

Proposed Private Plan Change 6 (Auranga) to the Auckland Unitary Plan (Operative in Part)

30 June 2018 Version Incorporating Amendments in the Hearings Panel Decision

6.35 Drury 1

Precinct description

The precinct has an area of 167.67 ha and is bordered by Drury Creek in the north, southern motorway to the east SH22 (Karaka road) to the south and Jesmond road to the west. The site is gently rolling terrain, with coastal frontage to the upper estuary reach of Drury Creek. Two permanent watercourses run through the land, both originating within the site and flowing north towards the coastal edge. The Precinct Plan 1 area applies to the original 84.62 ha of the Precinct. The Precinct Plan 2 area applies to an extension of 83.05 ha.

It incorporates the provisions of the precinct plan and includes the development of a local centre with opportunities for intensive residential development.

Policy 14 allows for consideration of biodiversity offsets and ecological compensation for unavoidable impacts arising from development on natural resources, where this is directed to the Drury Creek Islands Recreation Reserve (DCIRR). The matters in Policy 14 can provide subsequent considerations to the provisions of E3, E1, E15 and Appendix 8 of the Auckland Unitary Plan, which address the circumstances in which residual adverse effects on natural resources that cannot be avoided, remedied or mitigated may be offset.

The transport provisions for Precinct Plan 2 recognise that Auckland Transport and the NZ Transport Agency have not yet completed planning the strategic transport network for the wider Drury area including the Future Urban zones to the west and south of the Drury 1 Precinct. The precinct provisions recognise and support future strategic transport connections which may be required to and through the precinct - in particular Jesmond Road and the new east-west road (Future Collector Road (New)). The Jesmond Road / SH 22 intersection upgrade is required prior to development in Precinct Plan 2. Other transport infrastructure upgrades outside of the precinct have not been prescribed in the same manner. However the Precinct recognises the potential for adverse traffic effects at five identified intersections and the Norrie Road one way bridge. Those effects will be assessed at the time of subdivision applications and required upgrades or other mitigation determined at that time.

Refer to planning maps for the location and extent of the precinct. The following underlying zones apply to the precinct:

- Residential - Mixed Housing Suburban
- Residential - Mixed Housing Urban
- Residential - Terrace Housing and Apartment Buildings
- Business - Local Centre

Objectives

The objectives are as listed in the relevant underlying zones and Auckland wide provisions, except as specified below:

1. An integrated, more intensive residential environment which has high levels of amenity, allows for a range of housing densities and typologies and incorporates opportunities for a local centre.
2. A well connected roading layout that supports a range of travel modes, provides a strong definition of public spaces, legible and safe urban road pattern and clear differentiation between the private and public realm.
3. Ecology is maintained and enhanced through riparian margin re-planting at the time of development, building setbacks and landscaping.
4. Buildings are developed in an intensive manner, reflecting an urban character and amenity with clear definition of public fronts where buildings are massed, and private back yards that are predominantly open (excluding rear lane accessed garaging).
5. Stormwater runoff is managed to enable the maintenance and enhancement of natural waterways and water quality.
6. Subdivision, land use and development in the precinct will not adversely impact on the safe and efficient operation of the National Grid.
7. To promote availability of affordable housing to first home buyers and/or Community Housing Providers.

Precinct Plan 2

8. Subdivision and development is coordinated with the delivery of infrastructure required to service the Precinct, connect it to the wider network and manage its effects, including transport, wastewater, stormwater and water services.

Commented [DW1]: Subject to appeal. Elly S-Y Pan appeal seeks that these words be deleted, if the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct

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9. Infrastructure serving the Precinct is funded and implemented in an integrated and coordinated manner.
10. Subdivision and development occurs in way that does not compromise the ability to provide efficient and effective strategic transport connections to and through the precinct to serve future urban growth in the wider Drury area.

Policies

The policies are as listed in the relevant underlying zones and Auckland wide provisions except as specified below:

1. Enable and support an intensive urban form and character defined by:
 - a. Establishing a local centre within a walkable pedestrian focused environment and focus retail and commercial development in this centre.
 - b. Providing a clear definition between public and private spaces, including roads and public open space.
 - c. Opportunities for convenient, comfortable and safe interaction at the public / private road boundary interface through the enablement of low-height, visually open porch structures extending into the front yard setback.
 - d. An urban built form that encourages higher density, intensive and massing towards the road frontage and side boundaries of sites, with less development within the rear yards.
 - e. Provision of a medium density built form along the northern coastal edge of the precinct.
 - f. A reliance on high quality and safe interconnected roads and public open spaces in preference to larger private outdoor spaces.
2. Enable high density residential development (including smaller vacant sites and integrated residential developments), particularly in close proximity to the local centre, collector roads and public open spaces.
3. Maximise vehicular, cycling and pedestrian connectivity and permeability of the road network wherever possible.
4. Encourage roads to form urban blocks and to front public open spaces.
5. Require residential development within urban blocks to:
 - a. Conform to a perimeter block pattern of development where buildings are massed towards the road and provide front building façades to the road
 - b. Generally provide vacant site that have narrower frontages than their depth
 - c. Ensure there is sufficient space between the rear of opposing dwellings to provide privacy and back yards for outdoor living
 - d. Maintain reasonable solar access to rear yards
 - e. Avoid driveway crossings to shared paths and dedicated cycle lanes, utilising access from side roads, access lots or rear lanes
 - f. Generally avoid rear lots
6. Control road façade elements to ensure dwellings relate to the road, including presence of a front door, sufficient glazing, ability to establish verandas / porches, landscaping provision, fencing heights and the control of garage in proportion to the façade.
7. Enable the development of rear lanes, including opportunities for rear garaging and habitable areas above the garage, especially where lot or dwelling frontage widths are narrow.
8. Require on-site management, or for higher density development private communal management of stormwater runoff from impervious areas. Stormwater from roads should generally be managed within the road corridors.
9. Require native riparian planting along waterways.
10. Avoid adverse effects of subdivision, land use and development on the National Grid line by ensuring that:
 - a. Appropriate buffer distances for managing subdivision, land use and development are provided
 - b. Sensitive activities, buildings and most structures are excluded from establishing within 12m of the centreline of a National Grid transmission line and within 12m of a National Grid support structure; and
 - c. Subdivision, land use and development is managed around the National Grid line to ensure that future activities, buildings and development do not restrict the operation, maintenance, upgrading and development of the National Grid line.
11. Utilise the National Grid corridor 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 lines.
12. 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

