) is complied with and the site's frontage is not to a road on the north-west to north- east boundary	260m <sup>2</sup>

2. Any application not meeting any of the above requirements within the MANA is a non-complying activity.
3. Rule 2.3.1.1(b) Part 3, Chapter G, Section 5 does not apply.
4. There are no minimum site sizes where subdivision is proposed as part of an integrated land use consent provided that within the MANA the maximum allowable densities set out in 11.2.1.1 are complied

## 5.2 Minimum Site Dimensions for Vacant Sites

1. Minimum sites dimensions must comply with Table 16 below:

<b>TABLE 16: Minimum Site dimensions</b>	
	<b>SUB- PRECINCT C</b>
Front site: Minimum Width in metres	12.5m
Alternative Front Site: Width in metres where a legal mechanism restricts the width of a garage and vehicle crossing for any subsequent building development to a single car width or where a rear lane provides legal access	10m to 12.49m
Front Site: Minimum Depth in meters	26m
Front site: Legal Width of Rear Lanes in meters	7m
Rear sites	The total number of rear sites must not exceed 5 percent of the total number of proposed sites

2. There are no minimum site dimensions where subdivision is proposed as part of an integrated land use consent provided that within the MANA the maximum allowable densities set out in 11.2.1.1 are complied with.
3. Any application not meeting the above requirements (Rule 11.5.2.1) is a discretionary activity.

## 5.3 Movement Network

1. All subdivision must comply with the following controls:

- a. all new subdivisions, roads and lots must comply with the following:
  - i. maximum Block Length: 250m
  - ii. maximum Block Perimeter: 750m
  - iii. maximum cul de sac length: 75m

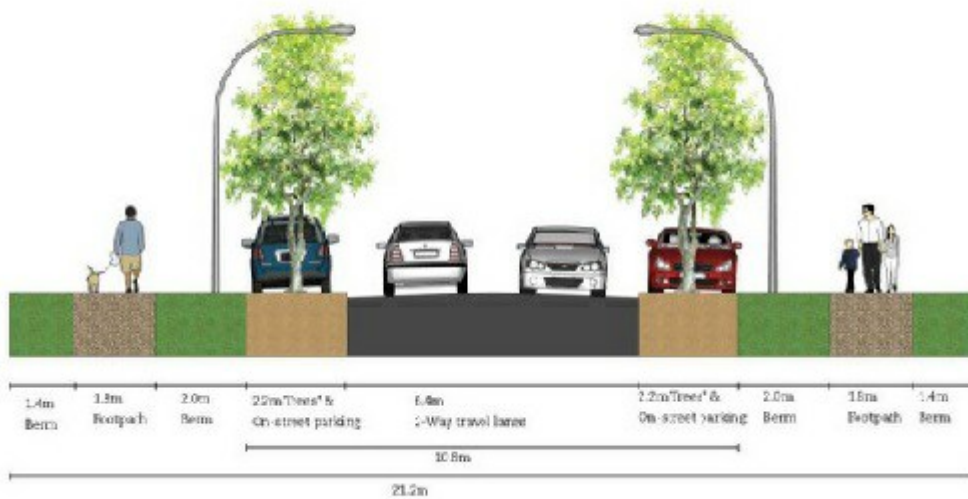
For clarity the measurements in (i)-(iii) may be curvilinear.

- b. the provisions of (a) do not apply to blocks which adjoin existing residential development which is not within Flat Bush Sub Precinct C.
- c. collector Roads and Required Local Roads must be provided in accordance with the alignments in Precinct Plan 6.
- d. roads must be constructed to the standards contained within Table 9: Construction Standards for Additional Road Types within the Flat Bush Precinct Plan Area above or Table 17 below, and the cross sections in Figures 2 to 7 above or Figures 8 to 11 below or, where not contained in Table 9 or 17, the relevant Auckland Wide rules apply.

- e. except that where a road is located beneath the National Grid Subdivision Corridor, the road will be constructed with a design specific to the accommodation of the Corridor. The design will be determined as part of the resource consent required within the National Grid Subdivision Corridor.

TABLE 17: Construction Standards For Additional Road Types Within The Flat Bush sub-precinct C				
TYPES OF ROAD	ROAD (m)	CARRIAGEWAY (m)	MAX. GRADE	FIGURE
Collector Road	21.2	10.8	10%	Refer Figure 8
Cul de Sac	15.2	6	12.5%	Refer Figure 9
Murphys Bush Park Edge Road	16.5	7.8	12.5%	Refer Figure 10
Park Edge Lane	14	6	12.5%	Refer Figure 11

