

I338. Remuera Precinct

I338.1. Precinct Description

The Remuera Precinct comprises approximately 6.2 hectares of sloping land which was formerly part of the Ellerslie Racecourse Precinct. The Remuera Precinct is located at the eastern end of the racecourse site and is bound by Ladies Mile and Derby Downs Place.

The Remuera Precinct enables housing choice including medium to high density living opportunities with development up to 25m in height provided within the Residential - Terrace Housing and Apartment Buildings Zone. The Remuera Precinct incorporates the Medium Density Residential Standards contained in Schedule 3A of the Resource Management Act 1991, except that additional building height is enabled to respond to the land's graduated rise from the racecourse and westward aspect encompassing the racecourse and its facilities, and communally accessible private outdoor spaces, which are required when high density living occurs. Development of the Remuera Precinct is defined by identified publicly accessible open spaces, areas of private open space, privately owned and maintained garden streets, an attractive frontage to Ladies Mile along which existing mature pōhutukawa trees are retained, buildings set back from the arterial road, and a safe and attractive environment created for pedestrians by restricting vehicle access and providing roading improvements.

Movement through the Remuera Precinct is provided by two new public roads, one of which connects to Ladies Mile while the other connects to Derby Downs Place. Entry markers are proposed at these locations. A series of interconnected commonly owned access lots in combination with identified pedestrian routes provide internal linkages within and through the Remuera Precinct. An existing tunnel also connects Derby Downs Place with the infield of the racecourse.

Stormwater is managed by the Stormwater Management Plan approved for the development and functioning of the Remuera Precinct.

The zoning of the land within the Remuera Precinct is Residential - Terrace Housing and Apartment Buildings (Sub-precinct B) and Residential – Mixed Housing Urban (Sub-precinct A). All relevant overlay, Auckland-wide and zone provisions apply in this Precinct unless otherwise specified below.

I338.2. Objectives

- (1) A well-functioning urban environment that enables all people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, now and into the future.
- (2) A relevant residential zone provides for a variety of housing types and sizes that respond to:
 - (a) housing needs and demand; and
 - (b) the neighbourhood's planned urban built character, including three-storey buildings.

- (3) The Remuera Precinct is a well-functioning urban environment that is serviced with adequate infrastructure and which recognises the importance of intensification of this locality in proximity to the Ellerslie Rail Station.
- (4) Development is based around an integrated and connected series of public streets, publicly accessible open spaces, garden streets and publicly accessible pedestrian routes.
- (5) An accessible, safe and well-connected transport network is established for all modes within the Remuera Precinct and to the surrounding transport network which enables travel choice including public transport services, pedestrian, cycle, vehicle access and egress.
- (6) Subdivision and development in the Remuera Precinct is coordinated with the adequate provision of required three waters, energy and communications infrastructure.
- (7) Adverse effects on the safe and efficient operation of the road network are avoided.

In addition to the objectives specified above, all relevant overlay, Auckland-wide and zone objectives apply in this precinct with the exception of the following:

- Objective H5.2(2)

I338.3. Policies

- (1) Enable a variety of housing types with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.
- (2) Apply the MDRS across all relevant residential zones in the District Plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).
- (3) Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
- (4) Enable housing to be designed to meet the day-to-day needs of residents.
- (5) Provide for developments not meeting permitted activity status, while encouraging high-quality developments.
- (6) Require development to achieve a built form that contributes to high-quality built environment outcomes by:
 - (a) maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
 - (b) providing for residents' safety and privacy while enabling passive surveillance on the street;

- (c) minimising visual dominance effects to adjoining sites; and
 - (d) maintaining a level of privacy, and sunlight and daylight access for adjoining sites.
- (7) Require a high-quality open space and landscape outcome as set out on I338.10.2 Precinct Plan 2 that achieves all of the following:
- (a) Publicly accessible open spaces
 - (b) A sloping 10m wide visual corridor along the alignment of Abbots Way through to the racetrack
 - (c) Private open spaces within Sub-precinct B
 - (d) Retention of identified mature pōhutukawa trees along the Ladies Mile frontage
 - (e) Two public roads
 - (f) Garden streets.
- (8) Require development to positively respond to the natural and physical features of the area while delivering the planned built outcomes of the Remuera Precinct including a spacious frontage from Ladies Mile and a visual link between the racecourse and the Ladies Mile/Abbots Way intersection at the crown of the hill.
- (9) Provide for varying building heights through the application of a 25 metre building height area as shown on I338.10.1 Precinct Plan 1.
- (10) Enable a variety of residential dwelling types to meet varying housing needs of the community.
- (11) Require that stormwater is managed in accordance with the approved Stormwater Management Plan.
- (12) Implement the transport network connections and elements as shown on I338.10.3 Precinct Plan 3 including the following:
- (a) The upgrade of the Derby Downs Place/Ladies Mile intersection to a signalised intersection.
 - (b) A new pedestrian footpath along the western side of Ladies Mile adjacent to the Remuera Precinct boundary
 - (c) New pedestrian crossings at the Ladies Mile/Abbots Way intersection and on Derby Downs Place
 - (d) New bus stops on Ladies Mile
 - (e) Two public roads
 - (f) A flush median on Ladies Mile opposite the Upper Loop Road intersection.

(13) Restrict vehicle access to Ladies Mile other than to / from the Upper Loop Road as shown on I338.10.1 Precinct Plan 1 to support the effective, efficient and safe operation of the arterial road network.

(14) Avoid any activity, development and/or subdivision that would result in adverse effects on the safe and efficient operation of the road network from more than 357 dwellings within the Precinct.

(15) Require subdivision and development in the Remuera Precinct to be coordinated with the provision of adequate capacity for stormwater, wastewater, and water supply infrastructure.

In addition to the policies specified above, all relevant overlay, Auckland-wide and zone policies apply in this precinct with the exception of the following:

- Policies H5.3(1) – (5)
- Policies H6.3(1), (3), (5), (6).

I338.4. Activity table

All relevant overlay, Auckland-wide and zone activities apply unless the activity is specified below at I338.4(1)-(5).

(1) E27.4.1(A5) Construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3).

(2) H5.4.1(A5) The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.

(3) H6.4.1(A3) Dwellings (for up to three dwellings on a site)

(4) H6.4.1(A4) The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.

(5) H6.4.1(A35) New buildings and additions to buildings (for up to three dwellings on a site).

Table I338.4.1 specifies the activity status of activities in the I338 Remuera Precinct pursuant to section 9(3) and section 11 of the Resource Management Act 1991.

