

6.6 Flat Bush

Flat Bush Sub-precinct C

Precinct description

Table 1

Unitary Plan zones	Sub-Precincts	Areas
Mixed Housing Suburban Mixed Housing Urban Neighbourhood Centre	Flat Bush Residential Sub-Precinct C	NA

Flat Bush Residential Sub-Precinct C

Flat Bush Sub-Precinct C encompasses land to the south of Murphys Bush, in proximity to Thomas and Murphys Roads.

The sub-precinct primarily has a residential emphasis although a Neighbourhood Centre will be established on Murphys Road.

Parts of this sub-precinct also fall within the Moderate Aircraft Noise Area (MANA) for Auckland International Airport and controls on Activities Sensitive to Aircraft Noise therefore apply.

Part of this sub-precinct is also located in proximity to a gas transmission pipeline and watermains. Three National Grid 220kV electricity lines also cross the precinct and additional controls recognise and protect this nationally significant infrastructure apply.

Objectives 1 - 8 and Policies 1 - 8 in the PAUP (as notified in September 2013) [Chapter F, section 6.6](#) are also relevant to this precinct.

Flat Bush conservation and stormwater management area

The Flat Bush conservation and stormwater management area lies over part of the land within the Flat Bush sub-precincts. Land within these sub-precincts is subject to provisions relating to use, development and subdivision of land. The purpose of this overlay is to improve the overall ecological condition of these gullies and waterways by requiring riparian planting and allowing areas of existing native vegetation to regenerate. The riparian planting will enhance the ecological condition of streams, maintain stream bank stability and reduce the level of erosion and flooding created within the catchment where existing exotic planting exists.

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

Objectives

The objectives are as listed in the relevant underlying zones except as specified below:

1. A well-connected, adaptable, safe, attractive and healthy environment for living, working and movement with an emphasis on the importance of the public realm, is achieved.
2. An appropriate range of physical and social infrastructure and facilities enhance the resulting urban environment and address any adverse effects of urbanisation.
3. Ecology of remnant native vegetation and waterways are protected, sustained, restored and enhanced.

4. A pattern of commercial activities based on an identifiable community focus is established which is supported by office or institutional activities and small scale business and mixed use activities along nominated main roads and in close proximity to the town and neighbourhood centres.
5. A safe, efficient, well-connected and integrated transport system is established within and beyond the Flat Bush area that provides a choice of travel modes.
6. High quality residential amenity is promoted for all types of housing that reflects and responds to community needs and the physical environment both now and in the future.
7. Stormwater runoff is managed to enable the maintenance and enhancement of natural waterways, native forest and wetlands and to provide passive recreational opportunities as well as pedestrian and cycle access.
8. The adverse effects on Auckland International Airport of activities sensitive to aircraft noise within the medium aircraft noise area (MANA) in the Flat Bush Precinct are minimised.

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12. An integrated, medium to high density residential environment which has high levels of amenity, supports a range of travel modes and allows for a range of living opportunities.
13. A connected road network, combined with a park edge road treatment that provides a legible urban pattern.
14. The efficient development, operation, maintenance, and upgrading of the National Grid lines will not be adversely affected by subdivision, land use and development.
15. To promote increased housing supply, variety and choice by creating well-designed residential developments comprising a range of housing densities, typologies, and price options (including the provision of affordable housing).
16. To ensure that affordable housing provided in any residential development is distributed throughout the location in which resource consent is sought.
17. To promote availability of affordable housing to first home buyers and/or community housing providers

Policies

The policies are as listed in the relevant underlying zones except as specified below:

1. Enable land uses within sub-precincts that orient primarily towards business, residential and open space activities and provide a gradation of residential activity density by:
 - a. focusing the highest allowable densities around the Flat Bush Town Centre, Flat Bush Neighbourhood Centres, the perimeter of Barry Curtis Park and along arterial roads,
 - b. allowing medium/higher densities within the remaining residential areas,
 - c. locating less intensive residential areas at the extremities of the Flat Bush Precinct Plan area.
2. Enable an integrated roads and transport system by guiding the design and layout of subdivision to provide connectivity and the opportunity for a variety of travel modes.
3. Encourage riparian planting along waterways to:
 - a. maintain and enhance water quality and aquatic habitats, and
 - b. enhance existing native forest and wetland areas within the catchment within the catchment and
 - c. reduce stream bank erosion
4. Require subdivision and development to be of a type, density and design that does not detract from, and is supportive of, the specific environmental outcomes identified for each sub-precinct.

5. Require subdivision and development to incorporate sustainable management principles as part of the land modification process to comply with safe practices in the identification, assessment, treatment and/or remediation of asbestos-containing materials.
6. Require subdivision, land use and development to maintain and enhance the natural character and ecological values of the wider Flat Bush precinct and provide access to such features so they contribute to the unique character of the area by:
 - a. using the conservation and stormwater management area and subdivision standards to maintain and enhance identified watercourses and environmental corridors.
 - b. requiring street patterns to maximise long views to the environmental corridors where practical and having regard to topography.
7. Require open space corridors to be edged by streets and maintain physical integration between the open space and street environment e.g. significant grade changes are avoided.
8. Avoid residential development beyond the average site size control within the medium aircraft noise area to minimise the effects of aircraft noise on residents.

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16. Encourage higher density residential development particularly in close proximity to the Neighbourhood Centre, main roads and public open space.
17. Maximise vehicular and pedestrian connectivity/permeability of the street network wherever possible
18. Encourage development as far as is practicable such that streets form blocks, and the open space network, including stream corridors, are generally fronted by roads.
19. Promote and maintain interconnectivity between sub precincts.
20. Require on-site volume reduction (retention) and temporary storage (detention) of stormwater runoff from impervious areas. Stormwater from roads may be managed outside of road corridors where this leads to a more efficient use of land
21. Avoid adverse effects of subdivision, land use and development on the National Grid lines by ensuring:
 - a. safe buffer distances for managing subdivision and land use development are provided;
 - b. sensitive activities, buildings and most structures are excluded from establishing in the National Grid Yard;
 - c. subdivision and development is managed around the National Grid lines to ensure that future activities, buildings and development do not restrict the operation, maintenance, upgrading and development of the National Grid lines.
22. Utilise the National Grid yard and corridors for road or open space networks where practicable, provided that they are designed and located to avoid adverse effects on the operation, maintenance, upgrading and development of the National Grid line.
23. For new residential developments containing 15 or more dwellings, or involving the creation of 15 or more vacant sites, require either:
 - a. 10 percent of new dwellings to be relative affordable, with the purchase price to be set relative to the median house price in the Auckland region and sold to first home buyers and owned for at least three years; or
 - b. five percent to be retained affordable, with the purchase price to be set relative to the median household income in Auckland region and sold to community housing providers or Housing New Zealand and owned for long term retention: or

24. New residential developments containing 15 or more dwellings/sites provide for affordable housing that is distributed throughout the development.

Precinct rules

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
Residential	
Retirement villages not located within the MANA	RD
Rural	
Farming	P
Commerce	
Show home	P
On-site stormwater management (dwellings and impervious areas excluding roads)	
Impervious areas (excluding roads) of less than or equal to 25m ² within a site	P
Impervious areas (excluding roads) greater than 25m ² 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

ACTIVITY TABLE: NEIGHBOURHOOD CENTRE ZONE – SUB-PRECINCT C	
ACTIVITY	ACTIVITY STATUS

Commerce	
Individual retail tenancies not exceeding 450m ² GFA	P
Individual retail tenancies exceeding 450m ² GFA	NC
On-site stormwater management (dwellings and impervious areas excluding roads)	
Impervious areas (excluding roads) of less than or equal to 25m ² within a site	P
Impervious areas (excluding roads) greater than 25m ² 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.