Figure 8. Collector Road Flat Bush sub-precinct C



*\*tree build outs on Thomas Road where possible*

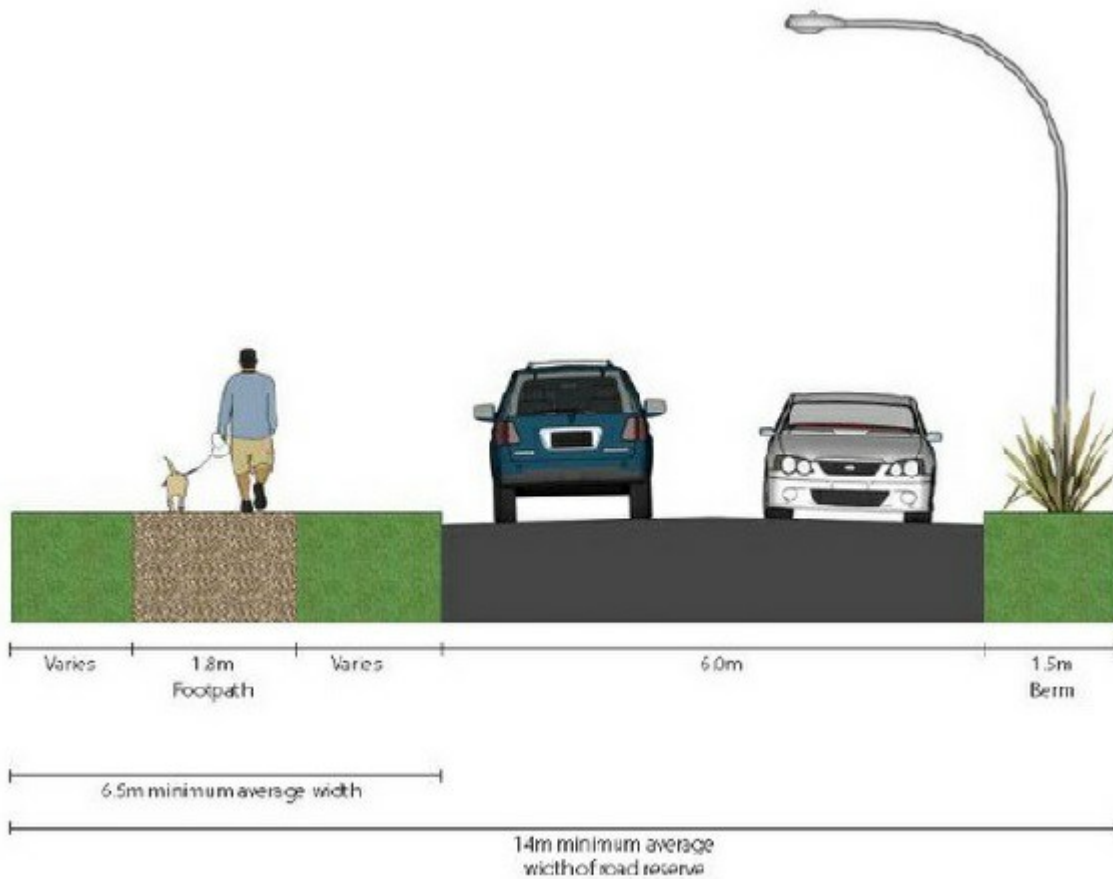
Figure 9. Cul de Sac Flat Bush sub-precinct C



Figure 10. Murphys Bush Park Edge Road Flat Bush sub-precinct C



Figure 11. Park Edge Lane (Donegal Park Edge Lane) Flat Bush sub-precinct C



#### 5.4 Park Edge Roads

1. Where subdivision adjoins the Green Infrastructure Corridor on Precinct Plan 6, park edge roads must be provided adjoining permanent stream corridors
2. Any application which does not comply with Clause 1 above is a Restricted Discretionary Activity.

#### 5.5 Riparian Margin

1. Riparian margins must be planted either side to a minimum width of 10m measured from the bank of the stream. This rule does not apply to road crossings over streams.
2. Any planting required, will be implemented in accordance with a council approved landscape plan and must use eco-sourced native vegetation, be consistent with local biodiversity and planted at a density of 10,000 plants per hectare.
3. Riparian margins must be offered to council for vesting.
4. For the avoidance of doubt, planting required by Rule 11.5.5.1 cannot be utilised as part of any environmental compensation requirements associated with works and/or structures in a stream.

#### 5.6 Stormwater Management

1. Stormwater runoff from impervious surfaces within roads (and future roads) must be directed to a stormwater device(s) designed and sized to achieve the following stormwater hydrology mitigation requirements:
  - a. A retention (volume reduction) of 5mm plus detention (temporary storage) of 17.7mm (for runoff from the 95th percentile 24 hour rainfall event) 95th percentile event)
  - b. Stormwater devices within the National Grid Yard must be designed to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001, including their ongoing operation and maintenance.

## 5.7 Affordable Housing

1. Rule 11.2.2 applies to subdivision applications containing 15 or more vacant sites.

## 6. Assessment - Restricted Discretionary Land Use Activities

### 6.1 Matters of Discretion

1. The matters of discretion from [Part 3 Chapter I Section 21](#) Special Purpose Zone – Retirement Village Rule 4 apply.

### 6.2 Assessment Criteria

1. The assessment criteria from [Part 3 Chapter I Section 21](#) Special Purpose Zone – Retirement Village Rule 4 apply.

## 7. Assessment - Land Use Control Infringements

### 7.1 Matters of Discretion

1. Contaminated Land
  - a. the matters of discretion in 8.1.2 above apply.
2. Stormwater Management
  - a. the council will restrict its discretion to
    - i. items (a) - (d) listed under Stormwater Management – Flow in the Auckland-wide rules and
    - ii. whether the non-compliance occurs on sites/lots intended for affordable housing.
3. Development Control Infringements
  - a. the council will restrict its discretion to those matters listed in [Part 3, Chapter I, Section 1.11](#), and [Part 3, Chapter G, Section 2](#).
4. Affordable Housing
  - a. the matters of discretion from [Chapter H Section 6.6 Section 2.1](#) apply.