A blank in the activity status column means that the activity status in the relevant overlay, Auckland-wide or zone provision applies.

Note 1

All applications for subdivision consent are subject to section 106 of the RMA.

Table I338.4.1 Activity table

Activity		Activity status
(A1)	Up to three dwellings per site each of which complies with Standards I338.6.1 to I338.6.20 inclusive	P
(A2)	The conversion of a principal dwelling into a maximum of three dwellings each of which complies with Standards I338.6.1 to I338.6.20 inclusive	P
(A3)	Accessory buildings associated with a development of dwellings each of which complies with Standards I338.6.1 to I338.6.20 inclusive	P
(A4)	Internal and external alterations to buildings for a development of dwellings all of which complies with Standards I338.6.1 to I338.6.20 inclusive	P
(A5)	Additions to an existing dwelling which complies with Standards I338.6.1 to I338.6.20 inclusive	P
(A6)	Any buildings that do not comply with one or more of Standards I338.6.2 to I338.6.9	RD
(A7)	Any activity, development and/or subdivision that does not comply with one or more of Standards I338.6.10 to I338.6.18	RD
(A8)	Any activity, development and/or subdivision that does not comply with Standard I338.6.19 Arterial Road Access Restriction	D
(A9)	Any activity, development and/or subdivision that does not comply with Standard I338.6.20 Subdivision and Development Staging & Transport Network Infrastructure Requirements	D
(A10)	Any activity, development and/or subdivision that would result in or enable more than 357 dwellings within the Remuera Precinct	NC
Subdivision for the purpose of the construction or use of dwellings		
(A11)	Subdivision in accordance with an approved land use consent for the purpose of the construction, or use of dwellings as permitted or restricted discretionary activities in the precinct, and meeting I338.6.21 Standards for controlled subdivision activities	C
(A12)	Subdivision for up to three sites accompanied by: (a) A land use consent application for up to three dwellings one or more of which does not comply with any of Standards I338.6.2 to I338.6.9 inclusive but does comply with all applicable zonal, Auckland-wide, overlay and all other precinct standards; or (b) A certificate of compliance for up to three dwellings each of which complies with Standards I338.6.2 to I338.6.20 inclusive and applicable	C

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	zone, Auckland-wide, precinct and overlay standards	
(A13)	Any subdivision listed above not meeting I338.6.21 Standards for controlled subdivision activities	
(A14)	Any subdivision listed above not meeting General Standards E38.6.2 to E38.6.6 inclusive	D
(A15)	Any subdivision listed above not meeting Standards for subdivision in residential zones E38.8.1.1(1) and E38.8.1.2	D

I338.5. Notification

- (1) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public notification of an application for resource consent is precluded if the application is for the construction and use of one, two or three dwellings that do not comply with Standards I338.6.2 to I338.6.9.
- (2) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public and limited notification of an application for a controlled subdivision resource consent is precluded if the subdivision is associated with:
- (a) a land use consent application for the construction and use of one, two or three dwellings that do not comply with one or more of Standards I338.6.2 to I338.6.9; or
 - (b) four or more dwellings for which a land use consent has been approved for the purpose of the construction, or use of dwellings as a restricted discretionary activity in the Remuera Precinct.
- (3) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public notification of an application for resource consent is precluded if the application is for the construction and use of four or more dwellings on a site all of which comply with Standards I338.6.2 to I338.6.9.

Note 2

RMA Schedule 3A Part 2 density standards do not apply to four or more dwellings on a site. The AUP already incorporates MDRS in providing for four or more dwellings on a site as a restricted discretionary activity (see underlying zone). I338.5(3) is included only to satisfy clause 5(2) Schedule 3A, RMA but cannot be utilised as no application can be made for four or more dwellings on a site all of which comply with Standards I338.6.2 to I338.6.9 under any Activity Table I338.4.1 rule.

- (4) Any application for a resource consent which is listed above which also requires resource consent under other rules in the Plan will be subject to the normal tests for notification under the relevant sections of the RMA.

I338.6. Standards

Unless specified below, all relevant overlay, Auckland-wide and zone standards apply to all activities in Activity Table I338.4.1 above.

The following zone standards do not apply to a permitted activity listed in Activity Table I338.4.1 above:

Residential – Mixed Housing Urban Zone:

- (a) H5.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings;
- (b) H5.6.4 Building height;
- (c) H5.6.5 Height in relation to boundary;
- (d) H5.6.6 Alternative height in relation to boundary;
- (e) H5.6.7 Height in relation to boundary adjoining lower intensity zones;
- (f) H5.6.8 Yards;
- (g) H5.6.10 Building coverage;
- (h) H5.6.11 Landscaped area;
- (i) H5.6.12 Outlook space; and
- (j) H5.6.14 Outdoor living space.

Residential – Terrace Housing and Apartment Buildings Zone:

- (k) H6.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings;
- (l) H6.6.5 Building height;
- (m) H6.6.6 Height in relation to boundary;
- (n) H6.6.7 Alternative height in relation to boundary within the Residential – Terrace Housing and Apartment Buildings Zone;
- (o) H6.6.8 Height in relation to boundary adjoining lower intensity zones;
- (p) H6.6.9 Yards;
- (q) H6.6.11 Building coverage;
- (r) H6.6.12 Landscaped area;

(s) H6.6.13 Outlook space; and

(t) H6.6.15 Outdoor living space.

The following Auckland-wide standards do not apply to activities listed in Activity Table I338.4.1 above - Standards E27.6.4.1(2) and (3) Vehicle Access Restriction.

The activities listed as a permitted activity in Activity Table I338.4.1 must comply with permitted activity standards I338.6.1 to I338.6.20.

Activities listed as a controlled activity in Activity Table I338.4.1 must comply with Standards I338.6.21 Standards for controlled subdivision activities.

I338.6.1. Number of dwellings per site

(1) There must be no more than three dwellings per site.