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- house price in the Auckland region and sold to first home buyers and owned for at least three years; or
- b. 5 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.
13. New residential developments containing 15 or more dwellings/sites provide for affordable housing that is distributed throughout the development.
 14. Following assessment under the provisions of E1, E3, E15 and Appendix 8, where offsets or compensation are proposed to address residual adverse effects on natural resources that cannot be avoided, remedied or mitigated, consideration may be given to the local restoration opportunity and the multiple ecosystem benefits which could be achieved by directing the offsets or compensation to the Drury Creek Islands Recreation Reserve Where any such offset or compensation is proposed, it should contain an assessment of the ecosystem values lost or degraded within the precinct and gained on the Drury Creek Islands Recreation Reserve
- Precinct Plan 2
15. Require subdivision and development to coordinate infrastructure design, funding and implementation.
 16. Ensure subdivision and development is designed and implemented to meet the foreseeable transportation needs of residents within the Precinct by providing and upgrading infrastructure.
 17. Manage the adverse traffic effects of subdivision and development on the following parts of the transport network:
 - intersection of State Highway 22 and Jesmond Road
 - intersection of Great South Road / Firth Street,
 - intersection of Firth Street / Norrie Road,
 - intersection of Great South Road / Norrie Road / Waihoehoe Road,
 - intersection of Great South Road / Karaka Road (SH22),
 - intersection of Victoria Street / SH22, and
 - The Norrie Road One-Way Bridge.
 18. Require subdivision to implement the collector roads and provide for the strategic transport connections by means of the Future Collector Road (New) and Collector Road (Possible Future Arterial Road) shown on Precinct Plan 2.

Precinct rules

The activities, controls and assessment criteria in the underlying Residential - Mixed Housing Suburban zone, Residential - Mixed Housing Urban zone, Residential - Terrace Housing and Apartment Buildings zone, Business - Local Centre zone, Auckland-wide rules and overlays apply in the precinct unless otherwise specified below. Refer to the Precinct Planning Map for the location and extent of the underlying zones.

1. Activity Table

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is specifically provided for by a rule in Activity Tables 1.1, 1.1, 1.2, 1.3 and 1.4 below.

1.1 All Zones

Table 1.1 Activity table: All zones

Activity	Activity status
(A1) Residential activities that do not comply with any clause within Standard 2.2 Affordable Housing	D

1.2 Residential Zones

Table 1.2 Activity table: Residential zones

Activity	Activity status
Residential	
(A2) Integrated Residential Developments	RD
(A2.1) Integrated Residential Developments that do not comply with Standard 6.3.1(d)	D
(A3) Dwellings that do not comply with Standard 2.1 Density	D
(A4) Activities that do not comply with Standard 4.12 or 5.12.	D
Commerce	

Commented [DW2]: Subject to appeal Elly S-Y Pan appeal seeks that these words be deleted, if the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct.

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(A5)	Show home	P
(A6)	Retail in the Terrace Housing and Apartment Buildings zone	NC
Infrastructure		
(A7)	Overhead electricity lines (a single circuit) up to and including 110kV. Within areas of the Road and Unformed Road this activity shall have the same status as the adjacent Residential zone	P
On-site stormwater management (dwellings and impervious areas excluding roads)		
(A8)	Impervious areas (excluding roads) of less than or equal to 50m ² within a site	P
(A9)	Impervious areas (excluding roads) greater than 50m ² within a site that meet hydrology mitigation requirements in the relevant precinct rules below	P
(A10)	Communal stormwater device(s) located within common land serving two or more dwellings that meet hydrology mitigation requirements in the relevant precinct rules below	C
(A11)	Impervious areas unable to comply with the activity controls	RD

1.3 Local Centre Zone

Table 1.3 Activity table: Local Centre Zone

Activity	Activity Status
On-site stormwater management (dwellings and impervious areas excluding roads)	
(A12)	Impervious areas (excluding roads) of less than or equal to 50m ² within a site
(A13)	Impervious areas (excluding roads) greater than 50m ² within a site that meet hydrology mitigation requirements in the relevant precinct rules below
(A14)	Impervious areas unable to comply with the activity controls
(A15)	Communal stormwater device(s) located within common land serving two or more buildings that meet hydrology mitigation requirements in the relevant precinct rules below

1.4 Subdivision

Table 1.4 Activity table: Subdivision

Subdivision Activity	Activity Status
(A16)	Subdivision in accordance with the precinct plan
(A17)	Subdivision not in accordance with the precinct plan
(A18)	Subdivision of sites in accordance with an approved land use consent or a concurrent subdivision and land-use consent
(A19)	Subdivision not complying with Standards 6.1 – 6.6, or 6.8
(A20)	Subdivision creating a rear site or sites
(A21)	Subdivision creating a cul-de-sac, except staged road construction as part of a staged subdivision or balance site

2. Land use controls – residential zones

The relevant overlay, Auckland-wide and zone standards apply in the precinct, except as specified below.