### 7.2 Assessment Criteria

1. Contaminated land
  - a. the assessment criteria in 7.2.2 above apply
2. On-site stormwater management
  - a. the council will consider assessment criteria (a) - (d) listed under Stormwater Management – Flow in the Auckland-wide rules.
  - b. where the non-compliance occurs on sites/lots intended for affordable housing applicants may demonstrate that runoff from the impervious surfaces can be accommodated within the public stormwater system/network.
3. Development control Infringements
  - a. the council will restrict its discretion to those matters listed in [Part 3, Chapter I, Section 1.11](#), and [Part 3, Chapter G, Section 2.3](#).
4. Affordable Housing
  - a. the assessment criteria from [Chapter H Section 6.6 Section 2.2](#) apply

## 8. Assessment - Subdivision

### 8.1 Matters of Discretion

1. Subdivision

The council will restrict its discretion to those matters listed for subdivision under the Auckland -wide rules, and the following matters:

  - a. consistency with Precinct Plan 6



## The Proposed Auckland Unitary Plan (notified 30 September 2013)

- b. limitations on access for future lots adjoining Murphys Road/Thomas Road
  - c. stormwater management
  - d. the matters for discretion outlined in [Part 3, Chapter H, Section 5.4, Table 13](#)
  - e. the discretions for subdivision within the National Grid Subdivision Corridor in Appendix K6.6.11.11, and the design and layout of subdivision within the National Grid Subdivision Corridor.
2. Park Edge Roads
- a. site factors, design attributes or subdivision layouts which constrain the ability to comply with the rule.
  - b. alternatives to achieve passive surveillance outcomes.

### 8.2 Assessment Criteria

1. For development that is a restricted discretionary activity in the Flat Bush sub-precinct C, the following assessment criteria apply in addition to the criteria specified for the relevant restricted discretionary activities in the Mixed Housing Urban zone, Mixed Housing Suburban zone, neighbourhood centre zone and Auckland-wide rules:
  - a. The structural elements of precinct plan 6 are incorporated into the subdivision design including;
    - i. roads; and,
    - ii. green infrastructure corridor.
  - b. Lots adjoining Murphys Road should be provided with a rear access or an alternative that limits the number of individual access points onto Murphys Road. Pedestrian access should still be provided off Murphys Road. Possible design options for subdivision layouts are illustrated in Figure 12 below.

Note:

The illustrations represent possible design outcomes and are not intended to represent the only design options available.

- c. Applications should maximise park edge road frontage to public open spaces (including the green infrastructure corridor) where reasonably practicable.
- d. Where necessary, applications should incorporate traffic calming measures within the carriageway at intervals of approximately 60m.
- e. Subdivision which proposes sites fronting the Vehicle Access Restriction – Cycle-Way on precinct plan 6 should be designed to either avoid vehicle access to Thomas Road or to minimise driveway crossings, to manage conflicts with cyclists.
- f. The design of Thomas Road frontage upgrades must incorporate on-road cycling between Adamson Road and Murphys Road.
- g. The approach to stormwater management for roads and future lots takes into account the recommendations of the Flat Bush Stage 3 Stormwater Management Plan, and that the hydrology mitigation requirements outlined in Rules 11.3.18, 11.4.1 and 11.5.6 can be met.

Note:

Consent Notices may be required on the titles of all new lots to ensure compliance with the onsite stormwater management requirements contained in Rules 11.3.18 and 11.4.1 of this precinct.

- h. For communal devices:
  - i. the extent to which groundwater levels and groundwater mounding prevent groundwater

infiltration and

- ii. the extent to which the device can be accommodated within the stream corridors to allow efficient operation and maintenance, and appropriate amenity.
  - i. The assessment criteria outlined in [Part 3, Chapter H, Section 5.4](#).
2. The assessment criteria for subdivision within the National Grid Subdivision Corridor are in Appendix K6.6.11.11.
3. In addition to the matters in Appendix K6.6.11.11, subdivision design and layout should consider the amenity of future residents, and where practicable the National Grid corridors are provided within the road or open space networks.

Possible design options for subdivision layouts are illustrated in Figure 13 below.

Note:

- The Illustrations represent possible design outcomes and are not intended to represent the only design options available.
  - The illustrations are not to scale.
  - Where any options in Figure 13 conflicts with a requirement of the Transmission Corridor Overlay (National Grid) and/or Appendix K6.6.11.11 and/or NZECP 34:2001, the Appendix K6.6.11.11, Overlay and/or NZECP 34:2001 provisions prevail.
4. For any non-compliance with Rule 11.5.4, the following assessment criteria are applicable:
    - a. whether the ability to achieve a park edge road is constrained by topography or geotechnical limitations
    - b. where the park edge road would result in an inefficient subdivision, block or roading pattern
    - c. whether compliance with the rule would result in significant earthworks or retaining structures
    - d. the extent to which the proposed alternative provides for appropriate passive surveillance of the Green Infrastructure Corridor and manages the heights of fences

