

Auckland Council District Plan (North Shore section)

Plan Change 32: Review of Albany Structure Plan zones, Area A: Environmental Protection, and Area B: Large Lot Residential

This 'decisions' version of the Plan Change incorporates:

- *the Environment Court's decision of 3 May 2012 pertaining to lot sizes in Areas A and B of the Albany Structure Plan Zone/s (and related matters); and*
- *changes arising from Environment Court consent notices (Doran & CDL appeals; Note, the 'Perkinson' appeal was withdrawn)*

Notes:

- ~~Strikethrough~~ denotes operative text to be deleted as a result of this plan change (i.e. operative text at the date of first public notification of the Plan Change).
- Underlining denotes new text to be added as a result of this Plan Change.
- Unaltered text is to place the text modifications in their (operative text) context.
- **Highlighting** indicates changes resulting from **decisions** on submissions (i.e. changes to the Plan Change as first notified arising from the hearing and determination of submissions).
- Double underlining and ~~double strikethrough~~ indicates text modifications arising from the Environment Court decision of 3 May 2012.

Changes to Section 9: Subdivision and Development

9.4.10.11 Area A: Environmental Protection Area / Mixed Environmental

9.4.10.11.1 Albany Structure Plans: Environmental Protection Area

a) Site Area Requirements

Minimum Net Area: Sites in areas demarcated in Appendix 17A/M (Fairview Ave traffic catchment) – 1 ha (hectare)

Minimum Net Area: Sites outside those areas demarcated in Appendix 17A/M (Fairview Ave traffic catchment) – 4000 m² (square metres)

~~Except that on Part Allotment 307 Paremoremo Parish Waitemata SD (9 Lonely Track Road, Albany), Pt. Lot 2 (1008 East Coast Road), Lot 2 DP 105981 (63 Fairview Ave, Albany), Lot 3 DP 105981 (63A Fairview Ave, Albany), Pt. Lot 1 DP 105981 (81 Fairview Ave, Albany) and Lot 2 DP 130461 (129 Fairview Ave, Albany) the provisions contained in Rule 9.4.10.11.2 Greenhithe Structure Plans shall apply.~~

~~The Council may permit a site of less than 1ha in the following circumstances:
A minimum net site area of 4000m² may be created where all the following criteria are met:~~

- ~~• The total number of lots in a subdivision shall be determined by the total area of the site as it existed at the time of notification of the Structure Plans zone, or as shown on an approved Plan of Subdivision prior to that date, and shall not exceed an average of 1 site per a hectare over the total land area of the parent site~~
- ~~• The proposed sites and access are confined to land largely clear of native vegetation, that is containing not more than 1000m² of native vegetation, clear of any building platform and access~~
- ~~• The proposed sites shall be located in close proximity to a formed legal road~~

- ~~The proposed sites shall contain a building area complying in all respects with the provisions of Rule 9.4.7.7. The building platform required by that Rule shall be identified on the Plan of Subdivision.~~

~~The only exception to the above minimum site area requirements is with respect to Lot 3 DP 108987 and Lot 4 DP 108987, where in each case the land zoned Area A: Environmental Protection shall be considered to be complying in terms of the minimum site area requirements of this section, notwithstanding that the site area of a proposed lot may be less than 1ha or 4000m².~~

~~Any additional development rights conferred by Plan Change 32 in the area serviced by Fairview Avenue (see map Appendix 17A M) shall not be able to be realised until the realignment of Fairview Avenue has been completed.~~

Explanation and Reasons

The minimum net site area of 1 hectare or 4,000m², in line with Appendix 17A/M (and Environment Court decision 2012/NZEC/082 dated 3 May 2012), has been selected to allow for rural residential living but at a sufficiently low density as to protect the natural and physical environment, particularly in respect of:

- *Reducing the amount of sedimentation generated at development stage*
- *Reducing the amount of impervious area and achieving hydrological neutrality*
- *Protecting existing areas of significant native vegetation and Significant Landscape Features*
- *Preserving the character of the landscape, and in particular, the character of the Lucas Creek escarpment*
- *Protecting the sensitive receiving environment of the Lucas Creek*
- *Providing for a transition from urban development to the rural zones north of the North Shore City boundary.*

~~The opportunity is provided for more intensive development in areas clear of native vegetation and where access can easily be obtained to a local road without the need for long accessways.~~

9.4.10.12 Area B: Large Lot Residential

9.4.10.12.1 Albany Structure Plans

a) Site Area Requirements

Minimum Net Area: Sites in areas demarcated in Appendix 17A/M (Fairview Ave traffic catchment) – 4000 m² (square metres) except those zoned (Area) B1, Appendix 17A/L;

Minimum Net Area: Sites outside those areas demarcated in Appendix 17A/M (Fairview Ave traffic catchment) – 1500 m² (square metres) except those zoned (Area) B1, Appendix 17A/L;

~~Area B: Minimum Area: All Sites – 4000m² 2000m² 1500 m² (except Area B1)~~

Average Site Area for areas outside those demarcated in Appendix 17A/M (Fairview Ave catchment) : 2000m² (except Area B1) except those zoned (Area) B1, Appendix 17A/L;

Zone (Area) B1, Appendix 17A/L: Minimum Area: 1000 m²

~~Except that on Part Allotment 307 Paremoremo Parish Waitemata SD (9 Lonely Track Road, Albany) and Lot 1 DP 180180 (1008 East Coast Road) the minimum site area shall be 600 sqm and an average of 2000m², and on Lot 7 DP 207103 (59 Lonely Track Road) a minimum and average lot size of 1400 sqm shall apply.~~

~~Any additional development rights conferred by Plan Change 32 in the area serviced by Fairview Avenue (see map) shall not be able to be realised until the realignment of Fairview Avenue has been completed.~~

Explanation and Reasons

~~A minimum net site area of 4000m² 2000m² 1500 m² and an average site area of 2000 m² (1000 m² for parts of 29, 40A and 42 Kewa Road) The above requirements have has been selected to allow for rural-residential development, but at a sufficiently low density as to protect the natural and physical environment, particularly in respect of:~~

- ~~Reducing the amount of sedimentation generated at development stage~~
- ~~Reducing the amount of impervious area~~
- ~~Providing for a site large enough to allow unsewered residential development for full on-site stormwater mitigation and for, where relevant, on site wastewater disposal~~
- ~~Retaining the overall character of the landscape, particularly the low density character of the Lonely Track ridgeline and to the west of the Motorway, the integrity of the Lucas Creek escarpment~~
- ~~Providing for a transition from urban development to rural development north of the North Shore City boundary~~
- ~~Protecting significant and sometimes steep stream corridors, including remnant stream course vegetation and feeder channels.~~

~~More conventional residential development has also been provided for at specified locations.~~

9.4.10.13 Area C : Standard Residential

a) Site Area Requirements

Minimum Area: All sites - 500 m² (except Area C1, Appendix 17A/L)

Area C1: Minimum Area : 700 m²

Explanation and Reasons

A minimum area of 500 m² (700 m² for parts of 29, 40A and 42 Kewa Road, Appendix 17A/L) has been selected to provide for single detached houses on moderately sized sections, in line with the pattern of development on the North Shore over the last 20 years. The moderately steep slopes and its location

9.4.10.16 Shape Factor

Each site shall be able to wholly contain a square of 12m by 12m clear of any required building line setback for road widening purposes, foreshore yard, lakeside yard, right of way easement, or the Eady's Bush Protection Line, or riparian margins as identified by Rule 8.4.2.2, or Significant Landscape Features as identified at the time of subdivision and/or development on the District Plan maps.

Changes arising from the ‘Doran’ Consent Order (ENV-2010-AKL-000191)

- i) Reducing the size of the Significant Landscape Feature (SLF) identified on the District Plan Maps – “Designations and Special Provisions” for the appellants’ property, by removing the less significant vegetation;

- ii) Amending Rule 9.4.1.4 Discretionary Activities to read:

9.4.1.4 Discretionary Activities

Subject to rule 9.4.3, 9.4.4 and rule 9.4.7, the following activities shall be Discretionary Activities

.....

i) Site works on or subdivision of land comprising a significant landscape feature as identified in the District Plan Maps, but excluding 55 Lonely Track Road, Lot 2 DP 95896 & Lot 2 DP 341647, the subdivision of which and any associated site work, including works associated with the installation of infrastructure services, shall be a Controlled Activity.