2.1 Density

- The number of dwellings on a site must not exceed the limits specified below in Table 2.1.1:

Table 2.1.1 Density

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Zone	Density
Residential - Mixed Housing Suburban	Maximum allowable average density of 200m ² per dwelling where the requirements of Rule 2.1.2 below are met
Residential - Mixed Housing Urban	No density limits apply where four or more dwellings are proposed and the requirements of rule 2.1.3 below are met
Residential - Terrace Housing and Apartment Buildings	No density limits apply

2. Within the Residential - Mixed Housing Suburban zone the site:
 - a. has a minimum net parent site area of 1000m²
 - b. is at least 20m wide at the frontage of the site.
3. Within the Residential - Mixed Housing Urban zone the site:
 - a. has a minimum net parent site area of 1000m²
 - 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.

A General Controls

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 shall 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 shall 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.

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

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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

1. 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 1(a) above.
 - c. The purchaser is a first home buyer and has never owned any other real property.
 - d. 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.
2. 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 1 above or is a building associated with such a dwelling.
3. 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 percent median price in accordance with clause 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.
4. 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 ongoing 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.

Number of Retained Affordable Dwellings or Sites

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 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

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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.

2. 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 1 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, the provision of one or both of the following types of housing:

- a. social rental housing;
- b. affordable rental housing
- c. rent to own (ie. as provided by New Zealand Housing Foundation)

Household Income

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

Show home

A house on a newly built subdivision which is furnished and decorated to be shown to prospective buyers

3. Development Controls – All Zones

The following development controls apply to all activities (A8) – (A15) listed in Activity Tables 1.2 and 1.3 above:-

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

Purpose: ensure appropriate stormwater retention and detention associated with site development.

1. Within catchments draining to streams all new impervious surfaces of 50m² and over must be designed to achieve the following:

Except as provided by c. the following (a. and b.) applies.

- a. provide retention (volume reduction) of at least 5mm of runoff depth for the impervious area for which hydrology mitigation is required; and
- b. Provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post -development runoff volumes from the 95th percentile, 24 hour rainfall event minus the 5mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required.
- c. Where:
 - i. a suitably qualified person has confirmed that soil infiltration rates are less than 2mm/hr or there

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are no areas on the site of sufficient size to accommodate all required infiltration that is free of geotechnical limitations (including slope, setback from infrastructure, building structures or boundaries and water table depth); and

ii. rainfall reuse is not available because:

- The quality of the stormwater runoff is not suitable for on-site reuse (i.e. for non-potable water supply, garden irrigation or toilet (flushing)); or
- There are no activities occurring on the site that can re-use the full 5mm retention volume of water;

the retention volume can be taken up by providing detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event over the impervious area for which hydrological mitigation is required (minus any designed retention volume that is achieved).

2. The stormwater device/s:

- a. must be maintained by the site owner(s) in perpetuity. A consent notice will be registered on the certificate of title to that effect at time of subdivision.
- b. if rainwater tanks are proposed to achieve the retention requirements above, the rainwater tank must be dual plumbed to non-potable uses such as toilet and washing machine in the dwelling.

3. Compliance shall be demonstrated to the council in conjunction with any application for building consent, or by way of certificate of compliance or at the time of subdivision.

4. 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 ongoing operation and maintenance.

4. Development Controls – Residential – Mixed Housing Suburban Zone

The following development controls apply to activities listed in Activity Table 1.2 of this precinct and Activity Table H4.4.1 of the Residential – Mixed Housing Suburban Zone instead of the development standards listed in Standard H4.6, with the exception of the following standards:

- a) H4.6.2 Home occupations
- b) H4.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

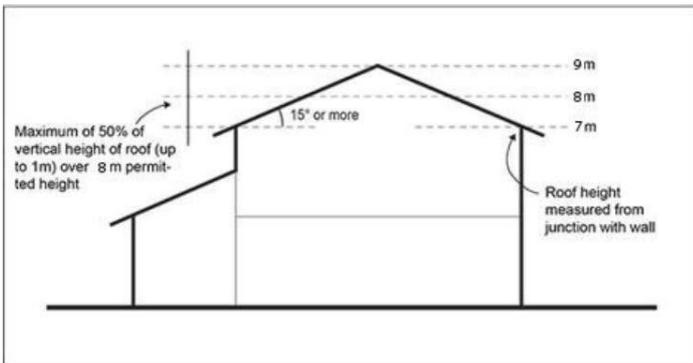
4.1 Building Height

Purpose: manage the height of buildings to:

- Achieved the planned built character of predominantly one and two storeys
- Provide some flexibility to enable variety in roof forms.

1. Buildings must not exceed 8m in height except that 50 percent of a building's roof elevation, measure vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more (as shown on figure 1 below).

Figure 1: Building height



4.2 Height in relation to boundary

Purpose: manage the bulk and scale of buildings and maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

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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.

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 degrees must apply on side boundaries adjoining other front lots, up to a maximum distance of 8m from the rear boundary.

A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to the remaining part of any side boundary that is within 8m from the rear boundary and to all rear boundaries.

In the case of front lots which adjoin a corner lot the following apply:

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 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to the whole length of the boundary including where that side boundary extends beyond the corner lot.

On side boundaries that adjoin the longest side boundary of the corner lot, a building height in relation to boundary of 5m and 45 degrees must apply up to a maximum distance of 8m from the rear boundary. Rule 1c above must apply to the remaining part of the side boundary that is within 8m from the rear boundary.

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

A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to any rear boundary.

In the case of corner lots the following apply:

- On the shortest side boundary of the corner lot, a height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply
- On the longest side boundary of the corner lot, a building height in relation to boundary of 5m and 45 degrees must apply up to a maximum distance of 8m from the rear boundary. A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to the remaining part of the side boundary that is beyond 8m from the rear boundary.
- All buildings within 6m of the shortest side boundary must be limited to a single storey and a 5m maximum height.

For all rear boundaries a height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) apply.

This control does not apply to a boundary adjoining sites within the public open space zones or vested reserves exceeding 2000m².

Where the boundary adjoins a rear lane (access lot) the control applies from the farthest boundary of the rear lane (access lot).