**Figure 12. Murphys Road Interface Options**

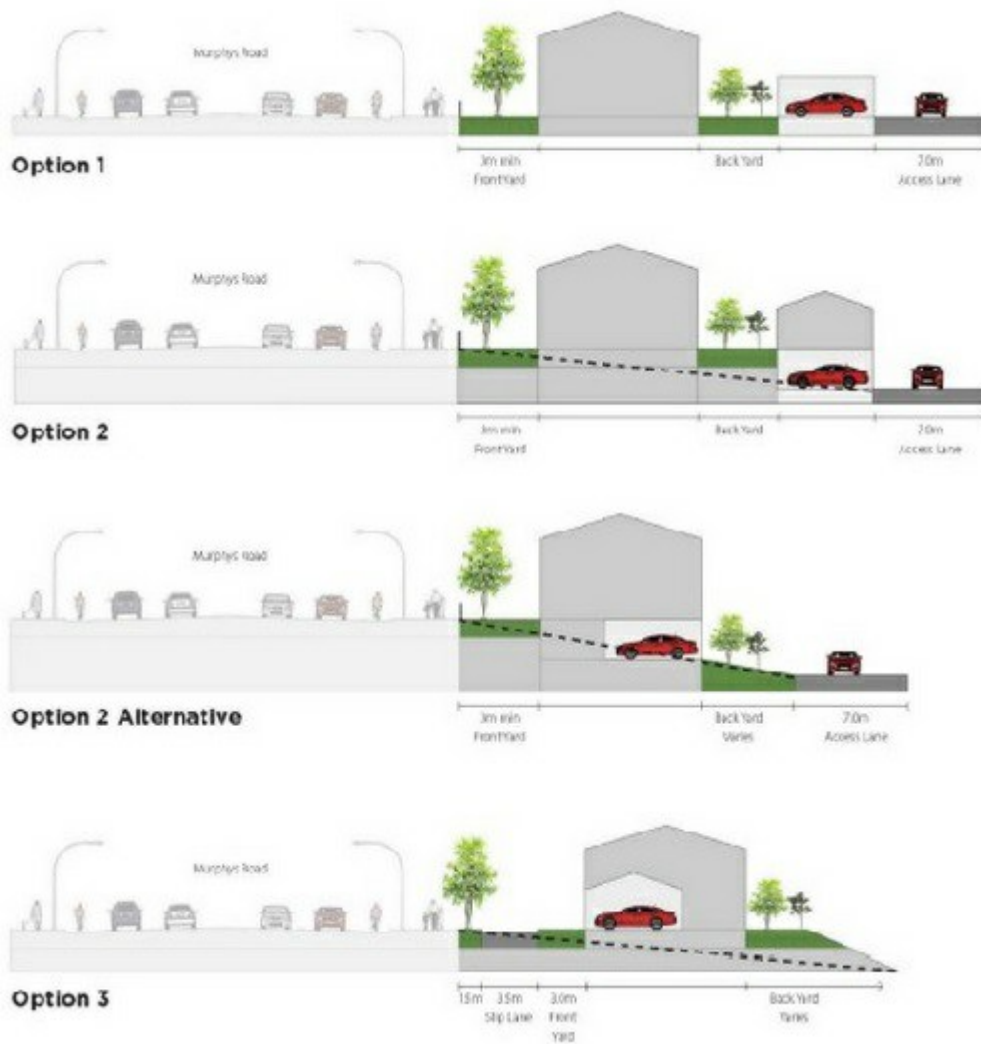
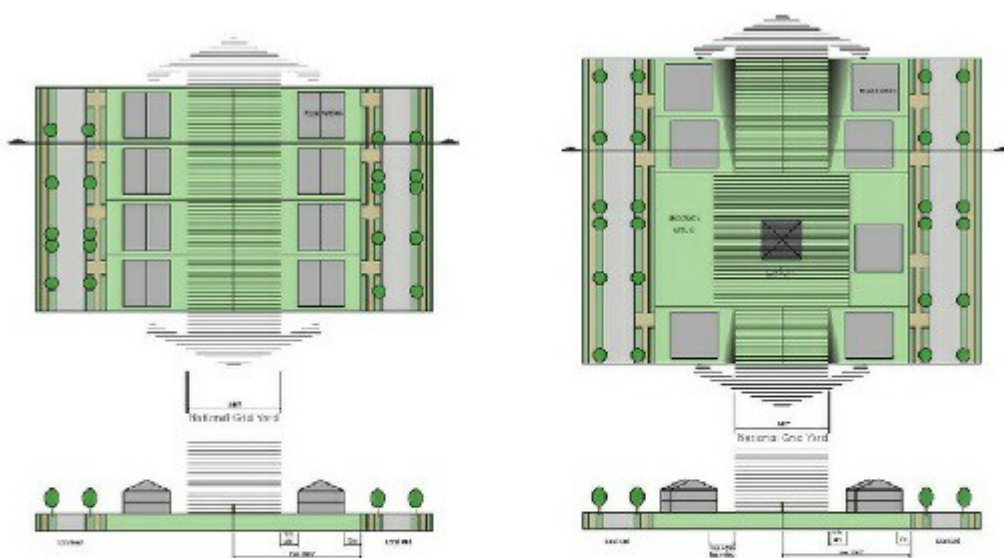


Figure 13. Possible Design options for subdivision layouts within the National Grid Subdivision Corridor



**OPTION A - MID SPAN**

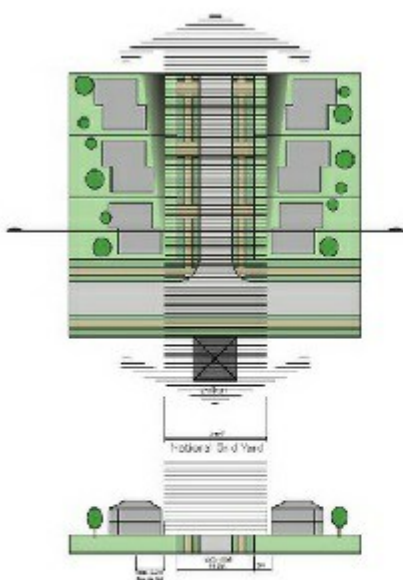
**BUFFER ZONE ACROSS REAR YARDS**

- \* Increased buffer zone may be required due to line swing
- Front lot boundary to be a minimum of 20m from the edge of its combined buffer extent (depends on line swing)
- Front yard illustrated as min 3m
- 4m rear yard clear of buffer zone to accommodate private open space