- iii) Amending Rule 9.4.4.6 Subdivision of Land with Two Zonings

*When any land which has more than one zoning is subdivided, the lot boundaries of the subdivision shall follow the zone boundary and the lots created shall comply with the provisions of the particular zone in which the lots are located or the subdivision shall become a Non-Complying activity **provided** that where the subdivision involves the acquisition of other land for a minor boundary adjustment as defined in Section 21 **and** the other land is of a different zone, the subdivision shall be considered a Limited Discretionary activity. Notwithstanding the above rule, the subdivision of 55 Lonely Track Road, Lot 2 DP 95896 & Lot 2 DP 341647 shall be a Controlled Activity.*

Changes to Section 17: Urban Expansion, Appendix 17A: Structure Plans: Issues Relevant to Particular Areas

Albany

- Maintain a rural residential character in Areas A and B
- A site for a primary school
- Relationship of activities and development to the proposed motorway design
- Protection of water quality in the Upper Waitemata Harbour
- Upgrading of existing roads
- Retention of natural and physical landscape features
- Protection of Significant Landscape Features

Greenhithe/Schnapper Rock

- A site for a community focal point
- Provision of linkages for existing township
- Provision of a sewer main for Schnapper Rock
- A site for a primary school in Greenhithe
- A site for a secondary school in Schnapper Rock
- Playing fields to serve the local area
- Protection of the quality of water in the Upper Waitemata Harbour
- Protection of the natural margins of Lucas Creek
- Upgrading of existing roads, in particular the upgrading and realignment of Kyle Road.

Okura/Long Bay

- Provision of a water and sewer main
- A site for a primary school in Okura
- The location of a community focal point (shops and community facilities) in Long Bay/Okura
- Provision of a coastal walkway linking Long Bay Regional Park and the Weiti escarpment
- The provision of playing fields to serve the local area
- Linkages to existing schools and facilities in the area, including the Regional Park
- Upgrading of existing roads
- Protection of rural views from the Regional Park by strategic extensions of the Park.

Changes to Section 17A, Albany and Greenhithe Structure Plans

17A.1 Introduction

17A.1.1 Albany Structure Plans:

The Albany Structure Plans deal with land within the Albany Basin zoned Residential Expansion on Planning Maps 7, 12 and 13. This land is identified in Section 17.4 and Section 17.5 of the Plan as requiring, prior to urbanisation, the preparation and incorporation of Structure Plans into the District Plan (refer to Plan Maps 6, 7, 12 and 13).

The land involved is largely greenfield land and lies on the edge of residential suburbs adjacent to North Shore City's northern boundary with Rodney District. It lies within the broader area of the Albany basin, at the head of Lucas Creek, which drains to the upper Waitemata Harbour. To the east lie the largely developed, seaside suburbs of East Coast Bays; to the south, the rapidly developing business and residential areas in the vicinity of Rosedale Road; to the west, Albany Village, the ~~planned~~ developing Albany sub-regional centre and the ~~developing~~ campus of Massey University; and to the north, rural land within Rodney District.

The land comprises an area of approximately 400 hectares. Of this, the Albany North- East area (north of Oteha Valley Road) comprises approximately 170 hectares, the Albany North-West area (west of the proposed extension to the Northern Motorway) 130 hectares, and the Albany South area (south of Oteha Valley Road) 100 hectares.

17A.1.2 Greenhithe Structure Plans:

The Greenhithe Structure Plans deal with land on the western edge of the city zoned Residential Expansion on Planning Maps 18, 19 and 23. This land is identified in Section 17.4 and Section 17.5 of the Plan as requiring, prior to urbanisation, the preparation and incorporation of Structure Plans into the District Plan.

The land is largely greenfield land and drains into Lucas Creek and thence into the Upper Waitemata Harbour. It is bounded to the east by the residential suburb of Glenfield and one of the major industrial estates of the Albany Basin. It is relatively close to the developing Massey University campus and the planned sub-regional centre of Albany.

The land consists of approximately 440 hectares. Greenhithe North comprises some 120 hectares and Greenhithe South 320 hectares.

17A.1.3 General:

The Urban Expansion Issues set out in Section 17.2 have been addressed in the structure plan process. In conformity with the requirements of Section 17.4, the Albany Structure Plan: Land Analysis Background Report, April 1995, has been prepared and is available for inspection at Council offices. The report provides a comprehensive analysis of the physical, environmental, landscape and cultural characteristics of the area. The data is summarised and coordinated into a major constraints map, which identifies land within the 100-year flood plain, areas of regenerating native bush, land with significant geotechnical constraints and slopes over 15°. Also included is an opportunities map, which identifies stream and bush habitats, and strategic connections. Both of these maps have a landscape zones overlay, which indicates the more sensitive landscape areas and those with the greatest landscape attributes. The Land Analysis Report has been used as the basis for a broad programme of public consultation, undertaken as part of the process of preparing the Structure Plans, and for preparing objectives and policies to guide the management of urbanisation. The level of detail provided in the surveys which form the basis of the report is considered to be, in the main, sufficient for the purpose of preparing the Structure Plans.

The objectives and policies set out below provide for the development of this area in a comprehensive manner. The objectives, policies and explanations provide a development concept for the area. They form the basis for the Structure Plans, and the zoning provisions relating to subdivision and development.

17A.2 Albany and Greenhithe Structure Plans:

Objectives and Policies

17A.2.1 Sedimentation and Water Quality

17A.2.1.1 Objective

1. To minimise the adverse effects of urbanisation on water courses and receiving environments.

2. To protect the values of the natural environment of Area A: Environmental Protection and Area B: Large Lot Residential zones of the Albany Structure Plan, including protecting the water quality and associated ecological values and the particular sensitivities of the Lucas Creek, its headlands and the upper Waitemata Harbour.

17A.2.1.2 Policies

17A.2.1.2.1 General:

1. By ensuring that the potential for sediment generation during development is minimised by limiting the intensity of development on steeper land and land close to sensitive water bodies, protecting natural water courses and valley systems, and keeping natural vegetation cover on steeper slopes, esplanades and other reserve areas.

2. By ensuring that the extent of earthworks proposed as part of any subdivision application is assessed on the basis of slope, length of slope, soil type, vegetative cover, proximity to watercourses and erosion control measures proposed within any sub-catchment, and restricted where necessary.

3. By ensuring that in the case of lots on steeper land the location of building platforms and vehicular access is selected to minimise earthworks.

17A.2.1.2.2 Albany Structure Plans:

1. By ensuring that satisfactory means within subcatchments of achieving long-term water quality in adjacent waterways, are developed before subdivision is approved.

17A.2.1.2.2.1 Areas A and B:

1. The quality of water in the Lucas Creek catchment shall be maintained through improved stormwater techniques.

2. Unmodified tributaries to the Lucas Creek shall be retained in their natural state and riparian vegetation should be maintained and enhanced.

3. All development, including buildings, accessways, roads and other facilities including infrastructure, shall incorporate principles of Low Impact Design and adopt on-site stormwater mitigation techniques that manage both stormwater quantity and quality and which keep post development conditions as close as practical to greenfield conditions. Sites shall not rely on communal off site stormwater management facilities such as wetlands or treatment ponds.

4. Mitigation of the effects of increased impervious surfaces shall address the quantity of run-off (peak flow rates and average run-off volumes for a range of rainfall events) as well as quality of run-off through the removal of suspended sediments.

5. Development is to utilise appropriate technologies and materials for wastewater infrastructure to restrict stormwater inflow and infiltration into the system in order to minimise wastewater overflow events and contamination of the Lucas Creek and upper Waitemata receiving environments.

6. To minimise risks to Lucas Creek from excessive sediment generation from earthworks and impervious areas, large-scale earthworks shall be confined to Areas C and D.

7. Large-scale earthworks, where there are identified geotechnical issues and important landform and ecological constraints, shall be avoided and development is to be limited to low densities in Area A and low-medium densities in Area B.

8. The scale and location of site works associated with subdivision and development should ensure that adverse effects on watercourses, Significant Landscape Features, areas of ecological value and neighbouring properties arising from changes to landform, vegetation modification and/or clearance and from the generation of sediments are avoided.

9. Siteworks and earthworks should be managed so as to minimise risks associated with sediment generation, including the risks associated with multiple earthworking areas in the catchment at the same time.

17A.2.1.2.3 Greenhithe Structure Plans:

1. By ensuring that satisfactory means within subcatchments of achieving long-term water quality in adjacent waterways, without environmental damage, are developed before subdivision is approved.

17A.2.1.3 Methods

Policy 1 (General, Albany, Greenhithe) will be implemented by the Structure Plans, rules and education.

Policy 2 (General) and Policies 1-9 (Albany Areas A and B) will be implemented by rules.

Policy 3 will be implemented by rules and education.

17A.2.1.4 Explanation and Reasons

17A.2.1.4.1 General:

The Lucas Creek (stream) is 16.3 kilometres long with a contributing catchment of some 600 hectares. The stream flows approximately northeast to southwest and discharges into the low energy Lucas Creek (estuary), along with streams from eight other stormwater catchments. The Lucas Creek southwest of the Albany Expressway to the Waitemata Harbour provides the best example of the muddy, mangrove lined inlets of the inner Waitemata Harbour. The Albany Structure Plan area north of Oteha Valley Road feeds directly into the Lucas Creek just northeast of the Albany Expressway.