A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

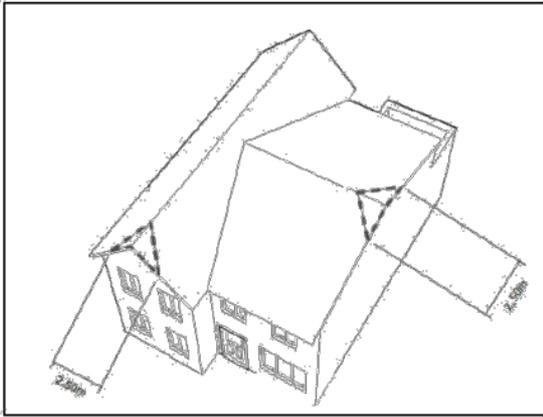
- a. no greater than 1.5m² in area and no greater than 1m in height
- b. no greater than 2.5m cumulatively in length measured along the edge of the roof.

No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.

The height in relation to boundary rule does not apply to existing or proposed internal site boundaries within an application area.

The height in relation to boundary control 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.

Figure 2: exceptions for gable ends and dormer



4.3 Yards

Purpose:

- Maintain the built character of the streetscape and provide sufficient space for landscaping in the front yard
 - Maintain a reasonable standard of residential amenity
 - Ensure dwellings are adequately set back from streams and the coast
 - Provide a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites
1. The minimum yards must be those in Table 4.3.1.

Table 4.3.1 Yards

Yard	Minimum depth
Front	4m
Side	1m
Rear	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.
Riparian	10m from the edge of all permanent and intermittent streams
Coastal	10m

2. The rear yard in Table 4.3.1 does not apply to a building up to a height of 7m where the site adjoins a rear lane (access lot).
3. The side yard control 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.
4. A single storey unenclosed verandah / porch space attached to the building is exempt from the front yard setback provided it must not be located within 2m of the front boundary.

4.4 Outlook

Purpose: ensure a reasonable standard of amenity for dwellings and encourage building windows to face the road, rear yard and/or rear lane

1. Where the principal glazing from the principal living room or dining room of a dwelling does not face a road or a rear lane (access lot), an outlook space must be provided as follows:
 - a. a depth of 4m within the site measured at right angles to and horizontal from the window to which it applies
 - b. a width of 4m measured within the site from the centre point of the largest window on the building face to which it applies

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- c. the height of the outlook space is the same as the floor height, measures from floor to ceiling, of the building face to which the control applies.
- d. be clear and unobstructed by buildings.

4.5 Impervious Area

Purpose: manage the amount of stormwater runoff generated by a development.

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

4.6 Building Coverage

Purpose: manage the extent of buildings on the site to achieve the planned built character.

1. Maximum building coverage shall comply with Table 4.6.1 below:

Table 4.6.1 Maximum Building Coverage

Site Area or Activity	Maximum Building Coverage
Sites over 400 net site area	40 percent
Sites under 400 net site area	50 percent
Integrated Residential Developments	50 percent

4.7 Landscaping

Purpose:

- Provide for on-site amenity and an attractive streetscape character
 - Improve stormwater absorption on-site.
1. The minimum landscaped area shall be 30 percent of the net site area.
 2. At least 50 percent of the front yard must comprise landscaped area.

4.8 Outdoor Living

Purpose: provide dwellings with outdoor living space that is of a functional size and dimension and is accessible from the principal living room, dining room, kitchen and is separated from vehicle access and manoeuvring areas.

1. A dwelling at ground floor 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 and has a gradient not exceeding 1 in 20;
 - b. is directly accessible from the principal living room, kitchen or dining room;
 - c. is free of buildings, parking spaces, servicing and manoeuvring 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.

4.9 Dwellings Fronting the Road

Purpose: ensure dwellings are orientated to provide for passive surveillance of the road and contribute to streetscape amenity.

1. The front façade of a dwelling on a 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 road.

4.10 Fences

Purpose: enhance passive surveillance over the road and maintain the open character of front yards.

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

4.11 Garages

Purpose:

- Minimise the dominance of garages as viewed from the road
- Avoid parked cars over-hanging the footpath.

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1. A garage door facing a road:
 - 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.
2. If the site is served by a rear lane (access lot) there must not be a garage on the site's road frontage.

4.12 Vehicle Access

Purpose: maintain a safe road frontage and shared space footpath uninterrupted by vehicle crossings

1. Sites fronting a road with a 3m shared footpath on the site's frontage must not have direct vehicle access to that road frontages.
2. Where the site is served by a rear lane (access lot) there must not be direct vehicle access from the road.

4.13 Minimum dwelling size

Purpose:

- Dwellings are functional and of a sufficient size to provide for the day-to-day needs of residents, based on the number of occupants the dwelling is designed to accommodate.
1. Dwellings must have a minimum net internal floor area as follows:
 - a. 30 m² for studio dwellings
 - b. 45 m² for one bedroom dwellings

5 Development Controls – Residential – Mixed Housing Urban Zone

The following development controls apply to activities listed in Activity Table 1.2 of this precinct and Activity Table H5.4.1 of the Residential – Mixed Housing Urban Zone instead of the development standards listed in Standard H5.6, with the exception of the following standards:

- a) H5.6.2 Home occupations
- b) H5.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

5.1 Building Height

Purpose: manage the height of buildings to:

- Be consistent with an urban residential character
 - Maintain a reasonable standard of amenity for adjacent sites
 - Support intensification of residential density and intensity
 - Provide some flexibility to enable variety in roof forms
1. Buildings must not exceed 11.5m in height.