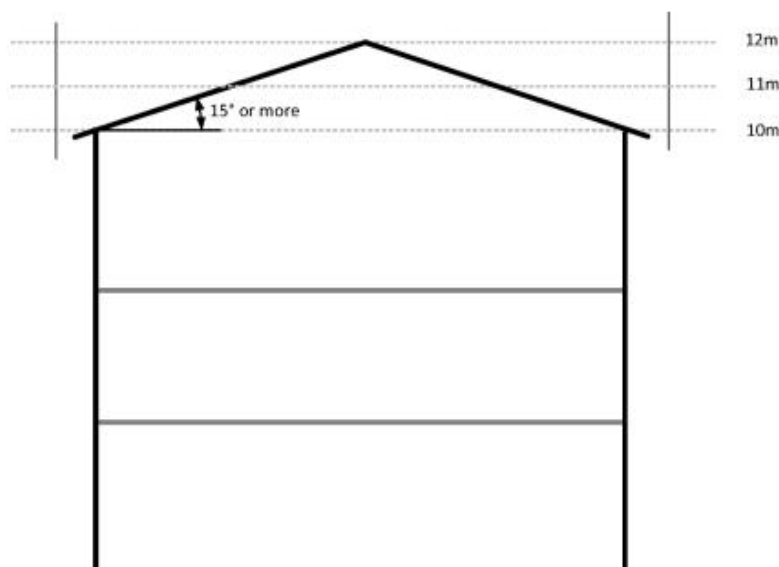
I338.6.2. Building height

Purpose: To manage the height of buildings to:

- achieve the planned urban built character of predominantly three storeys and to enable higher building intensity and scale of up to 25 metres in specified areas;
- minimise visual dominance effects;
- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms.

(1) In the Residential – Mixed Housing Urban Zone buildings must not exceed 11m in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown in Figure I338.6.2.1 below.

Figure I338.6.2.1 Building height



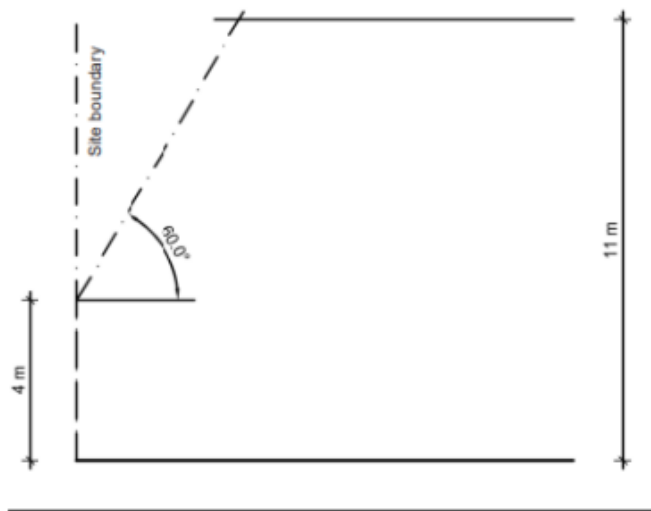
- (2) In the Residential – Terrace Housing and Apartment Buildings Zone buildings must not exceed 25 metres in height.

I338.6.3. Height in relation to boundary

Purpose: To manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access, privacy and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 60-degree recession plane measured from a point 4m vertically above ground level along side and rear boundaries as shown in Figure I338.6.3.1 Height in relation to boundary below.
- (2) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard I338.6.3(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (3) Standard I338.6.3(1) above does not apply to a boundary, or part of a boundary, adjoining any Business Zone.
- (4) Standard I338.6.3(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (5) Standard I338.6.3(1) above does not apply to existing or proposed internal boundaries within a site.

Figure I338.6.3.1 Height in relation to boundary



I338.6.4. Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard including protecting the health of existing pōhutukawa trees along the Ladies Mile frontage;

- to ensure a sufficient set back from the Ladies Mile frontage to protect the character and amenity of the street while minimising dominance effects from higher intensity apartment buildings;
- to maintain a reasonable standard of residential amenity for adjoining sites; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed below:

- (a) Front yard: 1.5m, except in Sub-precinct B where the boundary is with the Ladies Mile frontage shown on I338.10.1 Precinct Plan 1, in which case the front yard is 6m
- (b) Side yard: 1m
- (c) Rear yard: 1m.

(2) This standard does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

I338.6.5. Building coverage

Purpose: To manage the extent of buildings on a site to achieve the planned character of buildings surrounded by open space.

(1) The maximum building coverage must not exceed 50 per cent of the net site area.

I338.6.6. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by vegetation; and
- to create a vegetated urban streetscape character.

(1) A dwelling at ground floor level must have a landscaped area of a minimum of 20 per cent of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.

(2) The landscaped area may be located on any part of the development site, and does not need to be associated with each dwelling.

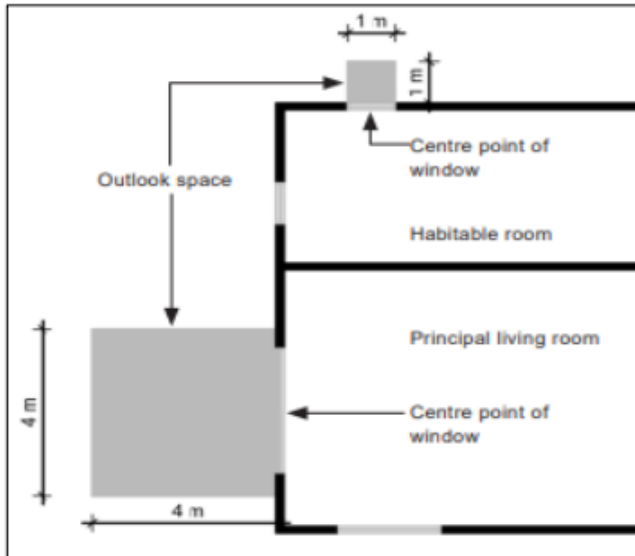
I338.6.7. Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and

- in combination with H5.6.13 or H6.6.14 Daylight Standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.
- (1) An outlook space must be provided for each development as specified in this standard.
 - (2) An outlook space must be provided from habitable room windows as shown in Figure I338.6.7.1 Outlook space requirements.
 - (3) The minimum dimensions for a required outlook space are as follows and as shown in Figure I338.6.7.1 Outlook space requirements:
 - (a) a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - (b) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
 - (4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
 - (5) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
 - (6) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
 - (7) Outlook spaces may be under or over a balcony.
 - (8) Outlook spaces required from different rooms within the same building may overlap.
 - (9) Outlook spaces must—
 - (a) be clear and unobstructed by buildings; and
 - (b) not extend over an outlook space or outdoor living space required by another dwelling.