**OPTION A - AROUND PYLON**

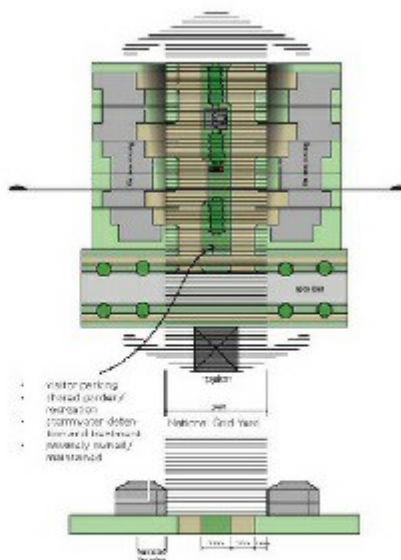
**BUFFER ZONE ACROSS REAR YARDS**

- \* Increased buffer zone may be required due to line swing
- Front lot boundary to be a minimum of 20m from the edge of transmission buffer extent (depends on line swing)
- Front yard illustrated as min 3m
- 4m rear yard clear of buffer zone to accommodate private open space



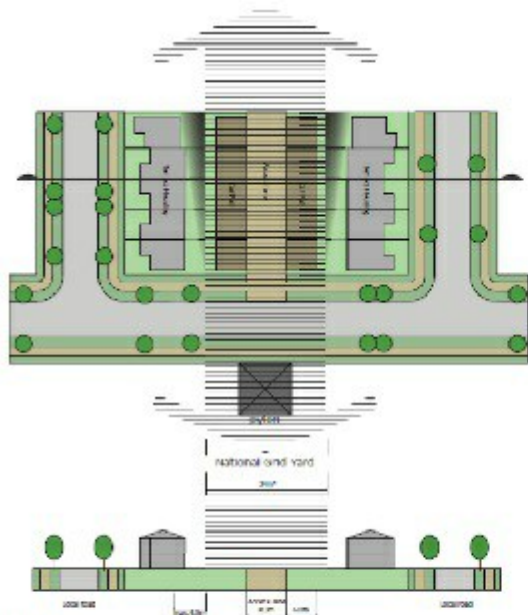
**OPTION B**  
**BUFFER ZONE ACROSS ROAD CORRIDOR**

- ⌚ Increased buffer zone may be required due to line siting
- ⌚ Trees and street lights in road reserve and front yards to comply with relevant regulations
- ⌚ Front yard illustrated as min 3m, this may increase depending on line siting



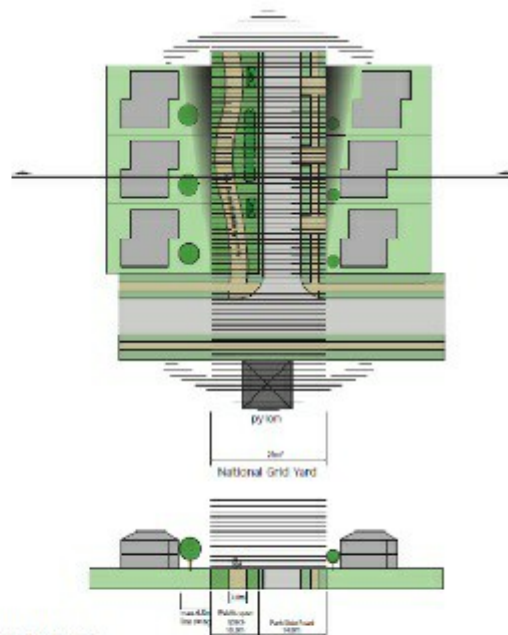
**OPTION C**  
**BUFFER ZONE ACROSS SHARED ACCESS LOT**

- ⌚ Increased buffer zone may be required due to line siting
- ⌚ Agreement may be required (involvement of Transport or Fire authorities etc)
- ⌚ Front yard illustrated as 3.0m. Greater front yard may be required in MHB zones or if siting of cables
- ⌚ Trees in buffer zone to comply with Electricity Hazards From Trees Regulations 2003



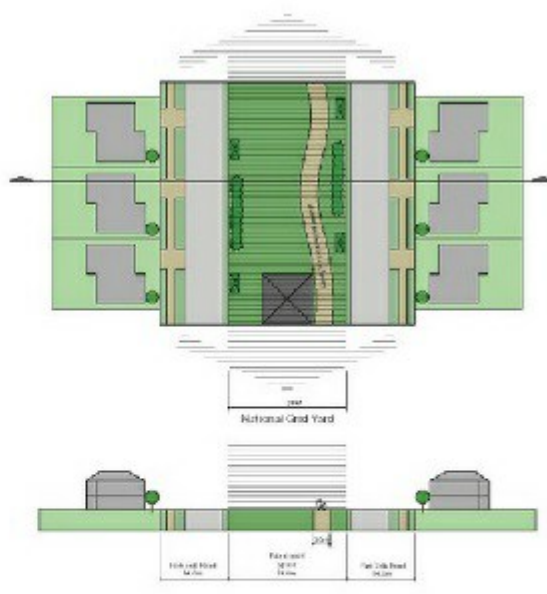
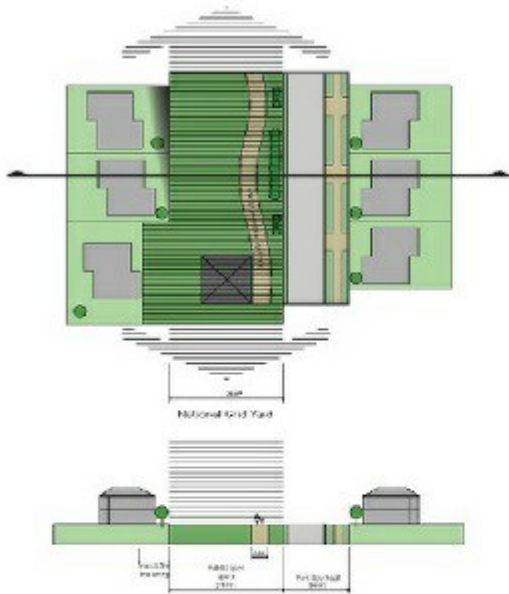
**OPTION D**  
**BUFFER ZONE ACROSS REAR LANE**