The District Plan identifies the adverse effects of sediment run-off in areas being earthworked as a significant issue in the city. There is evidence to show considerable sedimentation of Lucas Creek and the upper Waitemata Harbour has already occurred. The above objective and policies are designed to respond to the obligation imposed by the Resource Management Act 1991 (RMA) to minimise adverse effects.

The respective functions of North Shore City Council and Auckland Regional Council under the RMA, in terms of the discharge of sediment and contaminants into receiving waters, are set out in Section 9 of this Plan.

The potential for large quantities of sediment to be generated during the earthworks phase of development has been confirmed by surveys both in New Zealand and overseas. A generally accepted approach to predicting soil loss during earthworks is to calculate it on the basis of

rainfall, soil type, slope length and steepness, vegetative cover and erosion control factors. In the case of Albany and Greenhithe the land generally comprises Waitemata clays, which are relatively impervious. There is little flat land within the area.

While Albany South contains mainly gentle slopes and there are few areas of steeper slopes (over 15°), Albany North-East, and North-West, in particular, contain a series of ridges and gullies with extensive areas of slopes over 15°. In Greenhithe North and South, there are areas of gentle slopes as well as areas of ridges and gullies with extensive slopes over 15°. A standard intensity of residential development on some of this land would require extensive recontouring. While the Auckland Regional Council requires sediment control systems to be put in place during the period of any significant earthworking, the Council acknowledges that such systems may well only retain approximately 50-70% of sediment generated.

17A.2.1.4.2 Albany Structure Plans:

For these reasons the above policies pursue a precautionary approach which involves a strongly differentiated pattern of zoning designed to respond to the physical characteristics of the land.

In Areas C and D The extent of earthworks permitted at subdivision will be limited by the requirement to retain stream valleys in their natural state and to protect water quality, landscape features and areas of regenerating bush. Within this overall constraint, roads should be located so that the need for earthworks is minimised, consistent with other objectives for the structure plan area. Moreover, areas of steeper to moderate slopes should generally receive little, if any, earthworking, while areas of lesser slopes, which are zoned for moderate to higher intensities of residential development, may need more earthworking to ensure full utilisation of the land. It is accepted that earthworks will be required for road formation and access to properties, in accordance with the Council's engineering standards, and for remedying instability in areas of moderate to higher intensity development. However, the retention of natural vegetation on steeper slopes and valley systems will significantly assist in minimising sedimentation effects on Lucas Creek.

Any subdivision application will be required to indicate the extent and nature of any earthworks proposed, and will be assessed on the basis of policy 2 (General) and Policies 1-9 (Area A and B) as above, to ensure that water courses are protected from adverse, short-term sedimentation effects. The Lucas Creek Catchment Management Plan specifies the long-term stormwater control measures required, including the ponding areas indicated on the Structure Plans, and these or equivalent measures will be required to be implemented.

To supplement this, other factors need to be followed through at a finer level of detail. These include the need to retain as much vegetation as possible during the process of earthworking and development, whether the vegetation comprises areas of trees or grassed areas.

Over the last five years, the grassed or bush areas within the catchment have been significantly reduced as large areas are developed for commercial and residential use. The remaining bush and open space areas are to be retained, and the protection of existing environmental features is a significant role of Areas A and B within the catchment.

An effective impervious area standard of 10% throughout the catchment is required to ensure good stream health, with a more significant decline in stream health being experienced where the effective impervious area is between 10% and 15%. In the Lucas Creek catchment the effective impervious area will be less than 15%. Having regard to development across the catchment, and to the particular sensitivities and importance of the receiving environment, the approach adopted in Areas A and B is to require the management of all areas of impervious surface, and to also require stormwater management of roads and accessways. Onsite stormwater mitigation is important for protecting stream health and is more effective than catchment based facilities. On a catchment basis, it will assist in protecting the remaining and

important stream tributaries and in enhancing water quality and natural amenity of the Lucas Creek.

In Areas A and B large scale earthworks are to be avoided. Earthworks required for development (including building, access and roading) shall be avoided in areas of geotechnical sensitivities, or where slopes exceed 15 degrees, notwithstanding that there might be an engineering solution to such limitations. Earthworks on other land within these areas shall otherwise be minimised, in order to both avoid sedimentation and to ensure that the character and contour of the land is maintained. Vegetation should be retained within these areas, both for amenity and character reasons and to ensure achievement of stormwater and sedimentation outcomes.

Stormwater inflow-and-infiltration is a major cause of wastewater overflows resulting in contamination of stream and marine receiving environments and posing a risk to public health. Accordingly, appropriate modern techniques and materials need to be used in the construction of the wastewater network to minimise stormwater ingress.

17A.2.1.4.3 Greenhithe Structure Plans:

For these reasons the above policies pursue a precautionary approach which involves a strongly differentiated pattern of zoning, designed to respond to the physical characteristics of the land. The extent of earthworks permitted at subdivision will be limited by the requirement to retain stream valleys in their natural state, to protect water quality, landscape features which have at least local significance, and areas of regenerating bush. Within this overall constraint, roads should be located so that the need for earthworks is minimised, consistent with other objectives for the structure plan area. However, it is accepted that some earthworking will be necessary during the process of subdivision. In areas of steeper to moderate slopes, earthworking should be minimised. In areas of lesser slopes where surface erosion is much less of a problem, and which are mostly zoned for moderate to higher intensities of residential development, more earthworking may be required to ensure full utilisation of the land. In general, it is acknowledged that earthworks will be required for road formation and access to properties, in accordance with the Council's engineering standards and for remedying instability in areas of moderate to higher intensity development. However, the retention of natural vegetation on steeper slopes and valley systems will significantly assist in minimising sedimentation effects on Lucas Creek.

Catchment Management Plans for the structure plan areas specify the minimum long-term stormwater control and water quality measures required. Ponding areas and riparian strips indicated in the catchment management plans have been shown on the structure plan map to ensure that these matters will be addressed at subdivision stage.

However, these catchment management plans are at a draft stage only. Until such time as they are adopted by North Shore City Council and approved by the Auckland Regional Council, with the issue of comprehensive discharge consents to North Shore City Council, discharge permit applications will be required to indicate how the sedimentation and water quality objective can be met within each application site.

17A.2.2 Landscape Protection

17A.2.2.1 Objective

1. To maintain significant landscape features of the area for their intrinsic and landscape character value and as a basis for enhancing the identity and future residential amenity of the area.

2. To protect and preserve the integrity and values of Significant Landscape Features in Areas A and B from the effects of the subdivision of land and use and development of natural resources.

17A.2.2.2 Policies

17A.2.2.2.1 General:

1. By retaining and enhancing significant native fauna and flora within the area.
2. By retaining significant ridgelines, stream valleys and native bush as the structuring framework for development.
3. By ensuring that the cumulative effects of development do not result in the degradation of landscape features as a consequence of extensive recontouring.

17A.2.2.2.2 Albany Structure Plans:

1. By ensuring that the visual impacts of motorway and arterial routes through the area are mitigated.
2. By ensuring that the roading pattern conserves landscape values, by minimising the need for extensive recontouring and earthworks, and where appropriate, taking advantage of landscape opportunities.

17A.2.2.2.2.1 Areas A and B

1. To protect the scale and vertical relief, the physical extent, continuity and cohesion of vegetation cover and the lack of development of the extensively vegetated escarpment rising up from Lucas Creek, and to ensure that it continues to form a natural backdrop to the visually contrasting urban and rural residential development.

2. To retain the key characteristics of the slopes above the Lucas Creek escarpment, which include isolated stands of exotic trees, extensive areas of indigenous planting in the gullies, and amenity trees and shrubs.

3. To maintain the visual and landscape integrity and significance of the prominent Lonely Track Road ridgeline.

4. Significant Landscape Features as identified at the time of subdivision and/or development on the District Plan maps shall be protected and preserved in perpetuity.

5. Large lot developments with limited impervious cover shall be required to facilitate the retention of existing landforms and landscapes in their current state.

6. To require a low and low-moderate density form of development to provide a transition from the higher intensity development close to the Albany centre, to the more natural patterns and themes of the Albany hills and the rural land north of the city boundary *and in respect of allotment 37 Parish of Paremoremo the typical 1960's residential development on the western side of East Coast Road, adjacent to the corner of Lonely Track Road Albany.*

7. A stable building platform and access route, requiring only minimal land disturbance and/or modification, including the removal of native vegetation shall be provided for each site. To achieve this, sites may need to be larger than the minimum site area especially where they contain Significant Landscape Features.

17A.2.2.2.3 Greenhithe Structure Plans:

1. By ensuring that the visual and acoustic impacts of arterial routes through the area are mitigated.
2. By ensuring that the roading pattern conserves landscape values, by minimising the need for extensive recontouring and earthworks, and where appropriate, taking advantage of landscape opportunities.
3. By ensuring that development occurs in a manner which avoids further clearance and damage to native vegetation, particularly high quality regenerating bush.