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

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

TABLE 13: Density	
Zone	SUB-PRECINCT C
Mixed Housing Suburban	Maximum allowable average density of 200m ² 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 1200m²
- 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 1200m²
- 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 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:

- 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 7m² 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 400m ² net site area	40 percent
Sites under 400m ² 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

1.A dwelling at ground level must have an outdoor living space that is at least 20m² 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 5m² for studio and one bedroom dwellings and 8m² 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 25m² must be directed to an on-site device 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 0.005m³ (5 litres) of retention plus 0.018m³ (18 litres) of detention for every 1m² 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 25m² 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:

TABLE 15: Minimum and Average Site sizes – Residential Zones	
AVERAGE SITE SIZE	SUB-PRECINCT C
Average site size within the MANA	400m ²
Average site size in the Mixed Housing Suburban Zone (excluding any lot greater than 1200m ²)	325 to 425m ²
Minimum site size where the minimum front site width is 12.5m or greater	325m ²
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 ²

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:

TABLE 16: Minimum Site dimensions	
	SUB-PRECINCT C
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.

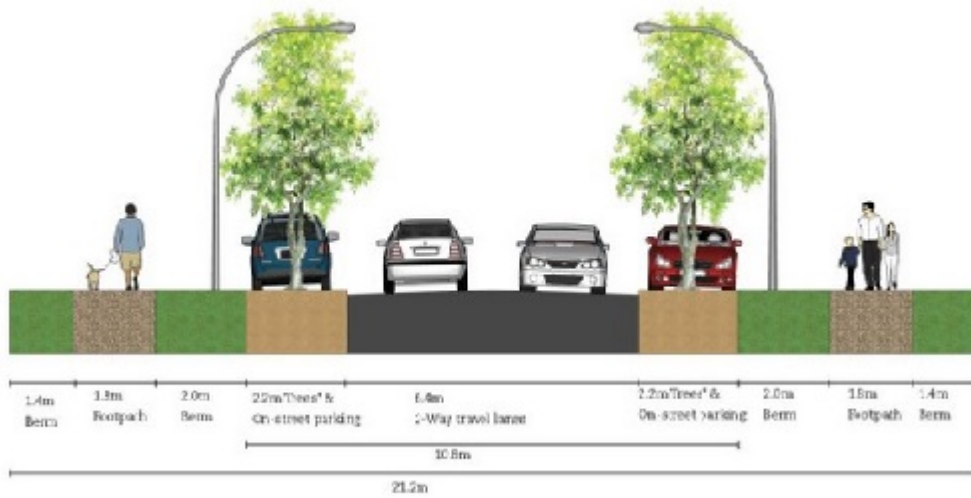
d. roads must be constructed to the standards contained within Table 9: Construction Standards for Additional Road Types within the Flat Bush Precinct Plan Area above or Table 17 below, and the cross sections in Figures 2 to 7 above or Figures 8 to 11 below or, where not contained in Table 9 or 17, the 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*