- ⌚ Increased buffer zone may be required due to line siting
- ⌚ Trees in buffer zone to comply with Electricity Hazards From Trees Regulations 2003



**OPTION E1**  
**BUFFER ZONE ACROSS GREENWAY/CYCLEWAY**

- ⌚ May increase due to line siting and corresponding increase in buffer zone
- ⌚ Assumed to be vested with Auckland Council as public open space as part of wider investment network
- ⌚ Trees in road and greenway to comply with Electricity Hazards From Trees Regulations 2003
- ⌚ Fencing control required adjacent to greenway



**OPTION E2**

**BUFFER ZONE ACROSS GREENWAY/CYCLEWAY**

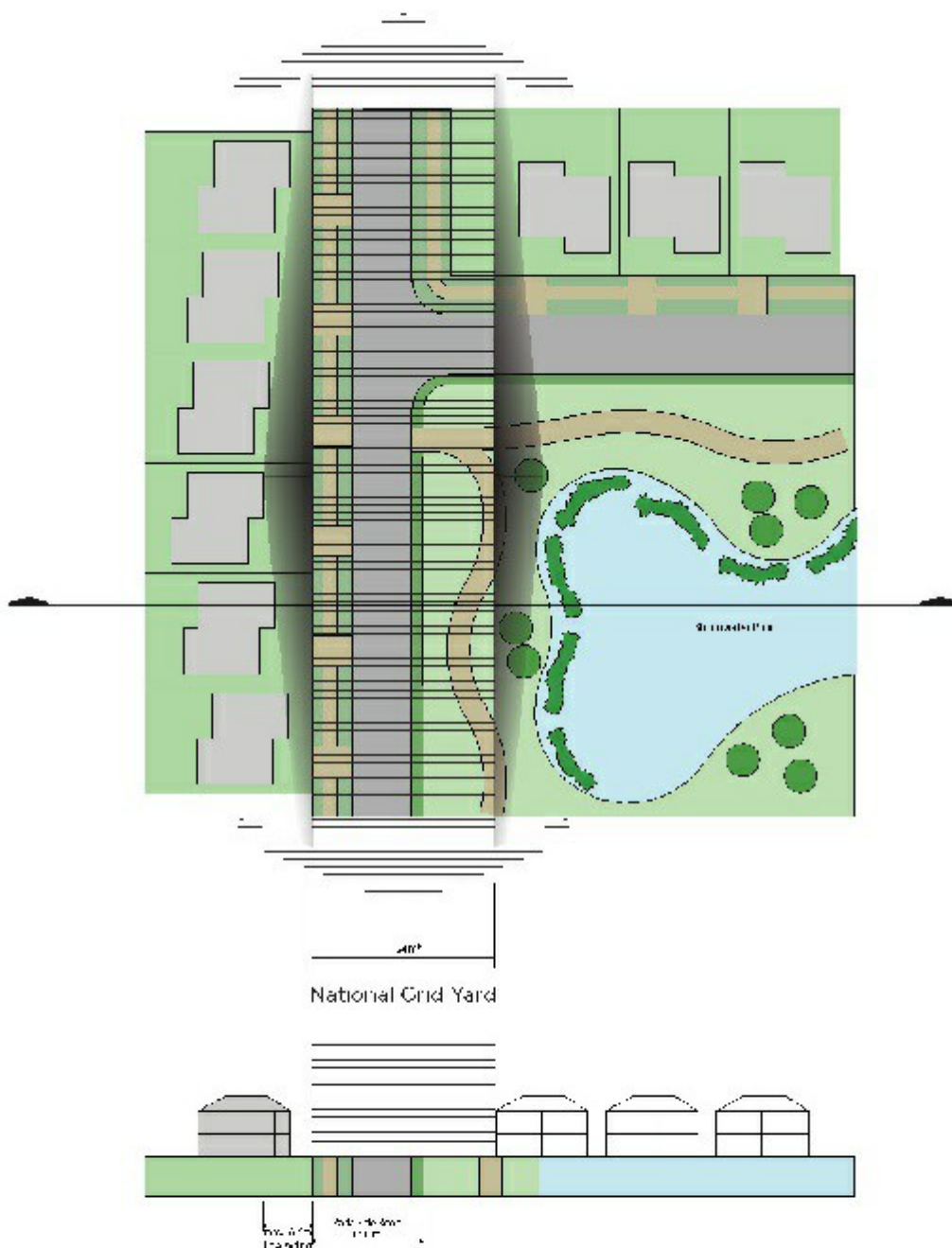
- \* May increase due to line swing and corresponding increase in buffer zone
- Assumed to be vested with Auckland Council as public open space as part of wider movement network
- Trees in road and greenway to comply with Electricity Hazards From Trees Regulations 2009
- Fencing control required adjacent to greenway

**OPTION E3**

**BUFFER ZONE ACROSS GREENWAY/CYCLEWAY**

- \* May increase due to line swing and corresponding increase in buffer zone
- Assumed to be vested with Auckland Council as public open space as part of wider movement network
- Trees in road and greenway to comply with Electricity Hazards From Trees Regulations 2009
- Fencing control required adjacent to greenway