17A.2.2.3 Methods

Policy 1 (General, Albany, Greenhithe) will be implemented by the Structure Plans, rules and requirements for reserve contribution in the District Plan.

Policies 2 and 3 (General, Albany and Greenhithe) will be implemented by Structure Plans and rules.

Policies 1-7 (Albany – Areas A and B) will be implemented by Structure Plans and rules.

17A.2.2.4 Explanation and Reasons

17A.2.2.4.1 Albany Structure Plans:

The landscape analysis carried out on the area identified a clear division into two distinct sub-areas either side of Oteha Valley Road and the upper reaches of Lucas Creek and Stream. The southern area is characterised by relatively open slopes, located between the existing urban fringe along East Coast Road and the alignment of the future extension to the Northern Motorway.

The northern area remains a mixture of pastoral lots and small holdings, interspersed with remnant native forest and scrub. This area contains a number of significant landscape elements including: the vegetated escarpment and alluvial flat of Lucas Creek; the more strongly segmented landscape, with a series of north-south oriented gully systems filled with manuka, pines and some native canopy species; the convex form of lower slopes with contrasting ridges, especially the Lonely Track ridgeline, which provide a platform for views towards the Auckland isthmus and Rangitoto; and a more diverse landscape of scrub and gully vegetation in the vicinity of Gills Road. Existing development along Lonely Track Road has partially compromised the landscape potential of that ridgeline. Other development is scattered, with some concentration along Fairview Avenue.

If the significant landscape elements are to be protected from the effects of urbanisation, so that they can contribute to the identity and amenity of the new suburbs, then the Lucas Creek escarpment, the gully systems and the steeper western parts of the area need to be protected.

A further landscape analysis carried out in 2000 identified 9 landscape units within Areas A and B that are of particular significance. This information has not now been incorporated into the District Plan for the Albany Structure Plan area. due to the changes that have occurred in the catchment since the study was undertaken. It will however be used as a guide to indicate when an assessment of the landscape and ecological effects of subdivision and/or development is required. Significant Landscape Features may then will be required to be protected and preserved in perpetuity from the adverse effects of subdivision and subsequent development by both the larger lot size and, upon subdivision, by requiring permanent protection. This could be achieved by way of covenant in perpetuity being registered against the titles of all affected lots to be created through the subdivision or consent notice under Section 221 of the RMA 1991 being registered against the title in order to secure compliance with the conditions of consent.

On a broader basis, there is opportunity to respond to the inherent character of different parts of the area and to the nature of surrounding development by permitting significant residential consolidation in Albany South and varied densities in the north. This will provide a transition from land close to the Albany Centre, to the more natural patterns and themes of the Albany hills and the rural land north of the city boundary.

At the subdivision stage more detailed landscape assessments may be required to identify local landscape attributes prior to subdivision occurring. This will assist in determining where roads and reserves are best located and the extent to which more subtle landscape elements should be retained, helping to provide a sense of local identity and interest.

The development of the Northern Motorway across the Albany Structure Plan area has the potential to have significant adverse acoustic effects on the area. ~~It is essential that Transit~~

~~New Zealand undertakes appropriate mitigation measures along the route. Transit New Zealand has undertaken some noise mitigation and further mitigation maybe required at the time of subdivision and/or development.~~

17A.2.3 Residential Development

17A.2.3.1 Objective

1. To enable the land to be developed for residential purposes having regard to the environmental capacity of the land.
2. To pursue a precautionary approach which involves a differentiated pattern of zoning designed to distinguish the low and low/moderate densities in Areas A and B from higher densities in Areas C and D and based on the need to protect the natural and physical characteristics of the land and to maintain amenity values.

17A.2.3.2 Policies

17A.2.3.2.1 Albany Structure Plans:

1. By using the environmental constraints and opportunities identified as being inherent in the land as the basis for determining the type and intensity of development in different parts of the area.
2. By enabling areas without significant environmental constraints the Areas C and D Sub-zones, to be developed for higher intensity residential development.
3. By requiring that the provision of infrastructure for individual subdivisions is planned in a manner which takes account of the servicing and roading of the locality.

17A.2.3.2.1.1 Areas A and B:

1. By defining subdivision opportunities based on the natural and physical characteristics of Areas A and B and irrespective of an ability to provide infrastructure services to the land.
2. Subdivision should create a settlement pattern that respects and maintains the landscape elements of the area, including the protection of the landscape values associated with the steeper, vegetated land of the upper part of the catchment. The density of development should remain low to reflect the environmental and landscape conditions present, and development should be confined to already cleared areas where little further earthworks or modification of the landform is required.
3. To maintain the character, aesthetic value and integrity of Area A by allowing a low density of subdivision and thereby protecting:
 - a. The spacious and non-urban character, notably the contrast it offers to subzones C and D and its proximity to and relationship with rural zoned land to the west and north;
 - b. The dominance of the vegetated valley system and stream corridors traversing the slopes down towards the Lucas Creek and which provide strong topographic relief and form important ecological corridors within the wider valley;
 - c. The subservience of housing to the more natural characteristics of the area, such that housing is visually unobtrusive and continues to be restricted to an extent by the steeper terrain.
4. To maintain the character, aesthetic value and integrity of Area B by allowing a low-moderate density of subdivision. The character, aesthetic value and integrity of Area B is described below:

- a. To the west of the Motorway, the landscape characteristic is more gently undulating grassed slopes with stands of exotic trees including pines and eucalypt and a greater degree of built development, buffered from the Albany Town Centre by the Lucas Creek escarpment. The area also includes the east facing grassed slope which overlooks the motorway, is more visually exposed than other land in the area and which provides visual relief from the intensively developed retirement complex on the eastern side. Dwellings along Lonely Track Road are typically located towards the road on the more elevated and flatter land in a fairly linear fashion and surrounded by grass and planting.
- b. To the east of the Motorway, the landscape characteristic is a more uniform terrain, undulating down in a series of minor gullies from Lonely Track Road towards Oteha Valley Road. Vegetation is less extensive but importantly provides visual relief from the rapidly encroaching residential development and is largely associated with significant and sometimes steep stream corridors, including remnant stream course vegetation and feeder channels. Many of the dwellings along Lonely Track Road are typically located towards the road on the more elevated and flatter land in a fairly linear fashion interspersed by exotic and indigenous tree planting.

5. To maintain the transitional function that the Area A and B land plays between the Albany Centre and the rural land north of the City boundary and in respect of allotment 37 Parish of Paremoremo the typical 1960's residential development on the western side of East Coast Road, adjacent to the corner of Lonely Track Road Albany.

17A.2.3.2 Greenhithe Structure Plans:

1. By using the environmental constraints and opportunities identified as being inherent in the land as the basis for determining the type and intensity of development in different parts of the area.
2. By enabling areas without significant environmental constraints, to be developed for higher intensity residential development.
3. By ensuring that the pattern of development is integrated with the servicing and roading of parts of the area.

17A.2.3.3 Methods

17A.2.3.3.1 Albany Structure Plans:

Policy 1 and Policies 1-4 (Albany – Areas A and B) will be implemented by the Structure Plans and rules.

Policy 2 will be implemented by rules, by financial contributions set in the District Plan and by Council works through service provision in the Annual Plan.

Policy 3 will be implemented by the Structure Plans and rules.

17A.2.3.3.2 Greenhithe Structure Plans:

Policy 1 will be implemented by the Structure Plans and rules.

Policy 2 will be implemented by rules, by financial contributions set in the District Plan and by Council works through service provision in the Annual Plan.

Policy 3 will be implemented by the Structure Plans, rules and education including promotional initiatives.

17A.2.3.4 Explanation and Reasons

17A.2.3.4.1 Albany Structure Plans:

The Albany Structure Plans area has a number of strategic advantages. It lies close to the developing employment base of the Albany basin, ~~and on the proposed extension to the Northern Motorway,~~ adjacent to the future developing Albany Centre and to the expanding

Albany campus of Massey University. It is an area with easy access to the East Coast Bays. Despite this there is also a need to promote the maintenance and enhancement of certain natural resources and amenity values from the potential effects associated with physical development, including urban intensification.

17A.2.3.4.2 Greenhithe Structure Plans:

The Greenhithe Structure Plans area lies adjacent to the western boundary of the city. It has a number of locational advantages in terms of urbanisation. It lies close to the developing employment base of the Albany basin, particularly the North Harbour Industrial Estate. It is relatively close to the future Albany Centre and to the expanding Albany campus of Massey University. Many parts of the area have good development potential, having extensive views across Lucas Creek to the north-west and west, and lying well to the sun.

17A.2.3.4.3 General:

For a city approaching the limits of land able to be developed without severe environmental and servicing implications, the potential to maximise the household capacity is compelling. Against this must be balanced the environmental constraints of the area, with its undulating to steep topography and drainage to a waterway already suffering from the effects of sedimentation. Planning on the basis of a wide variation in densities is the appropriate response to these factors.