Figure I338.6.7.1 Outlook space requirements



I338.6.8. Outdoor living space

Purpose: To provide dwellings with outdoor living space that is of a functional size and dimension, has access to sunlight, is separated from vehicle access and manoeuvring areas, and ensure:

- private outdoor living spaces are directly accessible from the principal living room, dining room or kitchen;
 - communal outdoor living spaces are conveniently accessible for all occupants.
- (1) A dwelling at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that, —
- (a) where located at ground level, has no dimension less than 3 metres; and
 - (b) where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8 metres; and
 - (c) is accessible from the dwelling; and
 - (d) may be—
 - (i) grouped cumulatively by area in 1 communally accessible location; or
 - (ii) located directly adjacent to the dwelling; and
 - (e) is free of buildings, parking spaces, and servicing and manoeuvring areas.
- (2) A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—
- (a) is at least 8m² and has a minimum dimension of 1.8 metres; and
 - (b) is accessible from the dwelling; and

(c) may be—

- (i) grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
- (ii) located directly adjacent to the dwelling.

I338.6.9. Windows facing the street

Purpose: To provide for passive surveillance while maintaining privacy for residents and users.

- (1) Any dwelling facing the street must have a minimum of 20 per cent of the street-facing façade in glazing. This can be in the form of windows or doors.

I338.6.10. Visual Corridor

Purpose:

- To ensure public views from Ladies Mile through the Remuera Precinct to the racecourse and the infield along the alignment of Abbotts Way as identified on I338.10.2 Precinct Plan 2.
- (1) Buildings must not be located within the 10m wide Visual Corridor identified on I338.10.2 Precinct Plan 2.

I338.6.11. Publicly Accessible Open Space

Purpose:

- To ensure a publicly accessible network of connected open spaces that are available for public use and enjoyment
- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the Publicly Accessible Open Spaces identified on I338.10.2 Precinct Plan 2 in accordance with the Remuera Precinct Landscape at Appendix A and ensure these spaces are accessible to the public at all times. The Publicly Accessible Open Spaces must be located in the areas identified and with the dimensions specified on I338.10.2 Precinct Plan 2.
 - (2) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

I338.6.12. Publicly Accessible Pedestrian Routes

Purpose:

- To ensure a connected and publicly accessible pedestrian network within the Remuera Precinct.
- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the Publicly Accessible Pedestrian Routes within the Precinct that are identified on I338.10.3 Precinct Plan 3 in accordance with the Remuera Precinct Landscape at Appendix A and ensure these routes are

accessible to the public at all times except where they need to be temporarily closed for safety, security, maintenance or repair purposes.

- (2) The Publicly Accessible Pedestrian Routes within the Remuera Precinct must be located in the areas identified and with the dimensions specified on I338.10.3 Precinct Plan 3.
- (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

I338.6.13. Existing Pōhutukawa Trees

Purpose:

- To retain a mature landscaped frontage along the Ladies Mile boundary of the Remuera Precinct by protecting identified pōhutukawa trees along this frontage.
- To provide a landscaped buffer for the potential 25m high apartment buildings within this part of the Remuera Precinct.

- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must not result in the removal of the pōhutukawa trees identified on I338.10.2 Precinct Plan 2 or any works within the protected root zone of these trees, except as provided for by Standard E17.6.3 Works within the protected root zone.
- (2) Any trimming or alteration of the pōhutukawa trees identified on I338.10.2 Precinct Plan 2 is subject to Standard E17.6.1 Tree trimming or alteration.
- (3) Standard I338.6.13 does not apply to Tree #13 identified on I338.10.2 Precinct Plan 2, on the planning maps, and in Schedule 10: Notable Tree Schedule.

I338.6.14. Garden Streets

Purpose:

- To ensure a connected network of privately owned and maintained Garden Streets within the Remuera Precinct to provide vehicular and pedestrian access to dwellings.
- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the relevant Garden Street identified on I338.10.2 Precinct Plan 2 and I338.10.3 Precinct Plan 3 necessary to access the activity, development and/or subdivision.
 - (2) The Garden Street must be located in the area identified and with the dimensions specified on I338.10.2 Precinct Plan 2.
 - (3) The Garden Street must be provided in accordance with the Remuera Precinct Landscape at Appendix A.

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- (4) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

I338.6.15. Planted Embankment

Purpose:

- To ensure a landscaped Planted Embankment within the Remuera Precinct to improve visual amenity and acknowledge the distinctive Ellerslie racecourse landform.
- (1) Any activity, development and/or subdivision within any part of the Remuera Precinct must provide the Planted Embankment identified on I338.10.2 Precinct Plan 2 in accordance with the Remuera Precinct Landscape at Appendix A.
- (2) The Planted Embankment must be located in the area identified and with the dimensions specified on I338.10.2 Precinct Plan 2.
- (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

I338.6.16. Private Open Space

Purpose:

- To ensure useable communal private open space for people residing in higher intensity residential development within the Remuera Precinct
 - To ensure higher intensity residential buildings are well-integrated with communal private open space and whose building forms do not dominate the Ladies Mile streetscape or the Remuera Precinct.
- (1) Any activity, development and/or subdivision within Sub-precinct B must provide the Private Open Space identified on I338.10.2 Precinct Plan 2 and in accordance with the Remuera Precinct Landscape at Appendix A, except that:
- (a) where a permitted activity listed in Activity Table I338.4.1 is undertaken, the application is required to satisfy Standard I338.6.8 and Standard I338.6.16, subject to Standard I338.6.16(1)(b)
 - (b) private open space is to be provided in compliance with Standard I338.6.16(2) and neither Standard I338.6.8(1)(d)(i) nor Standard I338.6.8(2)(c)(i) applies
 - (c) where a controlled activity listed in Activity Table I338.4.1 is undertaken the application is required to satisfy I338.6.8 and I338.6.16, subject to Standard I338.6.16(1)(b).
- (2) The Private Open Spaces must be located in the general areas identified and with the dimensions specified on I338.10.2 Precinct Plan 2 or in an alternative

location within the relevant part of Sub-precinct B as long as the total area of Private Open Space is no less than that identified on I338.10.2 Precinct Plan 2.

- (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

I338.6.17. Entry Point Identifier

Purpose:

- To enable a high-quality landscape feature at the prominent public entrances to the Remuera Precinct.
- (1) Any development within the Upper or Lower Loop Road blocks shall construct the entry point identifiers in the locations identified on I338.10.3 Precinct Plan 3 and in accordance with the Remuera Precinct Landscape at Appendix A.
 - (2) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

I338.6.18. Stormwater Management

Purpose:

- To ensure stormwater is managed in accordance with the approved Stormwater Management Plan.
- (1) The management of stormwater from any activity, development and/or subdivision shall be in accordance with the approved Stormwater Management Plan.