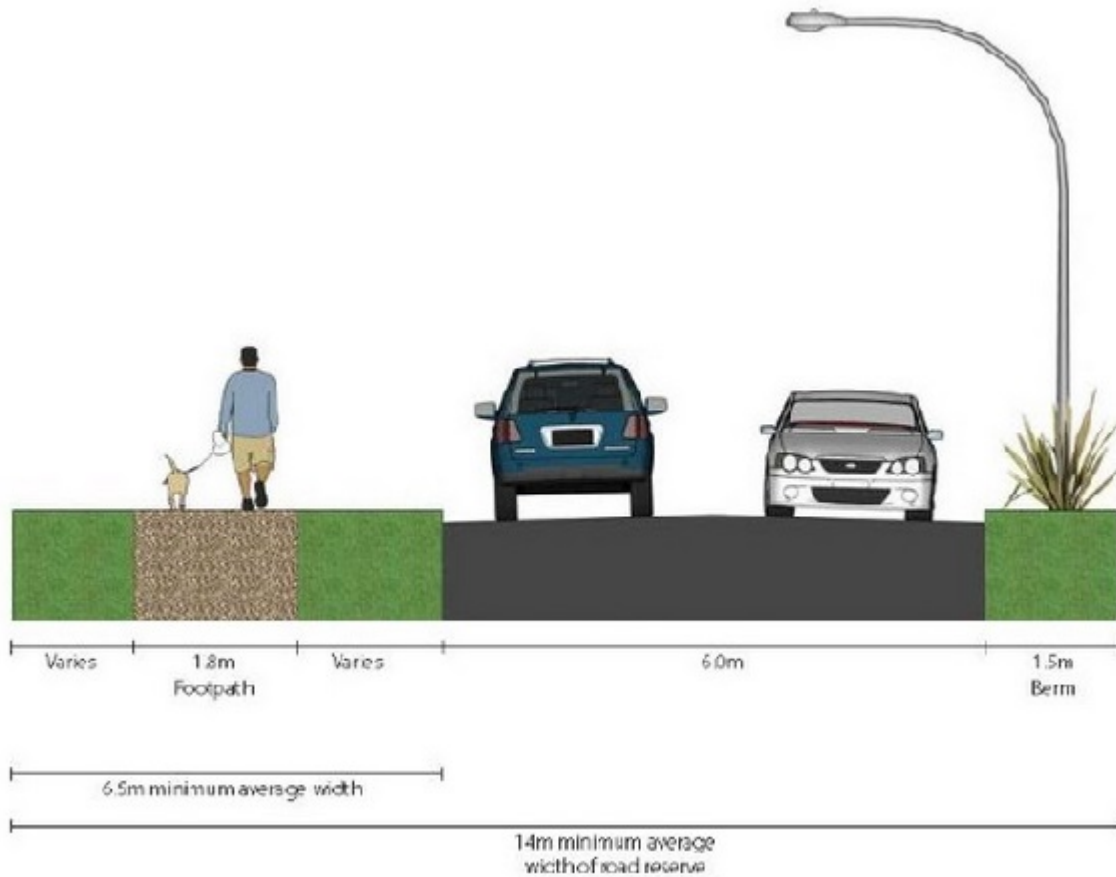
Figure 9. Cul de Sac Flat Bush sub-precinct C