## OPTION F

### BUFFER ZONE ACROSS OPEN SPACE AREA

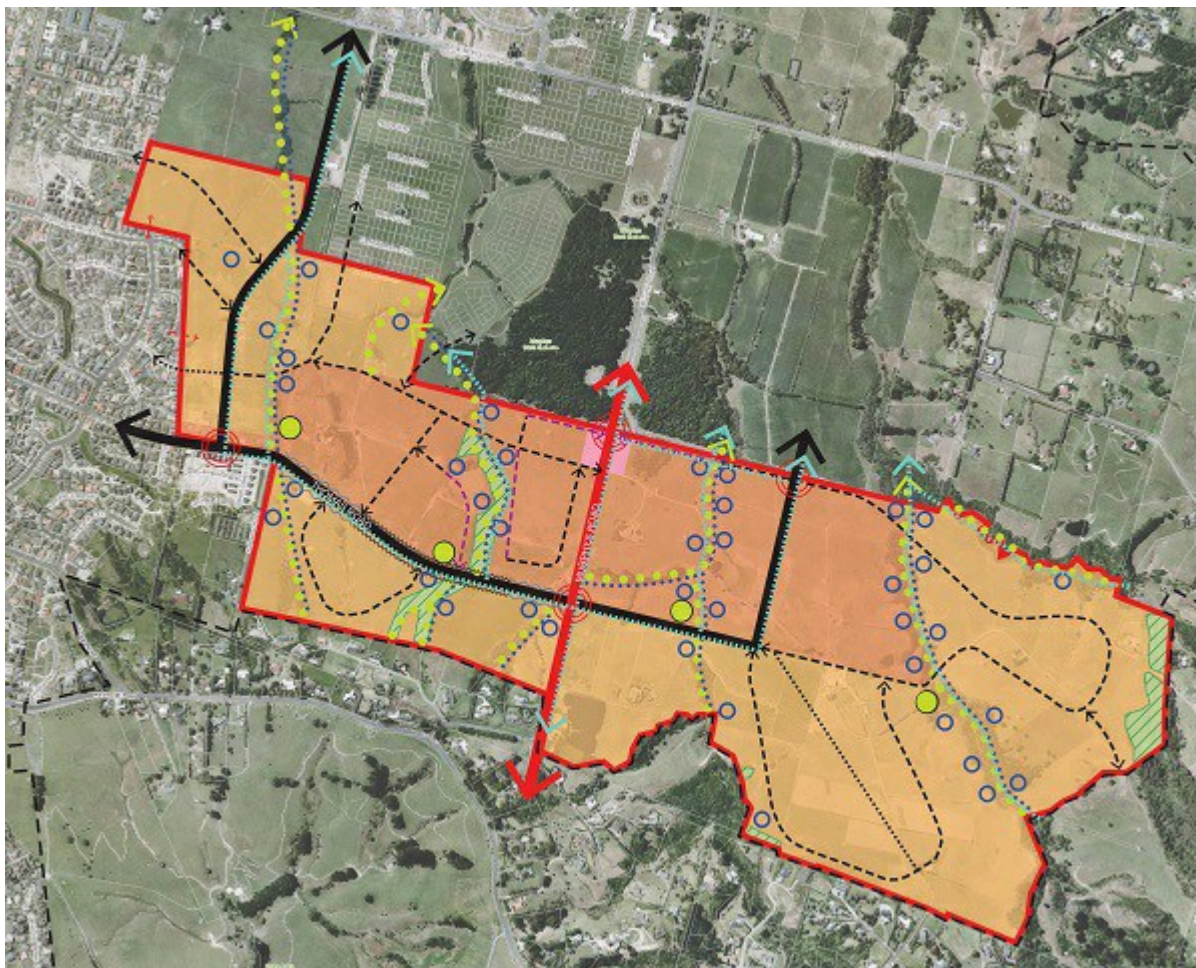
- ⌞ May increase due to line swing and corresponding increase in buffer zone
- ⌞ This example possible only mid span
- ⌞ Trees within open space and park edge plan to comply with Tree of City/Taxons/Town Trees Regulations 2003

### 9. Special Information Requirements

1. A riparian planting plan must be provided as part of any application for land modification, development and subdivision which adjoins a stream.
2. For any subdivision on land within the area shown in the area outlined in blue in the below figure which triggers Rule H:1.2.3.1(ii) the Transport Impact Assessment must specifically address effects on the intersection of Thomas/Murphys Road.







## 11. Appendix to the Flat Bush Sub-Precinct C Rules

### 11.1 Definitions

#### Electricity Transmission Corridor (National Grid)

The following definitions are applicable:

##### National Grid lines

Parts of the National Grid of transmission lines and cables (aerial, underground and undersea), stations and substations and other works used to connect grid injection points and grid exit points to convey electricity within and beyond the district and region.

##### National Grid subdivision corridor

Means the area measured either side of the centreline of an above ground National Grid line as follows:

- 37m for the 220kV National Grid lines.

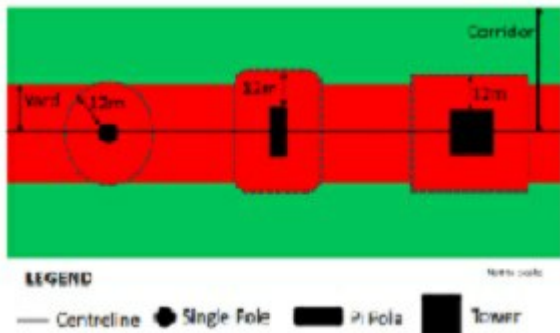
##### National Grid support structure

A tower or pole comprising part of the National Grid that supports conductors as part of a transmission line. For the purpose of defining the National Grid Yard and the rules in this Plan, measurements are taken horizontally from the outer visible edge of the base of the support structure at existing ground level.

National Grid Yard (shown in red in diagram below) Means:

- the area located 12 metres in any direction from the outer edge of a National Grid support structure;
- and
- the area located 12 metres either side of the centreline of any overhead National Grid line.





## 11.2 Activity Table

- The location of the electricity transmission corridor must be updated if any National Grid support structure or line is relocated, replaced or removed.  
The following table specifies the development activities within the National Grid Subdivision Corridor and National Grid Yard.