I338.6.19. Arterial Road Access Restriction

Purpose:

- To restrict road intersections onto Ladies Mile.
 - To avoid direct vehicle access from individual sites to Ladies Mile.
 - To achieve the effective, safe and efficient operation of the arterial road network and existing and future transport network for all modes.
 - To avoid or mitigate adverse safety and operational effects on the transport network including Ladies Mile, Abbotts Way, Marua Road and Derby Downs Place.
- (1) No road intersections shall be permitted directly onto Ladies Mile except for the two intersections indicated on I338.10.3 Precinct Plan 3.
 - (2) No private vehicle access from any property shall be permitted directly onto Ladies Mile in the location of the Arterial Road Access Restriction identified on I338.10.1 Precinct Plan 1.

I338.6.20. Subdivision and Development Staging & Transport Network Infrastructure Requirements

Purpose:

- To ensure subdivision and development is integrated with the delivery of the required transport infrastructure upgrades identified in Table I338.6.20.1.
- To ensure that the required transport infrastructure upgrades are implemented to avoid or mitigate the adverse traffic effects of any activity, development and/or subdivision on the existing and future transport network.
- To ensure that the required transport infrastructure upgrades are implemented in an integrated and planned manner, and coordinated with development in the Remuera_Precinct.
- To ensure an efficient, safe and effective transport network, with infrastructure and service connections for all modes to and through the Remuera Precinct.

(1) Activities, development and/or subdivision (excluding site preparation works, retaining, infrastructure and earthworks) must not exceed the thresholds specified in Column 1 in Table I338.6.20.1 until the transport network infrastructure upgrades and measures identified in Column 2 have been implemented, constructed and are operational.

Note 3:

Works in the legal road require prior written agreement from the road controlling authority.

Table I338.6.20.1: Transport Network Infrastructure Upgrades and Measures

Column 1 Activity, development and / or subdivision thresholds for transport network infrastructure upgrades and measures		Column 2 Transport network infrastructure upgrades and measures required
(a)	Prior to occupation of the 20 th dwelling with access from Derby Downs Place	• Upgrade the Derby Downs Place/Ladies Mile intersection to a signalised two-lane intersection with separate through lanes and turning lanes including pedestrian crossings as identified on I338.10.3 Precinct Plan 3 (Upgrade 1) • Construction of the Lower Loop Road in the location identified on I338.10.3 Precinct Plan 3 (Upgrade 2) • Installation of a pedestrian crossing facility on Derby Downs Place opposite 15 Derby Downs Place in the location identified on I338.10.3 Precinct Plan 3 (Upgrade 3)

Column 1 Activity, development and / or subdivision thresholds for transport network infrastructure upgrades and measures	Column 2 Transport network infrastructure upgrades and measures required
(b) Prior to the occupation of the first dwelling within the northeastern part of Sub-precinct B adjacent Ladies Mile (shown on I338.10.1 Precinct Plan 1), or the first dwelling requiring access to the Upper Loop Road, whichever occurs first	• Construction of the Upper Loop Road in the location identified on I338.10.3 Precinct Plan 3 (Upgrade 4) • Installation of the Ladies Mile footpath on the western side as identified on I338.10.3 Precinct Plan 3 (Upgrade 5) • Installation of pedestrian crossings at the Ladies Mile/Abbotts Way intersection as identified on I338.10.3 Precinct Plan 3 (Upgrade 6) • Installation of new bus stops as identified on I338.10.3 Precinct Plan 3 (Upgrade 7) • Installation of a flush median along Ladies Mile opposite the Upper Loop Road intersection (Upgrade 8)

I338.6.21. Standards for controlled subdivision activities

Purpose:

- To provide for subdivision of land for the purpose of construction and use of dwellings in accordance with MDRS permitted and restricted discretionary land use activities.

I338.6.21.1. Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct

- (1) Any subdivision relating to an approved land use consent must comply with that land use consent.
- (2) Subdivision does not increase the degree of any non-compliance with standards I338.6.1 to I338.6.9 except that Standard I338.6.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall.
- (3) No vacant sites are created.

I338.6.21.2. Subdivision around existing buildings and development

- (1) Prior to subdivision occurring, all development must meet the following:
 - (a) Comply with the relevant overlay, Auckland-wide, zone and precinct rules; or

- (b) Be in accordance with an approved land use consent.
- (2) Subdivision does not increase the degree of any non-compliance with standards I338.6.1 to I338.6.9 except that Standard I338.6.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall.
- (3) No vacant sites are created.

I338.6.21.3. Subdivision for up to three sites accompanied by a land use consent application or certificate of compliance for up to three dwellings

- (1) The subdivision application and land use consent application or certificate of compliance relate to a site on which there are no dwellings;
- (2) The subdivision application and land use consent application or certificate of compliance must be determined concurrently;
- (3) Each dwelling, relative to its proposed boundaries, complies with Standards I338.6.2 to I338.6.9;
- (4) A maximum of three sites and three dwellings are created; and
- (5) No vacant sites are created.

I338.7. Assessment – controlled activities

I338.7.1. Matters of control

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

- (1) All controlled activities in Table I338.4.1:
 - (a) compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance;
 - (b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules;
 - (c) the effects of infrastructure provision.

I338.7.2. Assessment criteria

- (1) The Council will consider the relevant assessment criteria below for controlled activities:
 - (a) compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance:
 - (i) refer to Policy E38.3(6);
 - (b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules;

- (i) refer to Policy E38.3(1) and (6);
- (c) whether there is appropriate provision made for infrastructure including:
 - (i) whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and
 - (ii) whether appropriate management of effects of stormwater has been provided;
 - (iii) refer to Policies E38.3(1), (6), (19) to (23).