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

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

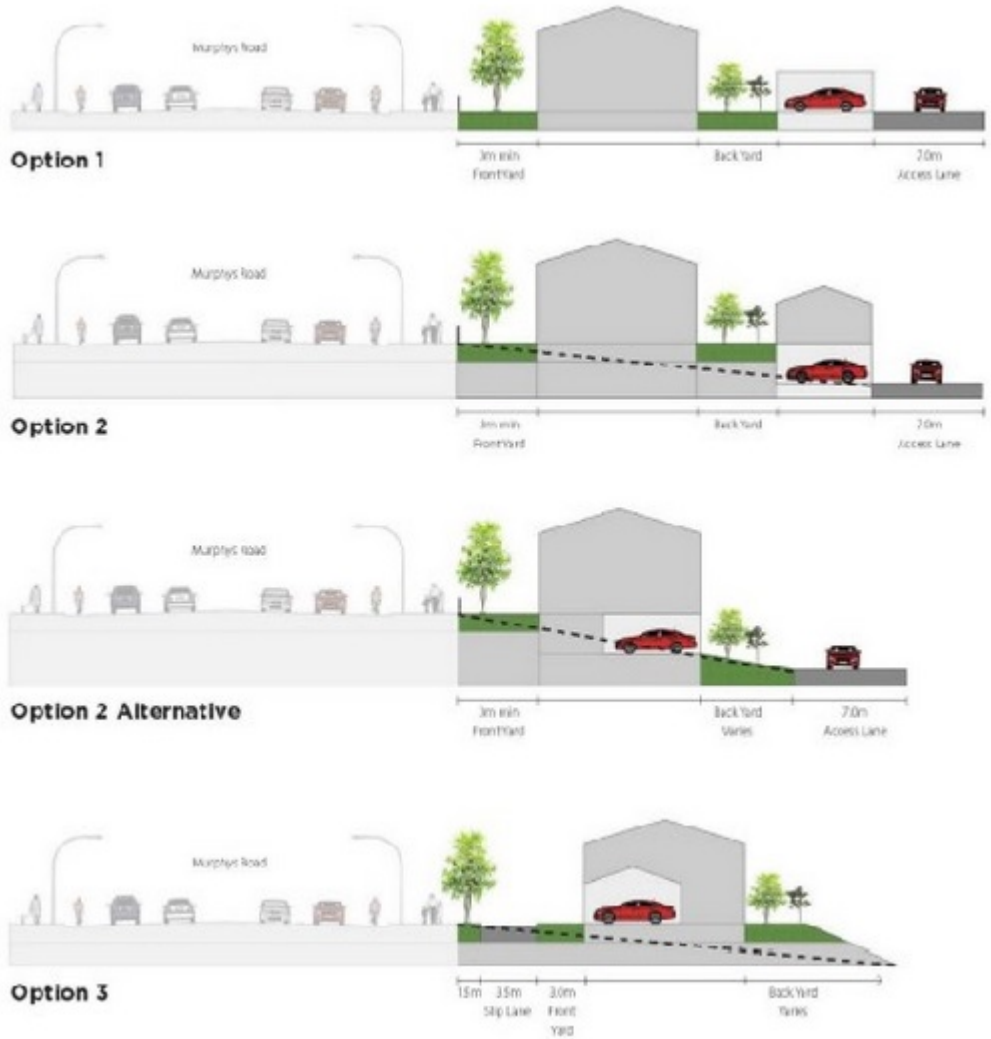
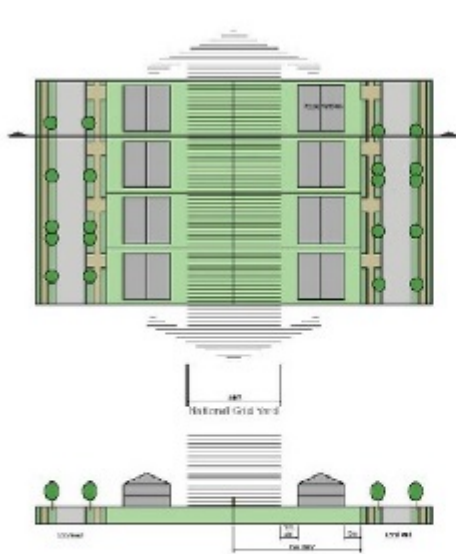


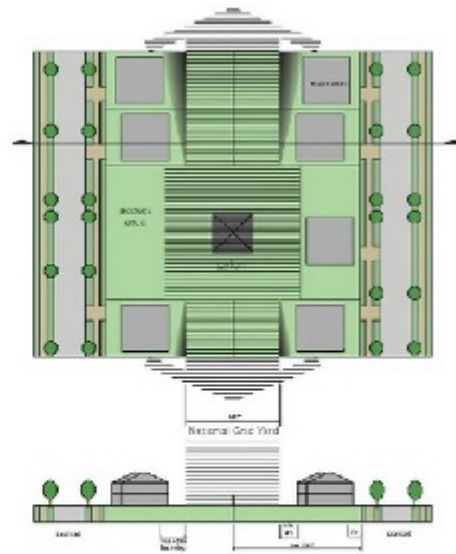
Figure 13. Possible Design options for subdivision layouts within the National Grid Subdivision Corridor