Some aspects of conventional suburban development, when assessed against the principle of sustainable management, are found to be deficient. It fails to make efficient use of the land resource without the need for later infilling, fails to encourage use of public transport, walking and cycling as against use of the private car, and often lacks an integration and sense of identity. Providing an opportunity for more intensive development on areas best suited to development, allows for the housing potential of areas to be fully utilised at the outset, enables a choice in housing forms and assists the viability of public transport. To assist in identifying possible interest in higher density housing, the Council commissioned a survey entitled 'Preference and Demand for Higher Intensity Housing on the North Shore' 1996. The survey indicated a significant level of preference for higher density housing in the city, with a small part of that preference being identified for the Albany and Greenhithe areas.

Because the areas are large, the Albany Structure Plans being approximately 400 hectares, and the Greenhithe Structure Plan areas 440 hectares, there is scope to have parts of the area available for a range of moderate to higher intensities. This gives the opportunity to respond to an immediate demand for moderate sized lots but allows some potential for clustered higher intensity development to meet other sectors of the market in the medium term. However where land has physical characteristics that afford it a lower development potential, urban intensification to a moderate to high intensity has the potential to cause adverse effects on the environment. Such effects include increased stormwater runoff into vulnerable waterways, effects on amenity values, damage to natural and cultural heritage, incompatibility of activities between adjoining properties and between adjacent zones, and increased traffic congestion. The weighting given to intensity of development and to protection of the environment needs to be determined having regard to the particular circumstances.

In Areas A and B of the Albany Structure Plan lot layout and building design are integral components of the strategy to protect the natural environment. Priority is given to retaining and enhancing valued natural and physical features through a less intensive level of development than is permitted in other parts of the Albany Structure Plan. Care has been taken to ensure the integrity of the Lonely Track Road ridgeline at the interface between North Shore City and Rodney District. That ridgeline forms an important visual and vegetated buffer below which rural-residential development sites (with the exception of development within some Area C zoned land on Gills Road). Further, in order to maintain the character of the area, development must not compromise the existing natural characteristics prevailing and Significant Landscape Features – including the valley and stream corridors and associated vegetation patterns, the Lucas Creek escarpment and extensive belt of lowland forest and the physical and visual separation from built development afforded by those natural features.

Accordingly, in Area A and B subdivision standards have been determined having regard to the need to maintain a low (Area A) – moderate (Area B) density of development, and further subdivision is not envisaged.

17A.2.4 Design and Mobility

17A.2.4.1 Objective

To achieve a form and standard of design which will promote community safety and wellbeing, and choices for residents in respect of mobility.

17A.2.4.2 Policies

17A.2.4.2.1 Albany Structure Plans:

1. By planning for a roading pattern which facilitates the servicing of ~~the a~~ Areas C and D by public transport with good linkage to the North Shore busway.
2. By ensuring that areas identified as subject to general geotechnical constraints are subject to more detailed investigations.

17A.2.4.2.1.1 Areas A and B

1. Appropriate stormwater management feature such as raingardens, swales and pervious paving are to be incorporated into the design of accessways and roads so that stormwater generated from the road surfaces is managed within the road reserve.

2. Development, including building platforms, accessways, roads and other facilities including infrastructure shall be located so as to maintain the character and landscape features of Areas A and B, and shall avoid a location within Significant Landscape Features. ~~In cases where development can only be achieved by encroaching partially or wholly into Significant Landscape Features, then sites will need to be larger than the minimum site area to ensure provision of a building platform, access route and on-site infrastructure without such encroachment. The size of a site may need to be above the minimum site size in order to ensure that development, including building platforms, access routes and on-site infrastructure, does not encroach into the Significant Landscape Feature.~~

3. Any private accessways serving more than 10 lots shall be upgraded to the requisite standards of the District Plan and shall be vested as public road before any additional development rights can be realised.

4. Any road upgrading required to mitigate the adverse effects of additional traffic volumes shall be completed before any additional development rights can be realised.

5. Private access should:

- i. Utilise existing accessways where feasible and practicable.
- ii. Be located as close as practical to a formed legal road or served by an existing formed vehicle access.
- iii. Avoid Significant Landscape Features identified at the time of subdivision and/or development.
- iv. Be designed to follow the existing landform and to cause little or no land disturbance.
- v. Be designed in a way that it incorporates low impact stormwater mitigation techniques such as swales, filter strips and dual strip driveways.
- vi. Be designed to not accentuate stormwater runoff, erosion or increase the potential for land stability, and to mitigate against the direct discharge of stormwater to the street.

17A.2.4.2.2 Greenhithe Structure Plans:

1. By ensuring the roading pattern facilitates the servicing of the area by public transport with good linkage to the North Shore busway.
2. By ensuring that activities do not locate in areas identified as subject to general geotechnical constraints, unless it can be determined that the activity can occur without unacceptable geotechnical risk.

17A.2.4.2.3 General:

1. By identifying traffic routes for which the traffic function is paramount, and for which a range of restrictions relating to access to residential lots will be required, in contrast to residential streets, whose major function is providing access to residential lots.
2. By enhancing the viability of public transport through the opportunity for higher density housing and mixed activity nodes on more accessible land within residential areas.
3. By discouraging the movement of through traffic from outside the area on all residential streets, while achieving a high degree of connectivity and access to community facilities for internal traffic.
4. By requiring that the residential street network, as a whole is designed to achieve low traffic volumes and speeds so that pedestrians and cyclists may enjoy safe and convenient movement through the area.
5. By ensuring that pedestrian and cycle linkages are provided primarily on the road network, supported by additional recreational linkages based on destinations' analysis, recreational opportunities and ensuring maximum exposure to public view for personal safety reasons.
6. By avoiding the potential for residential units to locate on land defined as being within any 100- year flood plain.
7. By requiring that the authority responsible for the construction of the Northern Motorway and State Highway 18 mitigate the effects of motorway noise.

17A.2.4.3 Methods

Policy 1 (Albany) & 1 (General) will be implemented by the Structure Plans.
Policies 2, 3, (Albany) and 1, 2, 3 (Greenhithe) will be implemented by the Structure Plans, and by education, including information on Council's Hazards Register.
Policies 2, 3, 4, 6 & 7 (General) and Policies 1-5 (Albany – Areas A and B) will be implemented by the Structure Plans, rules and the Urban Design Code.
Policy 5 (General) will be implemented by the Structure Plan's reserve/open space zoning and the Council's Stormwater and Flood Protection Manual.

17A.2.4.4 Explanation and Reasons

17A.2.4.4.1 General:

While there are many factors which contribute to the frequency and quality of public transport services, it is clear that our current low to moderate suburban densities are not generally supportive of public transport. The recurring pattern of moderate intensity development, poorly served by public transport systems with decreasing patronage, is placing demands on the roading network which are becoming increasingly difficult to respond to. This problem is intensified in the city with the peak period congestion of the Northern Motorway and the Harbour Bridge. Overseas research indicates that to be public transport-supportive, residential densities need to be quite high and that those densities need to be close to public transport stops, since the maximum distance which will encourage residents to walk to public transport stops is 400 metres. The Auckland Regional Council Passenger Transport Supportive Land Use Guidelines, suggests 250 metre intervals between bus stops, and that standard will be used in the area. The clustering of higher intensities of development around community focal points likely to be well served by public transport routes has the potential to reduce dependence on the private car for commuting and local trips.

Residential streets serve a variety of functions relating to mobility, service location, and social and activity space. There is a strong element of conflict between the motor vehicle as a street user and other street users. In the conventional suburb primacy has been given to the motor vehicle to the detriment of the pedestrian and the cyclist. In the interests of the safety, economy, amenity and convenience of all street users, and the community generally, a better compromise needs to be found in the design of the roading network. Fundamental to this approach is the distinction between traffic routes, whose function is to carry through traffic, and residential streets, whose function is to provide access to the lots which front them. This distinction is the basis on which provisions within the Urban Design Code for the design of the roading network have been prepared.

It is recognised that the relationship of the Structure Plan areas to the surrounding road network requires that some of the roads within the area will have to serve a through-traffic function. Where traffic levels are likely to exceed 3000 vehicles per day, various restrictions to frontage access to adjacent lots will be imposed for traffic and amenity reasons. In the case of traffic routes anticipated to clearly exceed 3000 vehicles per day, some restrictions on vehicular access may be required in the form of access to an adjoining street, amalgamated accessways or restrictions on the ability to reverse off the site or other traffic management measures. Where traffic levels are likely to be closer to 3000, provision for on-site manoeuvring will be required so that reversing on to the roadway is avoided. In contrast, residential streets will be required to be designed in a manner which restricts both the volume of traffic and the speed of traffic. On these streets the potential for through traffic, with origin and destination outside the area, will be required to be strongly discouraged within each of the Structure Plan areas. The design speeds set are based on a balance between safety and convenience.