I338.8. Assessment – restricted discretionary activities

I338.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application, in addition to the matters specified under Auckland-wide Rule C1.9(2):

- (1) For buildings that do not comply with one or more Standards I338.6.2 to I338.6.9:
 - (a) any precinct and zone policies relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the urban built character of the precinct;
 - (e) the effects on the amenity of neighbouring sites;
 - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (g) the characteristics of the development;
 - (h) any other matters specifically listed for the standard; and
 - (i) where more than one standard will be infringed, the effects of all infringements considered together.
- (2) For any activity, development and/or subdivision that does not comply with Standard I338.6.10 Visual Corridor:
 - (a) The width of the visual corridor
 - (b) Street furniture, artworks, other public amenity elements or retaining structures.
- (3) For any activity, development and/or subdivision that does not comply with Standard I338.6.11 Publicly Accessible Open Space:

- (a) The size, location, dimensions, topography, aspect and landscaping of the open space.
- (b) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.
- (4) For any activity, development and/or subdivision that does not comply with Standard I338.6.12 Publicly Accessible Pedestrian Routes:
 - (a) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the pedestrian routes.
 - (b) Temporary closures for safety, security, maintenance or repair purposes.
- (5) For any activity, development and/or subdivision that does not comply with Standard I338.6.13 Existing Pōhutukawa Trees
 - (a) Matters of discretion E17.8.1(1).
- (6) For any activity, development and/or subdivision that does not comply with Standard I338.6.14 Garden Streets:
 - (a) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the garden streets.
- (7) For any activity, development and/or subdivision that does not comply with Standard I338.6.15 Planted Embankment:
 - (a) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the planted embankment.
- (8) For any activity, development and/or subdivision that does not comply with Standard I338.6.16 Private Open Space:
 - (a) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the private open space.
- (9) For any activity, development and/or subdivision that does not comply with Standard I338.6.17 Entry Point Identifier:
 - (a) The strategy and outcomes identified in the Remuera Precinct Landscape at Appendix A for the entry point.
- (10) For any activity, development and/or subdivision that does not comply with Standard I338.6.18 Stormwater Management:
 - (a) The approved Stormwater Management Plan.

I338.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities.

(1) For buildings that do not comply with one or more of Standards I338.6.2 to I338.6.9:

(a) for all infringements to standards:

(i) refer to Policy I338.3(5)

(ii) refer to Policy I338.3(6)

(b) for building height:

(i) refer to Policy I338.3(1)

(ii) refer to Policy I338.3(5)

Visual dominance

(iii) the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, taking into account:

- the planned urban built character of the precinct;
- the location, orientation and design of development; and
- the effect of the proposed height on the surrounding and neighbouring development.

Character and Visual Amenity

(iv) the extent to which the form and design of the building and any additional height responds to the planned urban built character of the surrounding area, including natural landforms and features;

(v) how buildings as viewed from the street or public places are designed to appear against the skyline, taking into account:

- whether roof plan, services and equipment are hidden from views; and
- whether the expression of the top of the building provides visual interest and variation.

(c) for height in relation to boundary:

(i) refer to Policy I338.3(1)

(ii) refer to Policy I338.3(5)

Sunlight access - Residential – Mixed Housing Urban Zone

(iii) whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:

Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):

- over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard I338.6.8; or
 - over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard I338.6.8.
- (iv) in circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in I338.8.2(1)(c)(iii):
- the extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard I338.6.3 Height in relation to boundary; and
 - the extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

Daylight access - Residential – Terrace Housing and Apartment Buildings Zone

- (v) the extent to which the height and bulk of development maintains daylight access and minimises visual dominance effects to adjoining sites and developments taking into account site orientation, topography, vegetation and existing or consented development.

Visual dominance

- (vi) the extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account:
- the planned urban built character of the zone;
 - the location, orientation and design of development;
 - the physical characteristics of the site and the neighbouring site;
 - the design of side and rear walls, including appearance and dominance; and
 - providing adequate visual and/or physical break up of long continuous building forms.

Overlooking and privacy

- (vii) the extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and

location of habitable room windows, balconies or terraces, setbacks, or screening.

(d) for yards:

(i) refer to Policy I338.3(1)

(ii) refer to Policy I338.3(3)

(e) for building coverage:

(i) refer to Policy I338.3(1)

(ii) refer to Policy I338.3(3)

(iii) whether the non-compliance is appropriate to the context, taking into account:

- whether the balance of private open space and buildings is consistent with the planned urban built character anticipated for the precinct; and
- the degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas.

(f) for landscaped area:

(i) refer to Policy I338.3(1)

(ii) refer to Policy I338.3(3)

(iii) refer to Policy H5.3(10)

(iv) the extent to which existing trees are retained.

(g) for outlook space:

(i) refer to Policy I338.3(1)

(ii) refer to Policy I338.3(3)

(iii) refer to Policy I338.3(4)

(iv) the extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.

(h) for outdoor living space:

(i) refer to Policy I338.3(1)

(ii) refer to Policy I338.3(4)

- (iii) the extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.
- (i) for windows facing the street:
 - (i) refer to Policy I338.3(3)
 - (ii) the extent to which the glazing:
 - allows views to the street and/or accessways to ensure passive surveillance; and
 - provides a good standard of privacy for occupants.
- (2) For any activity, development and/or subdivision that does not comply with Standard I338.6.10 Visual Corridor:
 - (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
 - (b) Whether the width of the corridor exceeds 10m in parts to compensate for any reductions in the 10m width.
 - (c) Whether street furniture, artworks, other public amenity elements or retaining structures will enable a reasonable view corridor to be achieved.
- (3) For any activity, development and/or subdivision that does not comply with Standard I338.6.11 Publicly Accessible Open Space
 - (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
 - (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space are achieved in the Remuera Precinct.
- (4) For any activity, development and/or subdivision that does not comply with Standard I338.6.12 Publicly Accessible Pedestrian Routes
 - (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
 - (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the pedestrian routes are achieved within the Remuera Precinct.
 - (c) The extent to which any temporary closures of these routes are required for safety, security, maintenance or repair purposes.

- (5) For any activity, development and/or subdivision that does not comply with Standard I338.6.13 Existing Pōhutukawa Trees
 - (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
 - (b) Assessment Criteria E17.8.2(1).
- (6) For any activity, development and/or subdivision that does not comply with Standard I338.6.14 Garden Streets
 - (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
 - (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the garden streets are achieved within the Remuera Precinct.
- (7) For any activity, development and/or subdivision that does not comply with Standard I338.6.15 Planted Embankment
 - (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
 - (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the planted embankment are achieved within the Remuera Precinct.
- (8) For any activity, development and/or subdivision that does not comply with Standard I338.6.16 Private Open Space
 - (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
 - (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the private open space are achieved within the Remuera Precinct.
- (9) For any activity, development and/or subdivision that does not comply with Standard I338.6.17 Entry Point Identifier
 - (a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Remuera Precinct.
 - (b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the entry point are achieved within the Remuera Precinct.