OPTION A - MID SPAN

BUFFER ZONE ACROSS REAR YARDS

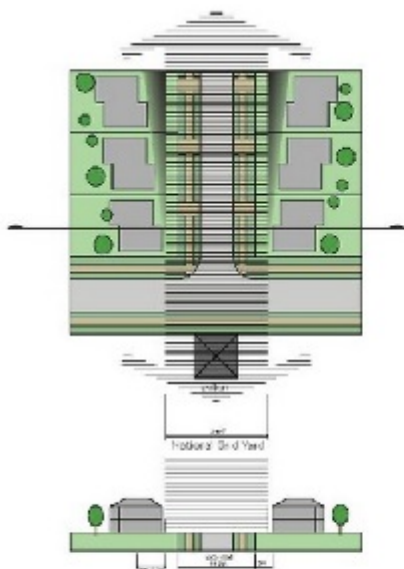
- * Increased buffer zone may be required due to line swing
- Front lot boundary to be a minimum of 20m from the edge of transmission buffer extent (Depends on line swing)
- Front yard illustrated as min 3m
- 4m rear yard clear of buffer zone to accommodate private open space



OPTION A - AROUND PYLON

BUFFER ZONE ACROSS REAR YARDS

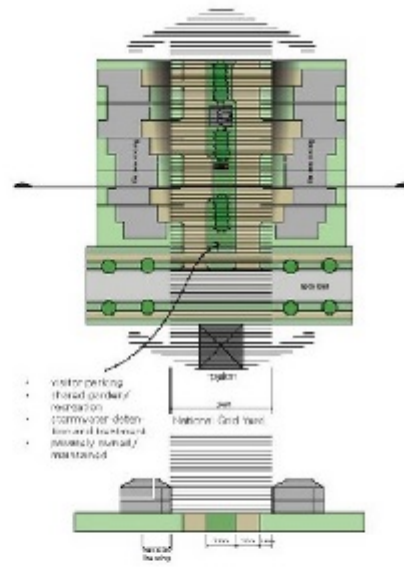
- * Increased buffer zone may be required due to line swing
- Front lot boundary to be a minimum of 20m from the edge of transmission buffer extent (Depends on line swing)
- Front yard illustrated as min 3m
- 4m rear yard clear of buffer zone to accommodate private open space