5.2 Height in relation to boundary

Purpose:

- Enable building height and intensity to be located in the front of the site to provide a built character and streetscape consistent with the planned urban environment and its density
 - Manage height in the rear yard of the site to minimise adverse visual dominance, allow the establishment of spacious rear yards, solar access to rear yards, and reasonable outlook and privacy (subject to rear lane-accessed housing)
 - Enable the passive surveillance of the rear lanes by providing for minor dwelling or habitable space above the garage
1. The following height in relation to boundary controls shall apply.
 - a. no height in relation to boundary control shall apply to the road boundary or a boundary with a rear lane (access lot).
 - b. no height in relation to boundary control shall apply to the side boundaries located outside the 8m rear yard.
 - c. A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) shall apply to the side boundaries located within the 8m rear yard.
 2. A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane

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is:

- a. no greater than 1.5m² in area and no greater than 1m in height
 - b. no greater than 2.5m cumulatively in length measured along the edge of the roof.
3. No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
 4. The height in relation to boundary rule does not apply to existing or proposed internal site boundaries within an application area.
 5. The height in relation to boundary control 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.

5.3 Yards

Purpose:

- Maintain the built character of the streetscape, enable more intensive development adjoining the road and interaction with the road, and provide reasonable transitional space for landscaping in the front yard
 - Maintain a reasonable standard of residential amenity
 - Ensure buildings are adequately set back from streams and the coastal edge to maintain water quality and provide protection from natural hazards
 - Provide a reasonable standard of visual and acoustic privacy between different buildings, including their outdoor living space, on the same or adjacent sites
 - Provide an additional setback along Jesmond Road
1. The minimum yards must be those in Table 5.3.1.

Table 5.3.1 Yards

Yard	Minimum depth
Front	2.5m, except that a 8.5m front yard applies to the length of Jesmond Road identified as "Collector Road (Possible Future Arterial Road) on Precinct Plan 2, subject to 5. below.
Side	1m One side yard can be reduced to 0m provided that legal provision is made for access for maintenance of the structure or it is a common / party wall.
Rear	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.
Riparian	10m from the edge of all permanent and intermittent streams
Coastal	10m

Commented [DW3]: Subject to appeal. Elly S-Y Pan appeal seeks that these words be deleted, if the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct.

2. The rear yard in Table 5.3.1 does not apply to a building up to a height of 7m where the site adjoins a rear lane (access lot).
3. The side yard control 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.
4. A single storey unenclosed verandah / porch space attached to the building is exempt from the front yard setback provided it must not be located within 1m of the front boundary.
5. ~~The 8.5m front yard required in Table 5.3.1 shall lapse two years after it becomes operative unless a plan change is notified prior to that date, seeking to have Jesmond Road classified as an Arterial Road under the Auckland Unitary Plan. If a plan change has not been notified, the 2.5m yard shall apply thereafter.~~

Commented [DW4]: Subject to appeal. Elly S-Y Pan appeal seeks that this provision be deleted, if the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct.

Note: Additional yard setbacks may be required to meet the requirements of Chapter D26 National Grid Corridor Overlay.

5.4 Outlook

Purpose: ensure a reasonable standard of amenity for dwellings and encourage building windows to face the road, rear yard and/or rear lane

1. Where the principal glazing from the principal living room or dining room of a dwelling does not face a road or a rear lane (access lot), an outlook space must be provided as follows:
 - a. a depth of 4m within the site measured at right angles to and horizontal from the window to which it applies
 - b. a width of 4m measured within the site from the centre point of the largest window on the building face to

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which it applies

- c. the height of the outlook space is the same as the floor height, measures from floor to ceiling, of the building face to which the control applies.
- d. be clear and unobstructed by buildings.

5.5 Impervious Area

Purpose: manage the amount of stormwater runoff generated by a development.

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

5.6 Building Coverage

Purpose: manage the density of buildings on the site consistent with the urban residential character.

1. Maximum building coverage shall comply with Table 5.6.1 below:

Table 5.6.1 Maximum Building Coverage

Site Area or Activity	Maximum Building Coverage
Sites over 400 net site area	40 percent
Sites under 400 net site area	50 percent
Integrated Residential Developments	50 percent

5.7 Landscaping

Purpose:

- Provide for on-site amenity and an attractive streetscape character
 - Improve stormwater absorption on-site.
1. The minimum landscaped area shall be 30 percent of the net site area.
 2. At least 50 percent of the front yard must comprise landscaped area (excluding the area of an unenclosed verandah space from rule 4.3.4 above).

5.8 Outdoor Living

Purpose: provide dwellings with outdoor living space that is of a functional size and dimension and is accessible from the principal living room, dining room, kitchen and is separated from vehicle access and manoeuvring areas.

1. A dwelling at ground floor 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 and has a finished gradient not exceeding 1 in 20;
 - b. is directly accessible from the principal living room, kitchen or dining room;
 - c. is free of buildings, parking spaces, servicing and manoeuvring 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 dwelling and 8m² for two or more bedroom dwelling and has a minimum dimension of 1.8m.

5.9 Dwellings Fronting the Road

Purpose: ensure dwellings are orientated to provide for passive surveillance of the road and contribute to streetscape amenity.

1. The front façade of a dwelling on a 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 road.
2. A habitable room fronting a rear lane (access lot) must have a façade that contains glazing that is cumulatively at least 20 percent of that storey's façade to the rear lane.

5.10 Fences

Purpose: enhance passive surveillance over the road and maintain the open character of front yards.

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

5.11 Garage

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Purpose:

- Minimise the dominance of garages as viewed from the road
 - Avoid parked cars over-hanging the footpath.
1. A garage door facing a road:
 - 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.
 2. If the site is served by a rear lane (access lot) there must not be a garage on the site's road frontage.

5.12 Vehicle Access

Purpose: maintain a safe road frontage and shared space footpath uninterrupted by vehicle crossings

1. Sites fronting a Future Collector road (New), Collector road (New), Collector road (Existing), Collector Road (possible future arterial), and a Collector road – Protected Cycleway identified on precinct plan 1 or 2 or a road with a 3m shared footpath on the site's frontage must not have direct vehicle access to that road frontages.
2. Where the site is served by a rear lane (access lot) there must not be direct vehicle access from the road.