Within this framework, the resulting residential streets are considered to be suitable for safe use by pedestrians and cyclists, and therefore to largely satisfy the need for pedestrian/cycle networks. There may, however, be a need for some short pedestrian and cycle-only linkages, additional to the residential streets network, for improved access to identified destinations or for recreational routes, particularly through the gully systems. Where possible these pathways should be located for maximum visibility. Routes adjacent to the rear and side boundaries of private property will be discouraged in the interests of security and safety.

For safety reasons it is not desirable to locate residential properties within the 100-year flood plain. This area is identified on the Structure Plans for reserve or open space. For similar reasons, sites within the Structure Plans, which have been identified as being subject to geotechnical constraints, will require more detailed geotechnical investigation prior to development.

17A.2.4.4.2 Albany Structure Plans:

~~The proposed alignment of the extension to the Northern Motorway is a high noise route. will result in significant noise impacts on adjacent areas unless mitigation measures are adopted. The Structure Plans identify buffer areas where the alignment runs through areas intended for moderate to higher intensities of development. Transit New Zealand has indicated its intention to mound and fence, where this would reduce effects. Section 10 of the District Plan places some of the responsibility on developers by requiring dwellings adjacent to high noise routes to be insulated for this purpose.~~

The Structure Plan provides an opportunity to indicate the preferred location of key routes through the area. However, all land may not be able to be subdivided immediately, until access is provided to adjacent land. It is the Council's responsibility to ensure that, on subdivision, all lots have provision made for vehicular access and that is achieved by conditions on subdivision consents. Roading, lot layout and building design are all integral components of residential areas. Multiple lots should have adequate access to and be properly served by the road network. While shared access is encouraged, to prevent a multitude of 'urbanised' driveways, there is a practical limitation to the number of houses served by each accessway.

Land in Areas A and B has the greatest instability and steepest slopes and contains large areas of vegetation, including some Significant Landscape Features. There is a need to maintain the natural landscape and ecological values of the land and to protect the Significant Landscape Features. This will assist in achieving hydrological neutrality for stormwater purposes and in maintaining amenity values.

17A.2.4.4.3 Greenhithe Structure Plans:

~~The proposed alignment of the extension of State Highway 18 has will resulted in significant noise impacts on adjacent areas, unless mitigation measures are adopted. Transit New Zealand has adopted mitigation measures indicated its intention to reduce these effects, using the Assessment of Environmental Effects prepared for the highway as the basis for determining the final width of land required to be purchased by Transit New Zealand and incorporated in the State Highway's road reserve. The width of the land will vary to reflect this requirement, as well as to accommodate visual and any other effects. Section 10 of the District Plan may also places some of the responsibility for noise mitigation with developers by requiring dwellings adjacent to high noise routes to be insulated for this purpose.~~

Some of the adverse effects of living in urban areas which are frequently mentioned by residents relate to fears for personal safety and worry about the security of properties, both of which can be considered to be part of amenity values in relation to the environment. The Structure Plan zone rules and assessment criteria requires dwellings to be designed in a way which enables visibility of front doors from external viewpoints and discourages the location of public pedestrian and cycle-only pathways along rear and side yards and, in the case of the Greenhithe Structure Plans, restricts the height of front fencing to ensure visibility to and from the street.

17A.3 Zoning Framework

17A.3.1 Structure Plans Zone

17A.3.1.1 Objective

To ensure that the development of the Structure Plans area occurs in an integrated and sustainable manner, which takes account of the environmental constraints of the land, but maximises residential development potential in areas where there are few constraints.

17A.3.1.2 Policies

1. By using the environmental surveys carried out on the area to differentiate between five intensities of residential development and an associated range of activities and rules within an overall Structure Plans zone.
2. By distinguishing between low to moderate density development, where the size of lots is relatively effective in mitigating adverse effects on amenity, and higher density development, where residential amenity needs to be more comprehensively protected and enhanced.
3. By providing for areas of mixed use development which are highly accessible within each residential area where business and community activities may locate.
4. By recognising that some non-residential activities which serve the needs of the local community may locate outside Mixed Use Overlay Areas, provided that effects on residential amenity and on the operation of mixed use areas as the focus of integrated development are not significant.

17A.3.1.3 Methods

Policies 1 and 2 will be implemented by the Structure Plans and rules.
Policy 3 and 4 will be implemented by rules.

17A.3.1.4 Explanation and Reasons

The Structure Plans zone will apply to all the residential areas within the Albany and Greenhithe Residential Expansion zones. The development concept underlying the zone is explained in Section 17A.2. Within the zone, different density areas, will be applied. The manner in which the different areas are provided for has some similarity to other residential zonings in this Plan and, where possible, reference is made to other zone rules, rather than repeating them for this zone.

The Structure Plans also indicate an open space network for the area. Where this land is intended as reserve land in public ownership, an appropriate Recreation zoning will eventually be adopted for the land. ~~In the case of community focal points, a central area of Business Local 1 zoning will be necessary to accommodate commercial activities.~~

In the case of subdivision, the area requirements for lots are tailored to suit the sustainable management objectives for the zone. Where there are opportunities for higher intensity development, and it is important that those opportunities are capitalised on, lot size is dependent on the intensity of development. Conversely, where there are natural and physical constraints to land development, a low and/or moderate density is appropriate. The design of the roading network throughout the area is controlled to achieve a variety of resource efficiency, safety and convenience objectives.

The range of activities provided within the zone varies from most restrictive in areas of lowest density to most permissive in highest density areas, where a wide range of different types of residential development and associated services is provided for. A number of activities have been given Discretionary status only. This is the case in the Large Lot Residential Area (Area B) in Albany, mainly because the ability of the site to accommodate on-site sewage disposal will need to be assessed. The rules for low to moderate density development are similar to those in many of the residential zones in the Plan. In the case of higher density development, additional rules have been applied to achieve a high standard of environmental amenity.

17A.3.1.6 Expected Environmental Results for All Objectives and Policies

Full implementation of the Albany and Greenhithe Structure Plans

Means of Measuring

1. Five-yearly assessments of environmental effects (AEE) to measure:
 - Water quality in the Lucas and Te Wharau Creeks
 - Retention of main landscape elements as identified in the Albany and Greenhithe Structure Plans
 - Maintenance of a distinction in terms of character and amenity between Area A and B and other parts of the Albany Structure Plan area and the protection of Significant Landscape features in the Albany Structure Plan.
 - Mitigation of adverse visual effects of the motorway and arterial routes
 - Viability of ecological corridors in terms of species abundance and diversity, and extent of linkage.
2. Five-yearly land use surveys to measure:
 - Uptake of the high density option in the Albany and Greenhithe Structure Plans area
 - Conformity with the range of residential densities provided in the Albany and Greenhithe Structure Plans
 - Location of passenger transport facilities
 - Location of community facilities and services.
3. Five-yearly assessments of the roading network to measure:
 - Street connectivity and ease of access to community facilities
 - Accident levels in residential streets
 - Level of pedestrian and cycle linkages.

4. Five-yearly assessments of Statistics New Zealand journey to work data to measure:
 - Use of public transport by residents in the Albany and Greenhithe Structure Plans area
 - Development of the roading pattern to facilitate public transport provision.

5. Five-yearly residents' surveys to measure:
 - Residents' satisfaction with design, security, privacy and open space in new residential developments
 - Level of pedestrian orientation of community focal points
 - Means of travelling within the Structure Plans area.

6. Biennial noise surveys to measure:
 - The level of noise from the Northern Motorway, and from State Highway 18 received by the residents.

7. Annual assessments of subdivision consents to measure:
 - The degree of coordination of infrastructure provision for individual subdivisions with servicing and roading for the parent Structure Plan
 - Compliance with the restriction on development of land within flood plains and areas with other geotechnical constraints
 - Compliance with landscaping requirements for arterial and collector routes, and mixed use areas
 - Conformity with reserve requirements as identified in the Albany and Greenhithe Structure Plans.

8. Annual assessments of Annual Plan commitments to measure:
 - Enhancement of reserves through planting of appropriate native species.

9. Annual assessments of building consent applications to measure the rate of development of different densities of housing.

10. Annual assessments:
 - Biological inventory of the Lucas and Te Wharau Creeks.

17A.4 Rules: Structure Plans Zone Activities

17A.4.1 Determination of Activity Status

Table 17A.1 specifies the Permitted, Controlled, Limited Discretionary or Discretionary activities for the Structure Plans zone. **The activity status of any activity may be changed by Rules in the General Sections of the Plan.**

For the purpose of the table:

P = Permitted activity

C = Controlled activity

LD = Limited Discretionary activity

D = Discretionary activity

Activities	Albany Structure Plans: Area A: Environmental Protection Greenhithe Structure Plans: Area A: Mixed Environmental	Area B: Large Lot Residential	Area C: Standard Residential	Area D: Varied Residential	Mixed Use Overlay Area HOUSING
Minor Residential Units in Albany Structure Plans on sites with a minimum net site area of 600 sqm or greater	P D	P D	P D P	P D P	
Minor Residential Units in Albany Structure Plans on sites with a minimum net site area of less than 600 sqm	D	D	D	D	

17A.5 Rules: Structure Plans Controls

17A.5.1 Development Controls

17A.5.1.1 Compliance

All Permitted, Controlled and Limited Discretionary activities in the Structure Plan zones shall comply with the controls listed below.