OPTION B

BUFFER ZONE ACROSS ROAD CORRIDOR

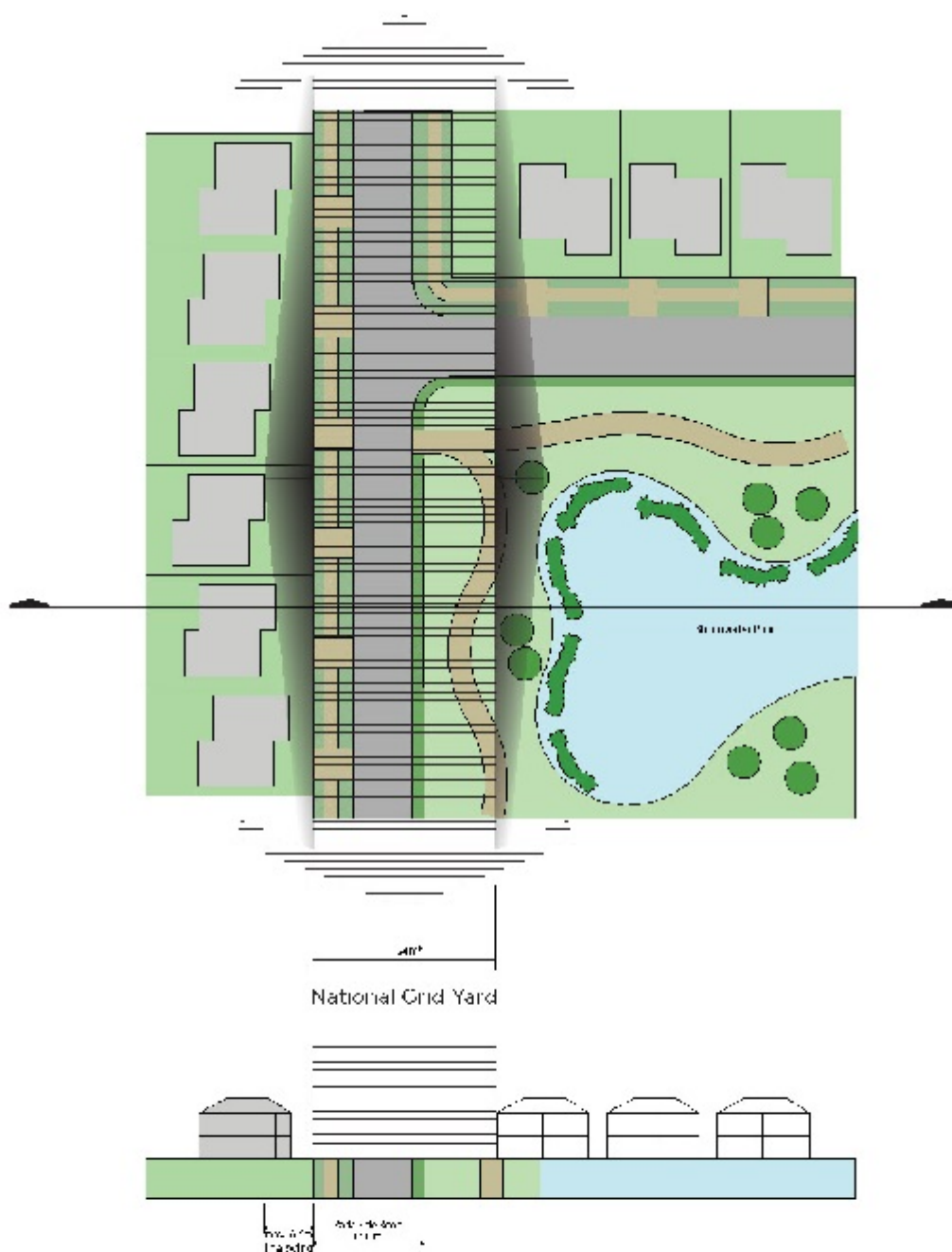
- * Increased buffer zone may be required due to line swing
- Trees and street lights in road reserve and front yards to comply with relevant regulations
- Front yard illustrated as min 3m, this may therefore depend on line swing