5.13 Minimum dwelling size

Purpose: Dwellings are functional and of a sufficient size to provide for the day-to-day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

1. Dwellings must have a minimum net internal floor area as follows:
 - a. 30 m² for studio dwellings
 - b. 45 m² for one bedroom dwellings

6. Subdivision Controls

Unless specified below, the standards applicable to the overlays, zones and Auckland-wide provisions apply to all activities listed in Activity Table 1.4.

The following standards do not apply to activities listed in Activity Table 1.4:

- a) Chapter E38 Subdivision – Urban: E38.8.2.3 Vacant sites subdivisions involving parent sites of less than 1 hectare

6.1 Minimum Site Sizes for Vacant Sites – Residential Zones

1. Minimum vacant site sizes shall comply with Table 6.1.1 below:

Table 6.1.1 Minimum Site Sizes for Proposed Vacant Sites– Residential Zone

Site Width	Minimum Site Size
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 7 (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. There are no minimum site sizes where subdivision is proposed as part of an integrated land use consent or to subdivide around an approved land use consent for a residential development.

6.2 Minimum Site Dimensions for Vacant Sites

1. Minimum site dimensions for vacant sites shall comply with Table 6.2.1 below:

Table 6.2.1 Minimum Site Dimensions for Proposed Vacant Sites – Residential zones

Site type or Measurement	Dimension
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 metres	26m
Minimum legal width of rear lanes in metres	7m

Commented [DW5]: Subject to appeal. Elly S-Y Pan appeal seeks that these words be deleted, whether or not the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct.

Commented [DW6]: Subject to appeal. Elly S-Y Pan appeal seeks that these words be deleted, if the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct.

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2. There are no minimum site dimensions where subdivision is proposed as part of an integrated land use and subdivision consent or to subdivide an approved land use consent for a residential development.

6.3 Movement Network

1. All subdivision must comply with the following controls:

- a. all new subdivisions, roads and lots shall comply with the following:
- i. Maximum Block Length: 250m
 - ii. Maximum Block Perimeter: 750m

For clarity the measurements above may be curvilinear.

- b. collector roads must be provided in accordance with the alignments in precinct plan 1 and 2.
- c. roads must be constructed to the standards illustrated in Figures 3 to 9 11 below (with reference to precinct plan 1 and 2) or where not contained in the figures below, the relevant Auckland Wide rules shall apply. Except that:

- i. Where a road is located within the National Grid Corridor Overlay, 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 by Chapter D26 National Grid Corridor Overlay.

- ii. The future collector road (new) is required to be:
- a. Formed to a Local Road standard only as set out in Figure 11 – Road 1 Future Collector Road (New) – Interim Local Road formation.
 - b. Vested to enable the future construction of the Future Collector Road (New) as set out in Figure 10.

- d. Prior to the occupation of any new dwelling or unit in the Precinct Plan 2 area, the intersection of SH22 and Jesmond Road must be upgraded with a double lane roundabout with approach lanes, or traffic signals (including approach lanes) where the posted speed limit supports their implementation to provide a safety and capacity solution, unless an interim traffic safety solution has been approved by the New Zealand Transport Agency as the requiring authority for State Highway 22. This rule:

- i. Also applies to integrated residential developments sought as a land use consent application; and
- ii. Continues to apply to each application for subdivision or development within the Precinct Plan 2 area until such time as the intersection of State Highway 22 and Jesmond Road has been upgraded with a double lane roundabout or traffic signals.

Note 1: If an interim traffic safety solution has been implemented at the SH22/Jesmond Road intersection under this rule, applicants are advised that they are required to consult with the New Zealand Transport Agency and Auckland Transport to determine whether this interim solution needs to be upgraded to a roundabout or traffic signals to address safety and capacity matters, prior to any further subdivision or development proceeding within the Precinct Plan 2 area.

- e. Sites fronting the Collector Road (possible future arterial) shall provide for a 8.5m front yard setback along the boundary with the Collector Road (Possible future arterial) at the time of subdivision. This rule shall lapse two years after it becomes operative unless a plan change is notified prior to that date, seeking to have Jesmond Road classified as an Arterial Road under the Auckland Unitary Plan.

Figures 3 to 11 Road cross sections

(To be reinserted)

Notes:

1. Stormwater device width to be confirmed subject to width of device used.

6.4 Park Edge Roads

1. Where subdivision adjoins an Open Space Zone or Future Esplanade Reserve on precinct plan 1 and 2, or a recreation reserve to vest then park edge roads must be provided.

6.5 Site Access

1. Where subdivision adjoins a Future Collector Road (New), Collector Road (New), Collector Road (Existing), Collector Road (possible future arterial) or a Collector Road – Protected Cycleway identified on the Precinct Plan 1 and 2 or a road with a 3m shared footpath on the site's frontage, rear lanes (access lot) or access from side roads must be provided so that no vehicle access occurs directly from the site's frontage to the 3m shared footpath or the road frontage.

6.6 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 shall not apply to road crossings overstreams.

Commented [DW7]: Subject to appeal. Elly S-Y Pan appeal seeks that these words be deleted, whether or not the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct.

Commented [DW8]: Subject to appeal. Elly S-Y Pan appeal seeks that this provision be deleted, if the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct.

Commented [DW9]: Subject to appeal. Elly S-Y Pan appeal seeks that Figures 10 and 11 be deleted, whether or not the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct.

Commented [DW10]: Subject to appeal. Elly S-Y Pan appeal seeks that these words be deleted, whether or not the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct.

Commented [DW11]: Subject to appeal. Elly S-Y Pan appeal seeks that these words be deleted, if the proposed Future Collector Road (New) is deleted from the Drury 1 Precinct.

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2. Any planting required, will be implemented in accordance with a council approved landscape plan and must be use eco-sourced native vegetation, be consistent with local biodiversity and planted at a density of 10,000 plants per hectare.