(10) For any activity, development and/or subdivision that does not comply with Standard I338.6.18 Stormwater Management

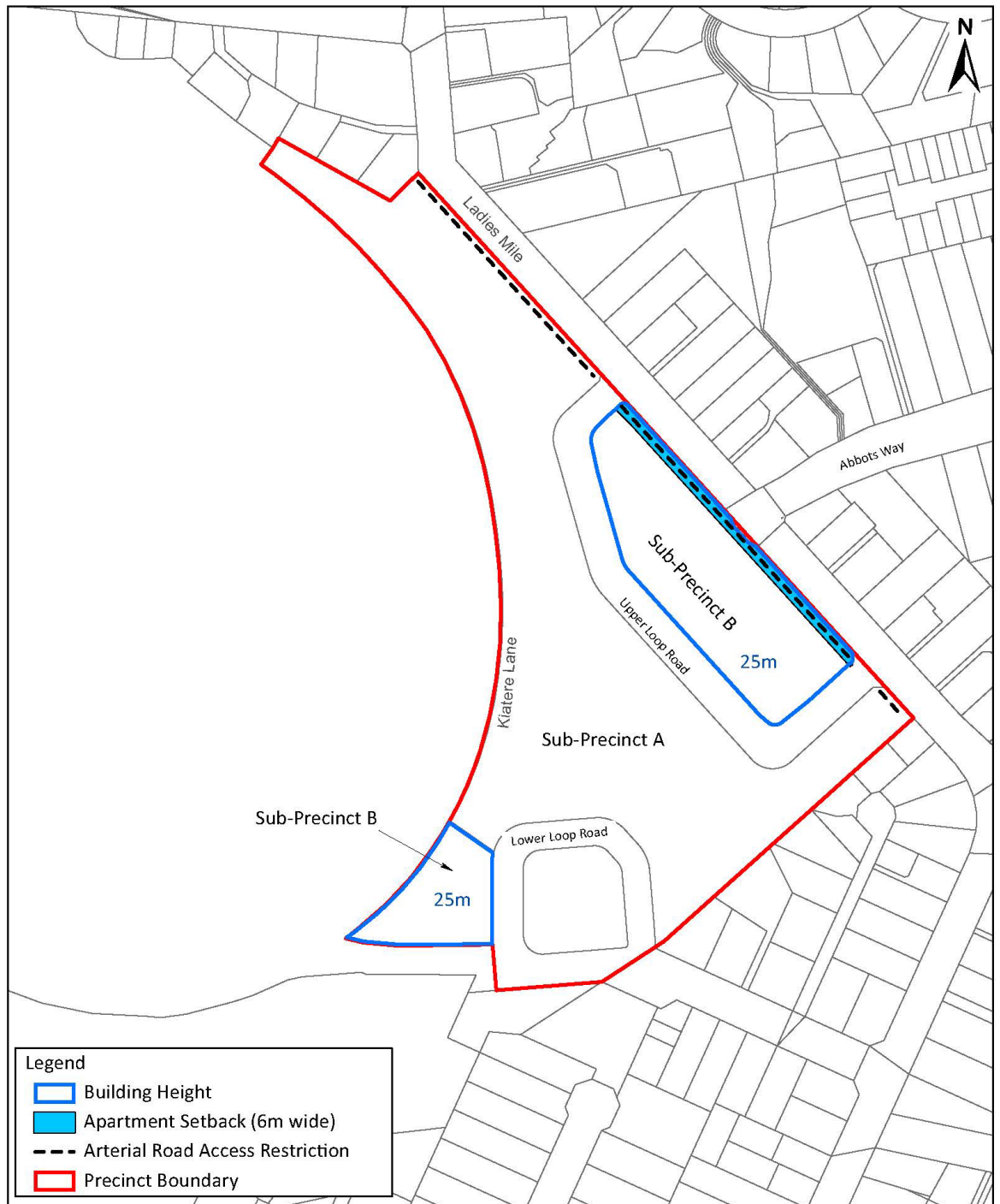
- (a) The extent to which the provisions of the approved Stormwater Management Plan are met, including the following matters:
 - (i) The design and efficacy of stormwater management devices;
 - (ii) Stormwater management calculations that confirm the design and capacity of the stormwater management device is fit for purpose and satisfies the requirements of the approved Stormwater Management Plan;
 - (iii) The operation and maintenance of the stormwater system, including whether safe and direct access is provided to enable maintenance;
 - (iv) Whether there will be health and safety effects associated with stormwater detention and retention ponds and wetlands and the extent to which these can be mitigated through measures such as fencing;
 - (v) Whether new buildings and alterations and additions to buildings are made of inert materials; and
 - (vi) Flood effects in the 10% and 1% AEP storm events (including climate change effects) and the extent to which any attenuation measures are required within the Remuera Precinct.
- (b) Where alternatives to any approved or consented landscaping are proposed, whether the amended landscape plan will ensure the stormwater management outcomes are maintained and achieved.
- (c) The extent to which interference with public use and enjoyment of proposed open space is minimised where stormwater detention and retention ponds and wetlands are proposed to be located in or adjacent to proposed public open space.