OPTION C

BUFFER ZONE ACROSS SHARED ACCESS LOT

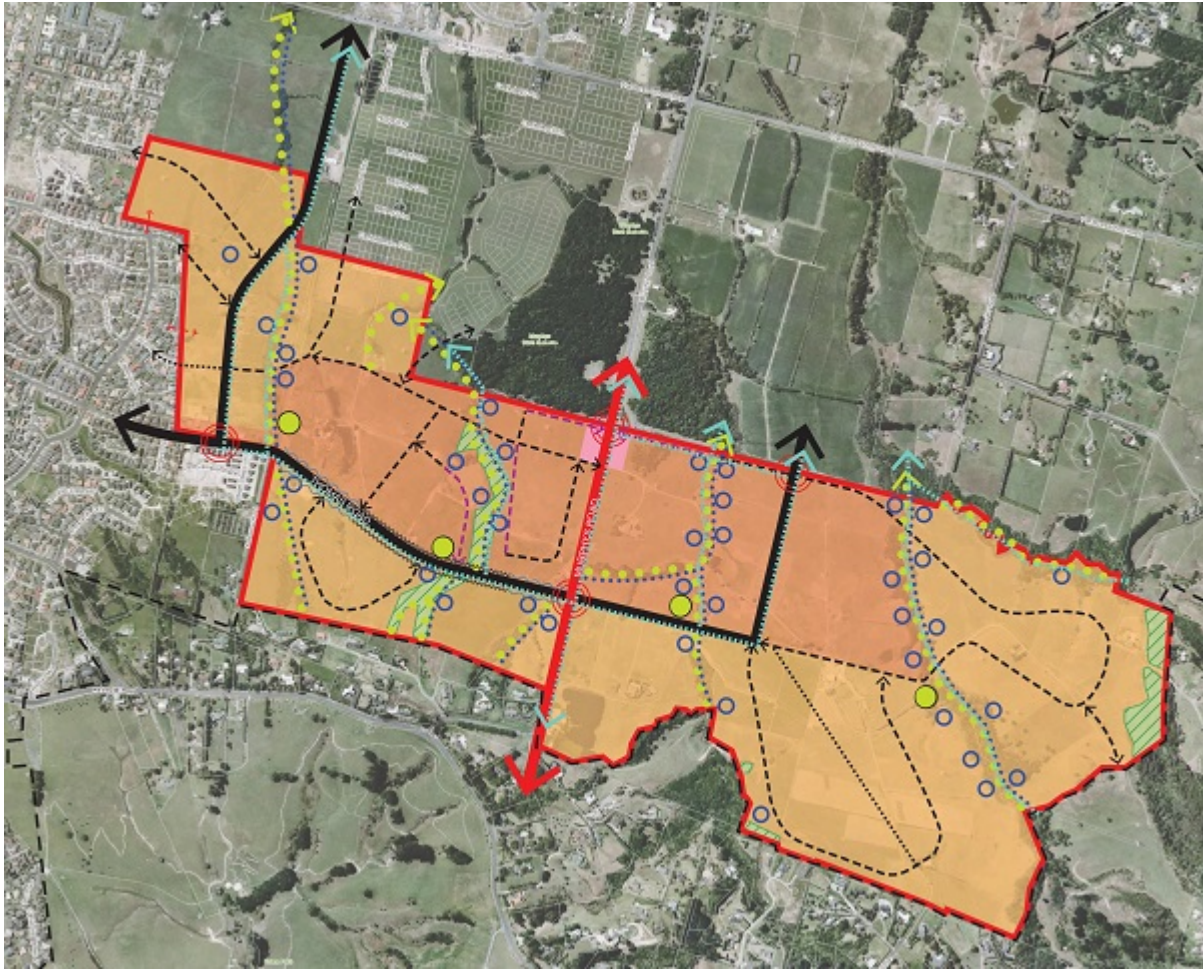
- * Increased buffer zone may be required due to line swing
- Placement may be required in favour of the reserve for base maintenance etc
- Front yard illustrated as 3.0m. Greater front yard may be required in MIB zones or if the swing of cables
- Trees in buffer zone to comply with Electricity Hazards From Trees Regulations 2003



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 line to comply with Tree Cutting Taxation and Trees Regulations 2003



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:

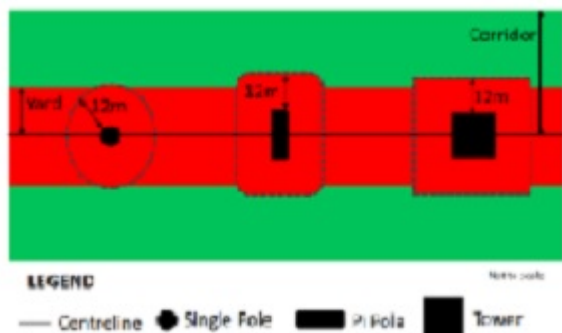
- 37m for the 220kV National Grid lines.

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

1. 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
Within the National Grid Subdivision Corridor	
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
Within the National Grid Yard	
Under the National Grid conductors (wires)	
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
Within 12m of the Outer Visible Edge of the foundation of a National Grid Support Structure	
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
Earthworks anywhere within a National Grid Yard	
Earthworks that comply with Development Control 1A1.1	P
Earthworks that do not comply with Development Control 1A1.1.1.	RD
Activities and structures Activity Status	
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.

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