Activities and structures	Activity Status
<b>Within the National Grid Subdivision Corridor</b>	
Subdivision for a network utility or electricity transmission	P
Creation of lots involving the location of a building platform within National Grid Yard	NC
All other subdivision	RD
<b>Within the National Grid Yard</b>	
<b>Under the National Grid conductors (wires)</b>	
Any building or structure within 12m of the support structure unless it is otherwise provided for below.	NC
Network utilities and transmission lines between electricity generation facilities and the National Grid	P
Fences less than 2.5m high and no closer than 5m from the outer visible edge of a support structure foundation	P
Alterations to existing buildings that do not increase the building envelope or footprint	P
Establishing activities sensitive to National Grid lines in an existing building	NC
Increasing** the intensity or scale of existing activities sensitive to National Grid lines in an existing building	NC
Any building that has a minimum vertical clearance distance of less than 10m from a National Grid Line that cannot demonstrate that compliance with the NZECP34:2001 performance standard is maintained under all National Grid Line operating conditions.	NC
All other buildings.	NC
<b>Within 12m of the Outer Visible Edge of the foundation of a National Grid Support Structure</b>	
Any building or structure within 12m of the outer visible edge of a National Grid support structure foundation unless it is otherwise provided below:	NC
Network utilities and transmission lines between electricity generation facilities and the National Grid	P
A fence less than 2.5m in height and more than 5m from the nearest support structure	P
<b>Earthworks anywhere within a National Grid Yard</b>	
Earthworks that comply with Development Control 1A1.1	P

## The Proposed Auckland Unitary Plan (notified 30 September 2013)

Earthworks that do not comply with Development Control 1A1.1.1.	RD
<b>Activities and structures Activity Status</b>	
Earthworks that do not comply with Development Control 1A1.1.2. or Development Control 1A1.1.3.	NC

### Notes

\* Compliance with the NZECP34:2001 is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including any activities that are otherwise permitted by the Unitary Plan, must comply with this regulation. Compliance with the permitted activity status in this plan does not ensure compliance with NZECP34:2001.

\*\* For the purposes of this Rule, "Increasing the intensity or scale of existing activities sensitive to transmission lines" means any increase in the actual or potential capacity for people to be accommodated by the activity use.

### 1A Development Controls

#### 1A.1 Permitted Activities

##### 1A.1.1 Earthworks within the National Grid Yard

All Earthworks with the National Grid Yard must comply with the following controls:

1. Be no deeper than 300mm within 12m of any National Grid support structure foundation

Except that

Vertical holes not exceeding 500mm in diameter beyond 1.5 from the outer edge of pole support structure or stay wire are exempt.

2. Not create an unstable batter that will affect a National Grid support structure; and
3. Not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34:2001

Provided that the following are exempt from points (1) above:

- a. earthworks for Network Utilities; or
- b. earthworks undertaken as part of domestic cultivation, or repair, sealing or resealing of a road, footpath or driveway.

### 11.3 Notification

1. The council will consider the restricted discretionary activities listed in the activity table without the need for public or limited notification. However, limited notification will be given to Transpower New Zealand Ltd unless written approval from Transpower is provided at the time the application is lodged.

### 11.4 Assessment - Restricted Discretionary Activities - Subdivision

#### 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 around lines
  - a. impacts on the operation, maintenance, upgrade and development of the National Grid, including reverse sensitivity effects.
  - b. compliance with NZECP34:2001.

## The Proposed Auckland Unitary Plan (notified 30 September 2013)

- c. the ability of the applicant to provide a complying building platform.
  - d. location, design and use of the proposed building platform or structure as it relates to the National Grid transmission line.
  - e. the risk of electrical hazards affecting public or individual safety, and the risk of property damage.
  - f. the nature and location of any vegetation to be planted within the vicinity of the National Grid lines
  - g. the design and layout of roads
2. Earthworks
    - a. impacts on the operation, maintenance, upgrade and development of the National Grid.
    - b. compliance with NZECP34:2001.
    - c. the risk to the structural integrity of the National Grid.
    - d. any impact on the ability of the National Grid owner (Transpower) to access the transmission lines.
    - e. the risk of electrical hazards affecting public or individual safety, and the risk of property damage.
3. Buildings or Structures within the National Grid Yard
    - a. the extent to which the development may adversely affect the efficient operation, maintenance, upgrading and development of the National Grid.
    - b. the extent to which the proposed development design and layout enables appropriate separation distances between activities sensitive to National Grid lines, including safe separation distances in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP:34 2001).
    - c. the risk of electrical hazards affecting public or individual safety, and the risk of property damage.

### 11.5 Assessment Criteria

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

1. Subdivision
  - a. the effects on the ability of the National Grid owner (Transpower) to operate, maintain, upgrade and develop the National Grid; including access to the line.
  - b. the extent to which the design and construction of the subdivision allows for earthworks, building and structures to comply with NZECP34:2001.
  - c. the ability to provide a complying building platform.
  - d. location, height, scale, orientation and use of the proposed building platform or structure as it relates to the National Grid transmission line.
  - e. the extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity and nuisance effects of the National Grid.
2. Earthworks
  - a. the effects on the ability of the National Grid owner (Transpower) to operate, maintain, upgrade and develop the transmission network; including access to the line.
  - b. compliance with NZECP34:2001.
  - c. the risk to the structural integrity of the National Grid.
  - d. the risk of electrical hazards affecting public or individual safety, and the risk of property damage.

## 11.6 Special Information Requirements

1. In addition to the general information requirements in section 2.7 of the general provisions, an electrical engineering assessment prepared by a suitably qualified person may also be required to demonstrate compliance with NZECP34:2001