17A.5.1.7 Maximum Building Coverage

a) Area A: Environmental Protection in Albany Structure Plans:

20% (Subject to Rule 17A.5.1.8); except

For lots 500-1499 sqm on Part Allotment 301 Paremoremo Parish Waitemata SD (9 Lonely Track Road), lot 1 DP 180180 (1008 East Coast Road) and Lot 7 DP 207103 (59 Lonely Track Road): 35%

Area A: Mixed Environmental in Greenhithe Structure Plans:

For lots 1499m² - 500m²: 35%

For lots 3999m² - 1500m²: 20%

For lots 4000m² or greater: 20%

b) Area B: Large Lot Residential: 20% (Subject to Rule 17A.5.1.8)

c) Area C: Standard Residential: 35%

d) Area D: Varied Residential:

i) Sites containing residential unit(s) with a site area of 500m² or more per unit:
35%

ii) Sites containing residential unit(s) with a site area of 499m² or less per unit: -

e) Mixed Use Overlay Area: 50%

17A.5.1.7.1 Control Flexibility

By means of a Limited Discretionary activity application, up to an additional 5% coverage.

17A.5.1.7.2 Explanation and Reasons

The maximum building coverage controls ensure, in areas of larger lots, that the intensity of development is restricted. This provides opportunities for landscaping, the retention of trees, the provision of open space and reduced stormwater runoff.

In the higher density areas the need to achieve a more intensive form of development overrides the need for ensuring a set proportion of open site area.

~~**17A.5.1.8 Minimum Permeable Area (Note: deleted by Plan Change 22 Decision Notice)**~~

~~**a) Area A: Environmental Protection in Albany Structure Plans:** -- 500m² or 15% of the site, whichever is greater, provided that the provisions related to the mitigation, on-site, of the stormwater generated from these impervious areas set out in Rule 17B.6.1.10 (2) can be complied with as if the land was in the Stream Protection A area, and in terms of both water quality and quantity.~~

~~**Area A: Mixed Environmental in Greenhithe Structure Plans:**~~

~~For lots 1499m² - 500m²: 30%~~

~~For lots 3999m² - 1500m²: 30%~~

~~For lots 4000m² or greater:--~~

~~**b) Area B: Large Lot Residential:** Rule 16.6.1.11 shall apply. Rule 17A.5.1.8 shall apply 500m² or 15% of the site, whichever is greater, provided that the provisions related to the mitigation, on-site, of the stormwater generated from these impervious areas set out in Rule 17B.6.1.10(2) can be complied with as if the land was in the Stream Protection A area, and in terms of both water quality and quantity.~~

~~**c) Area C: Standard Residential:** Rule 16.6.1.11 shall apply.~~

~~**d) Area D: Varied Residential:**~~

~~i) Sites containing residential unit(s) with a site area of 500 m² or more per unit:
Rule 16.6.1.11 shall apply.~~

~~ii) Sites containing residential unit(s) with a site area of 499m² or less per unit:
Standard 17A.5.3.7 shall apply.~~

~~**e) Mixed Use Overlay Area:--**~~

17A.5.1.8.1 Control Flexibility

Unrestricted by means of a Limited Discretionary activity application.

17A.5.1.8.2 Explanation and Reasons

~~The maximum impervious area controls are intended to provide opportunities for on-site absorption of stormwater runoff from impervious surfaces such as roofs, paved areas and other hard surfaces and to enhance the visual amenity of the area. Impervious surfaces reduce the ability of the site to absorb rainwater. This can cause an increased volume of stormwater which can damage sensitive streams, and increase the potential for pollutants to be transported into streams and waterways. Relatively small increases in impervious surfaces (between 5 and 15%) can significantly affect stream health.~~

~~Land within Areas A and B feeds into the Lucas Creek, a highly sensitive receiving environment that should, along with remaining natural-state headwaters, remain as a natural watercourse. An emphasis in these areas is placed on on-site stormwater mitigation techniques as being the main form of mitigation, necessary to protect stream water quality and ecological health. Measures such as raintanks, pervious paving, revegetation and raingardens can allow for reasonable levels of impervious surfaces on site while maintaining good stream health. The stormwater management objective for these areas is to achieve hydrological neutrality, which recognises the location of land within the steeper more sensitive environment and the sensitivity of the receiving environment.~~

17A.5.1.8. Maximum Impervious Area (Note: Rule introduced by Plan Change 22 Decision Notice)

All development is subject to compliance with rule 8.4.7 for maximum impervious areas and rule 8.4.8 for on-site stormwater management.

17A.5.2 Additional Controls for Residential Units

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17A.5.2.2 Density

Development of more than one residential unit per site shall comply with Table 17A.3

~~Any additional development rights conferred by Plan Change 32 in the area serviced by Fairview Avenue (see map Appendix 17A/M) shall not be able to be realised until the realignment of Fairview Avenue has been completed.~~

...

17A.5.2.3 Outdoor Living Spaces

a) Area A: Environmental Protection in Albany Structure Plans: -

Area A: Mixed Environmental in Greenhithe Structure Plans: -

b) Area B: Large Lot Residential: -

c) Area C: Standard Residential:

Each residential and where applicable ~~or~~ minor residential unit shall be provided with an outdoor living space which:

- i) is not less than 80m², or for a minor residential unit is not less than 40m² in area; and
- ii) contains no dimension less than 4 metres; and

- iii) is able to contain a circle with a 6 metre diameter within which the maximum gradient shall not exceed 1:5; and
- iv) has no part of it located due south of any part of the unit to which it relates
- v) is conveniently accessible from the dwelling's principal living room
- vi) where a unit does not have its living room at ground level, it shall have:
 - convenient access to the outdoor living space; and
 - a balcony having a minimum area of 10m², with no dimension less than 1.8 metres, such balcony to adjoin and have direct access from the living room of the unit for which it is provided. The living court may be reduced in size in direct ratio to the size of the balcony, by a maximum of 10m².

d) Area D: Varied Residential:

- i) Sites containing residential unit(s) with a site area of 500m² or more per unit: Rule 17A.5.2.3(c) shall apply.
- ii) Sites containing residential unit(s) with a site area of 499m² or less per unit: Refer 17A.5.3.2.

e) Mixed Use Overlay Area:

- i) Developments comprising:
 - residential units at a density of 1 unit/499m² or less
 - a mixed development containing residential unit(s): 17A.5.3.2 shall apply
- ii) All other development: 17A.5.2.3(c) shall apply.

17A.5.2.3.1 Control Flexibility

Unrestricted in nature or extent by means of a Limited Discretionary activity application.

17A.6 Assessment Criteria

17A.6.1 Assessment Criteria for Controlled and Discretionary Activities

17A.6.1.1 Controlled Activities

All Controlled activities must comply with the relevant rules of the Plan. In addition, the Council may impose conditions in respect of the following:

- i) Matters specified in Sections 108 and 220 of the RMA.
- ii) Within ~~Area B~~, Area C and Area D, but excluding sites containing residential unit(s) with a site area of 499m² or less per unit:
 - any relevant criteria specified in Section 16.7.2 and Section 16.7.3.
- iii) For any sites with a density of 1 unit/499 m² or less (area per unit) in Area D:
 - criteria specified in Section 16.7.3.6 and Section 17A.6.4.
- iv) Within Area A and B:
 - any relevant criteria specified in Section 18.7.
- v) Within Mixed Use Overlay Area:
 - For any development for residential units at a density of 1 unit/499 m² or less (area per unit):
 - criteria specified in Section 16.7.3.6 and Section 17A.6.4.
 - For any activity or development falling within the Business category of Table 17A.1:
 - criteria specified in Section 15.7.1.1 and Section 15.7.1.6.
 - For any activity or development falling within the Services and Facilities category in Table 17A.1:
 - criteria specified in Section 16.7.2 and Section 16.7.3.

17A.6.1.2 Discretionary Activities

Without restricting the exercise of its discretion to grant or refuse consent or impose conditions, the Council will have regard to the following when considering any application

under Sections 104 and 104B of the RMA:

i) Within Area C and Area D, but excluding any sites containing residential unit(s) with a site area of 499m² or less per unit:

- assessment criteria specified in Section 16.7.2. and Section 16.7.3.

ii) For any sites containing residential unit(s) with a site area of 499 m² or less per unit:

- assessment criteria specified in Section 16.7.3.6 and Section 17A.6.4.

iii) Within Area A and B:

- In respect of any relevant criteria specified in Section 18.7.

iv) ~~Within Area B:~~

~~-assessment criteria specified in Section 16.7.2, Section 16.7.3 and Section 17A.6.1.~~

17A.6.1.3 Infrastructure

17A.6.1.3.1 Albany Structure Plans:

1) Stormwater

The design and layout of any subdivision should ensure that the site is capable of achieving full stormwater mitigation on site. The following principles should apply to the selection and design of on-site stormwater techniques:

The natural drainage patterns of the site should be retained wherever possible.