6.7 Stormwater Management

1. Within catchments draining to streams, stormwater runoff from impervious surfaces within roads (and future roads) of 50m² and over must be directed to a stormwater device(s) designed and sized to achieve the following stormwater hydrology mitigation requirements:

Except as provided by c. the following (a. and b.) applies.

- a. provide retention (volume reduction) of at least 5mm of runoff depth for the impervious area for which hydrology mitigation is required; and
- b. provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post -development runoff volumes from the 95th percentile, 24 hour rainfall event minus the 5mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required.
- c. where:
 - i. a suitably qualified person has confirmed that soil infiltration rates are less than 2mm/hr or there are no areas on the site of sufficient size to accommodate all required infiltration that is free of geotechnical limitations (including slope, setback from infrastructure, building structures or boundaries and water table depth); and
 - ii. rainfall reuse is not available because:
 - The quality of the stormwater runoff is not suitable for on-site reuse (i.e. for non-potable water supply, garden irrigation or toilet (flushing)); or
 - There are no activities occurring on the site that can re-use the full 5mm retention volume of water;

the retention volume can be taken up by providing detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event over the impervious area for which hydrological mitigation is required (minus any designed retention volume that is achieved).

2. Within catchments draining to the coast, stormwater runoff from impervious surfaces within roads (and future roads) must achieve water quality treatment to all impervious surfaces based on rain gardens (or the equivalent) with a surface area sized to 2 percent of the contributing catchment.
3. 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.

6.8 Affordable Housing

1. Rule 2.2 shall apply to subdivision applications containing 15 or more vacant sites.

7. Assessment – Land Use Control Infringements

7.1 Matters of Discretion

In addition to the general matters set out in standard C1.9(3) and the specific matters set out for infringements in the relevant underlying zones and Auckland -wide rules, the council will restrict its discretion to the matters below for the relevant land use control infringement.

1. Stormwater Management
 - a. the council will restrict its discretion to
 - i. the matters set out in E10.8.1(1) of the Stormwater management area - Flow 1 and Flow 2 chapter
 - ii. Whether the non-compliance occurs on sites/lots intended for affordable housing or higher density development.
2. Development Control Infringements
 - a. For development control infringements within the Residential – Mixed Housing Suburban Zone, the council will restrict its discretion to those matters listed in H4.8.1(4), and the following matters:
 - i. For infringements to 4.9 Dwellings fronting the road, 4.11 Garages and 4.12 Vehicle access, the any policy which is relevant to the standard; the purpose of the standard; and the effects of the infringement of the standard
 - ii. urban design outcomes and density enabled by infringements to building coverage
 - b. For development control infringements within the Residential – Mixed Housing Urban Zone, the council will restrict its discretion to those matters listed in H5.8.1(4), and the following matters:

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- i. For infringements to 5.9 Dwellings fronting the road, 5.11 Garages and 5.12 Vehicle access, the any policy which is relevant to the standard; the purpose of the standard; and the effects of the infringement of the standard
 - ii. urban design outcomes and density enabled by infringements to building coverage.
3. Integrated Residential Development
 - a. Within the Residential – Mixed Housing Suburban Zone, the council will restrict its discretion to those matters listed in H4.8.1(3)
 - b. Within the Residential – Mixed Housing Urban Zone, the council will restrict its discretion to those matters listed in H5.8.1(3)

7.2 Assessment Criteria

In addition to the specific assessment criteria for the infringement in the relevant underlying zones and Auckland-wide rules, the council will consider the relevant assessment criteria below for the development control infringement.

1. On-site stormwater management
 - a. the assessment criteria set out in E10.8.2(1) of the Stormwater management area – Flow 1 and Flow 2 chapter.
 - b. where the non-compliance occurs on sites/lots intended for affordable housing or higher density development applicants may demonstrate that runoff from the impervious surfaces can be accommodated within the public stormwater system/network.
2. Development control Infringements
 - a. For development control infringements within the Residential – Mixed Housing Suburban Zone, the council will consider the criteria listed in H4.8.2, and the following matters:
 - i. For infringements to 4.9 Dwellings fronting the road; and 4.11 Garages, refer to Policy 6 of this precinct
 - ii. For infringements to 4.12 Vehicle access, refer to Policy 5(e) of this precinct.
 - iii. Urban design outcomes and density enabled by infringements to building coverage
 - b. For development control infringements within the Residential – Mixed Housing Urban Zone, the council will consider the criteria listed in H5.8.2, and the following matters:
 - i. For infringements to 5.9 Dwellings fronting the road; and 5.11 Garages, refer to Policy 6 of this precinct
 - ii. For infringements to 5.12 Vehicle access, refer to Policy 5(e) of this precinct.
 - iii. Urban design outcomes and density enabled by infringements to building coverage
 - c. The extent that any infringement of building coverage enables quality urban design outcomes and higher density development.
3. Integrated Residential Development
 - a. Within the Residential – Mixed Housing Suburban Zone, the council will consider the criteria listed in H4.8.2(3)
 - b. Within the Residential – Mixed Housing Urban Zone, the council will consider the criteria listed in H5.8.2(3)

8 Assessment – Subdivision

8.1 Matters of Discretion

1. Subdivision
 - a. the council will restrict its discretion to those matters listed in E38.12.1 within Chapter E38 Subdivision – Urban, and the following matters:
 - i. consistency with precinct plan 1 and 2
 - ii. stormwater management
 - iii. for subdivision within the National Grid Corridor Overlay, the matters listed in D26.8.1(1) and (1A) within Chapter D26 National Grid Corridor Overlay.
 - iv. transportation management
 - v. effects of additional traffic on the intersections identified in Assessment Criteria 8.2(3)(a) and the Norrie Road one way bridge and mitigation proposals for those effects.
 - vi. effects associated with the intersection of Burberry Road and SH22 and mitigation for those effects, prior to forming a physical connection to Burberry Road.