I338.9. Special information requirements

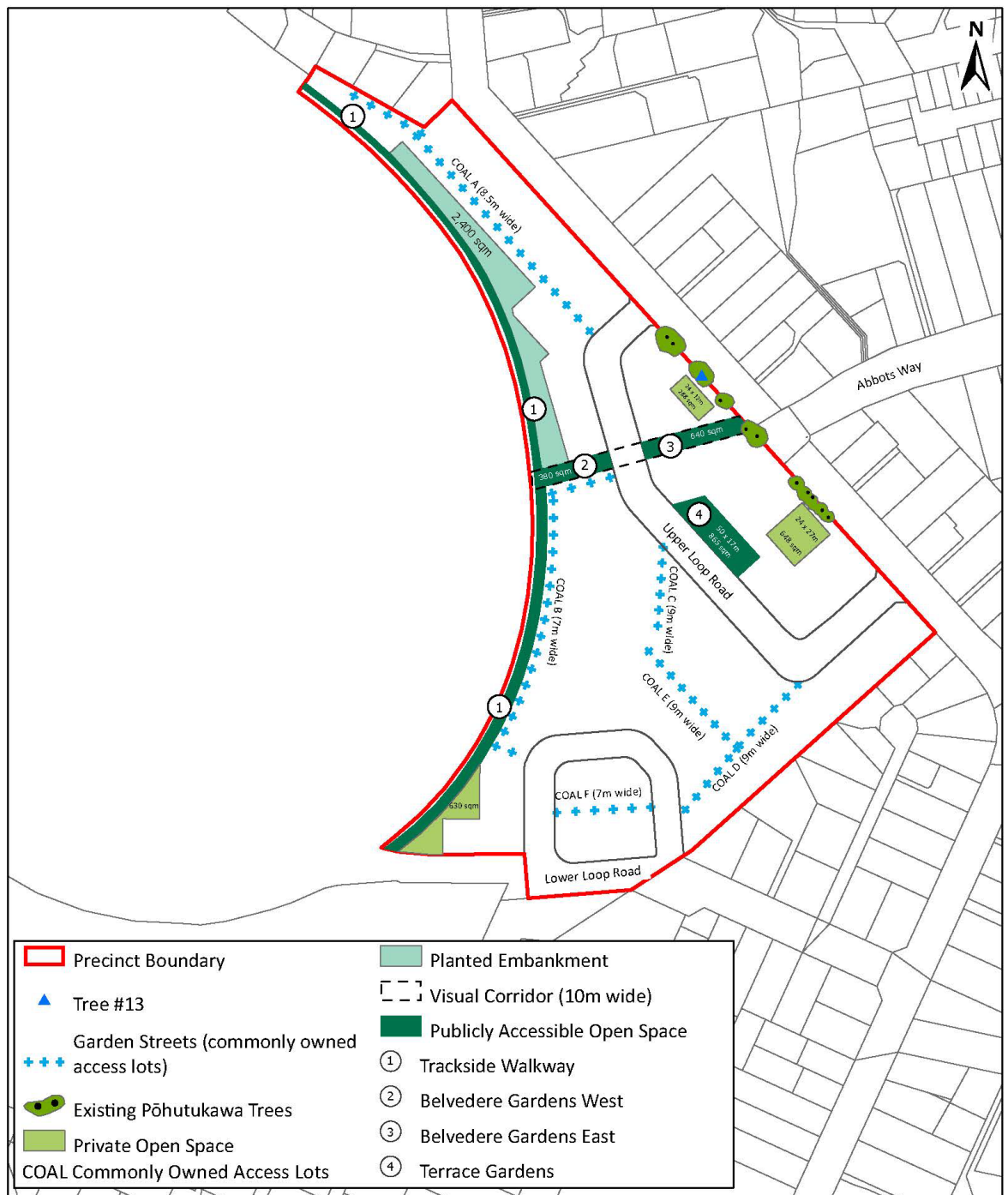
There are no special information requirements in this precinct.

I338.10. Precinct plans

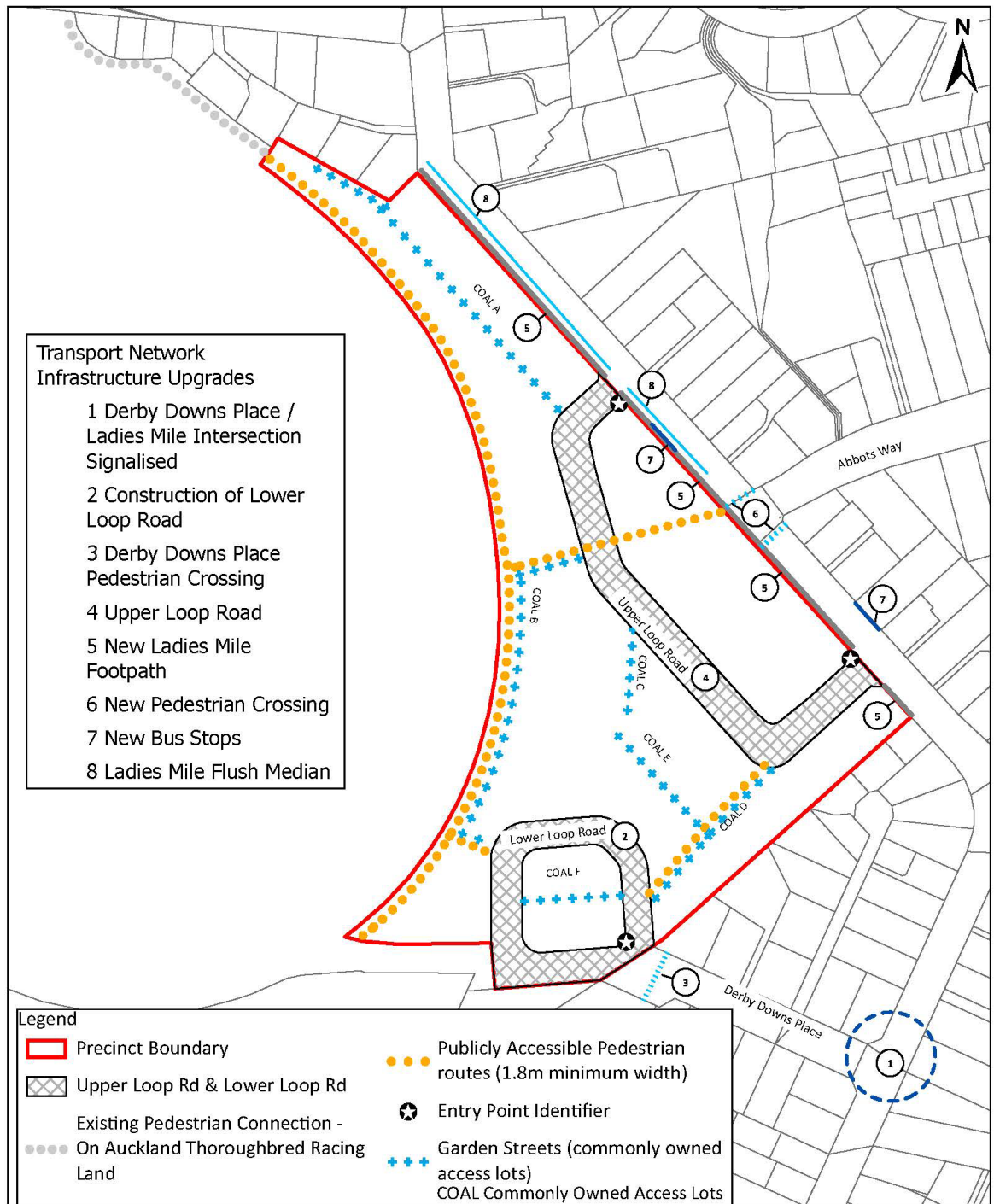
I338.10.1. Remuera Precinct Plan 1 – Sub-Precincts and Building Controls



I338.10.2. Remuera Precinct Plan 2 – Open Space & Features



I338.10.3. Remuera Precinct Plan 3 – Movement



I338.11. Appendix

I338.11.1. Remuera Precinct Landscape

Refer Separate Attachment