8.2 Assessment Criteria

1. For development that is a restricted discretionary activity, the following assessment criteria apply in addition to the criteria specified for the relevant restricted discretionary activities in the zone and Auckland Wide Rules:
 - a. the structural elements of precinct plan 1 and 2 are incorporated into the subdivision design.
 - b. the approach to stormwater management for roads, lanes (access lots) and sites addresses the recommendations of the Stormwater Management Plans (May 2016 for sites located within Precinct Plan 1 or March 2018 for sites located within Precinct Plan 2) (including those relating to the catchments discharging to both the streams and estuary), and that the hydrology mitigation requirements outlined in the relevant rules can be met. Consent Notices may be required on the titles of all new sites to ensure compliance with the onsite stormwater management requirements contained in the rules of this Precinct and where recommended with the subdivision application to implement the Stormwater Management Plans (May 2016 for sites located within Precinct Plan 1 or March 2018 for sites located within Precinct Plan 2).
 - c. The design of low impact outfalls as lengths of manmade channels with a natural form (materials and planting) to dissipate energy and minimise erosion for outfalls to streams and the coast.
 - d. the assessment criteria listed in E38.12.2 within Chapter E38 Subdivision – Urban.
2. The implementation of relevant upgrades to the roading network

Development of up to 50 households should occur when the following transport requirements are met:

 - Bremner road approach to the Ngakoroa Stream Bridge to a two lane urban road (as required by the consented development) including separated cycle lanes (including a shared path on one side of the Ngakoroa Stream Bridge)
 - Footpaths to link the Drury 1 precinct to Drury Township, as per Drawing Reference A1,1013- Qd1EX022 by McKenzie and Co Consulting
 - SH22/Victoria Street intersection – changes to the intersection refer diagram below



- Pedestrian Improvements at Norrie road/Great South road Intersection, as illustrated at Figure 5-4 of the ITA
 - Pedestrian upgrade (one side only) of Bremner road motorway overbridge, including safety improvements to the footpath and handrail structures.
 - Great South road/Firth street intersection priority changes to the intersection
- a. prior to the development of 100 cumulative dwellings being constructed across the Drury 1 precinct, the Firth street/Great South road intersection improvements, including markings and curve realignment as per Drawing 1, Revision A, dated 20 June should be implemented
 - b. prior to the development of 400 cumulative dwellings being constructed across the Drury 1 precinct, a dedicated cycle facility should be constructed across State Highway 1, alongside Bremner road.
3. Effects of additional traffic on the intersections identified in (a) below and the Norrie Road one way bridge and mitigation proposed for those effects
 - a. Whether the proposal avoids, remedies, or mitigates adverse traffic effects to maintain the safe and efficient operation of the transport network at the following locations:

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- intersection of Great South Road / Firth Street,
- intersection of Firth Street / Norrie Road,
- intersection of Great South Road / Norrie Road / Waihoehoe Road,
- intersection of Great South Road / Karaka Road (SH22),
- intersection of Victoria Street / SH22 and
- the Norrie Road One-Way Bridge.

Assessment of these adverse effects and mitigation proposed will be based on the transport assessment required to be provided with any subdivision application as outlined in Special Information Requirement 2.

- b. The extent to which the road network within Precinct Plan 2 integrates with and takes into account information and outcomes associated with NZTA projects, and Auckland Council's structure planning for Drury / Opaheke.
 - c. The extent to which there is evidence of consultation regarding the proposal with Auckland Transport and NZTA.
4. Effects associated with the intersection of Burberry Road and SH22 and mitigation for those effects, prior to forming a physical connection to Burberry Road.
- d. The extent to which, prior to the forming of a physical connection to Burberry Road, upgrading work has been undertaken to the intersection of Burberry Road and SH22 to ensure there are safe and appropriate connections.

Special Information requirement:

1. All subdivision consent applications for development within Precinct Plan 2, must include a traffic assessment undertaken by a suitably qualified and experienced traffic engineer that addresses whether the proposal complies with (a) and (b) below. The assessment must utilise traffic data no older than two years at the time that a subdivision resource consent application is lodged.

The baseline scenario for the assessment is the operation of the road network at the time, plus development enabled in Precinct Plan 1 and activities that have already been consented in Precinct Plan 2.

- a. Road Intersection Performance
 - i. All-day: No individual traffic movement shall have a LOS worse than LOS E, or have a degree of saturation higher than 95%. If the baseline scenario is already at LOS F, then:
 - degrees of saturation shall be no more than the baseline scenario; or
 - delay shall not increase beyond the baseline scenario by more than 10%.
 - ii. The overall intersection LOS shall be no worse than LOS D
- For the purposes of this standard, the relevant road intersections are:
- Great South Road / Firth Street
 - Firth Street / Norrie Road
 - Great South Road / Norrie Road / Waihoehoe Road
 - Great South Road / Karaka Road (SH22)
 - Victoria Street / SH22
- b. Norrie Road One-Way Bridge
 - i. All-day: No individual traffic movement from upstream and downstream intersection shall have 85th percentile queues reaching or crossing the one-way bridge
 - ii. Queues at the approaches to the one-way bridge shall not extend to and through the upstream intersection
 - iii. Delays on the bridge shall not have LOS worse than LOS D.

9. PRECINCT PLAN 1

[To be reinserted]

10. PRECINCT PLAN 2

[To be reinserted]

Commented [DW12]: Subject to appeal, to the following extent.
Elly S-Y Pan appeal seeks that:

- The section of the proposed Future Collector Road (New) within Precinct Plan 2 be moved to the south (but no further south than the southern boundary of 235 Jesmond Road) and that the Collector Road (Possible Future Arterial Road) be amended so that it only extends as far north as the revised alignment of the Future Collector Road (New).
- Alternatively, the section of the proposed Future Collector Road (New) within Precinct Plan 2 and Collector Road (Possible Future Arterial Road) are deleted from the Drury 1 Precinct.