(i) There should be no direct piping of stormwater discharges to streams.

(ii) Modifications to natural watercourses should be avoided.

(iii) No stormwater works should be undertaken on steep or unstable slopes.

(iv) Runoff from the street should be discharged into the primary stormwater system and not to the street.

(v) Runoff from residential driveways and parking areas should, where practicable, enter the primary stormwater system via a sump to trap silt and floatable debris.

(vi) Development should involve a combination of:

a. Water reuse with 'dual purpose' rainwater tanks. These tanks and their associated plumbing should be designed for stormwater peak flow attenuation and rainwater reuse by the dwelling. In general, tank sizes should comply with the sizes set out below:

<u>Roof area (Square metres)</u>	<u>Rain Tank Size</u>
<u>Up to 100 sqm</u>	<u>4,500 litres</u>
<u>Over 100 – 250 sqm</u>	<u>8,500 litres</u>
<u>Over 250 – 350 sqm</u>	<u>13,500 litres</u>
<u>Over 350 sqm</u>	<u>Specific design is required</u>

b. One or more of the following methods to mitigate stormwater generated by other hard surfaces (e.g. driveways, paths, patios, decks)

- Revegetation planting
- Swales and depression landscaping
- Dispersion into vegetative filters
- Dispersal trenches

c. Communal stormwater treatment devices servicing multiple lots

(vii) Appropriate ongoing maintenance and management systems should be arranged.

2) Sewage

i) The Council must be satisfied that adequate provision has been made for the disposal of sewage ~~and stormwater~~, having regard to the size of the site and its ability to accommodate on-site sewage disposal sufficient for the proposed level of occupation.

ii) A covenant capable of registration under the Land Transfer Act 1952 and approved by Council should be registered against the title of every site with on-site wastewater treatment systems to ensure the efficient future functioning and ongoing maintenance of the system and

requiring the property owner to enter into a programmed maintenance contract to Council's satisfaction.

iii) The design and layout of subdivision should ensure that each site is capable of on-site disposal of wastewater as an interim solution until such time as it is possible to connect to the public wastewater network.

17A.6.1.3.2 Greenhithe Structure Plans:

The Council must be satisfied that adequate provision has been made for the installation and operation of utility services, including sewage, stormwater and electricity, having regard to the size of the site and its ability to accommodate on-site utility services sufficient for the proposed level of occupation.

Changes to North Shore City District Plan Zoning Maps Resulting from the Consideration of the Submissions

Alter the District Plan Maps (Maps 6, 7, 12 & 13) in accordance with the following:

Changes to District Plan Maps

CDL (29, 40A & 42 Kewa Road) – rezone to mix of Area B & Area C, [Appendix 17A/L](#)

Perkinson (193A Gills Road) – rezone from Area A to Area B

Add “Significant Landscape Features” to Designations and Special Provisions Maps for Albany SP

Changes to Neighbourhood Unit Plans in Appendix 17A

Add the following note to:

Appendix 17A/B Neighbourhood Unit Plan Area C, Albany; and

Appendix 17A/D Neighbourhood Unit Plan Area F, Albany

Note:

“The zone boundaries for the Area A and B zones have changed. Refer to the District Plan Maps”.

Changes to Neighbourhood Unit Plans

Perkinson – amend the local street to reflect the subdivision of 233 Lonely Track Road & show local access street from the boundary of 121 Gills Road extending across 181 & 185 Gills Road to the boundary of 193A Gills Road.

Changes to Section 32 Report

See the decision on the ARC submission 1.10 for changes

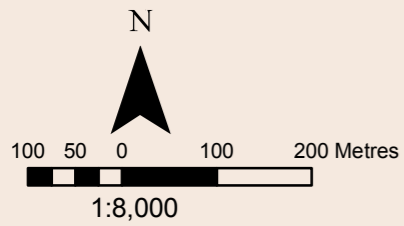
Recommendations by the Hearing Commissions which Lie Outside Plan Change 32:

1. A further plan change be prepared to introduce a rule stating:




“The proposed roads shown on the Structure Plan Maps shall be generally provided in accordance with the alignments shown”.

2. A submission be made to the City Plan/LTCCP by the Albany Community Board and/or its successor under the Auckland Super City to bring forward the funding for Fairview Ave alignment.

Changes to Planning Maps - Zones arising from Plan Change 32 Decision

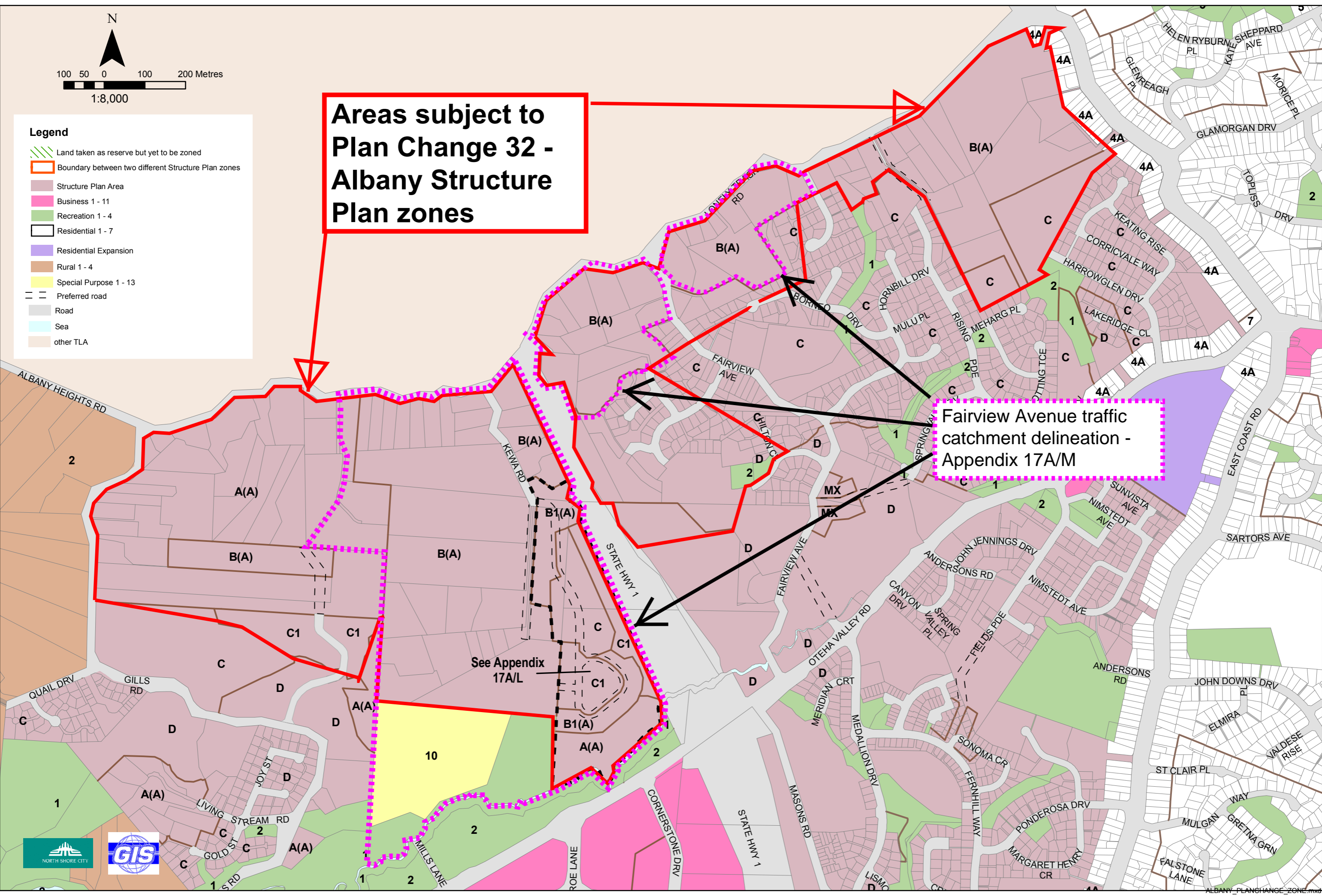


Legend

-  Land taken as reserve but yet to be zoned
-  Boundary between two different Structure Plan zones
-  Structure Plan Area
-  Business 1 - 11
-  Recreation 1 - 4
-  Residential 1 - 7
-  Residential Expansion
-  Rural 1 - 4
-  Special Purpose 1 - 13
-  Preferred road
-  Road
-  Sea
-  other TLA

Areas subject to Plan Change 32 - Albany Structure Plan zones

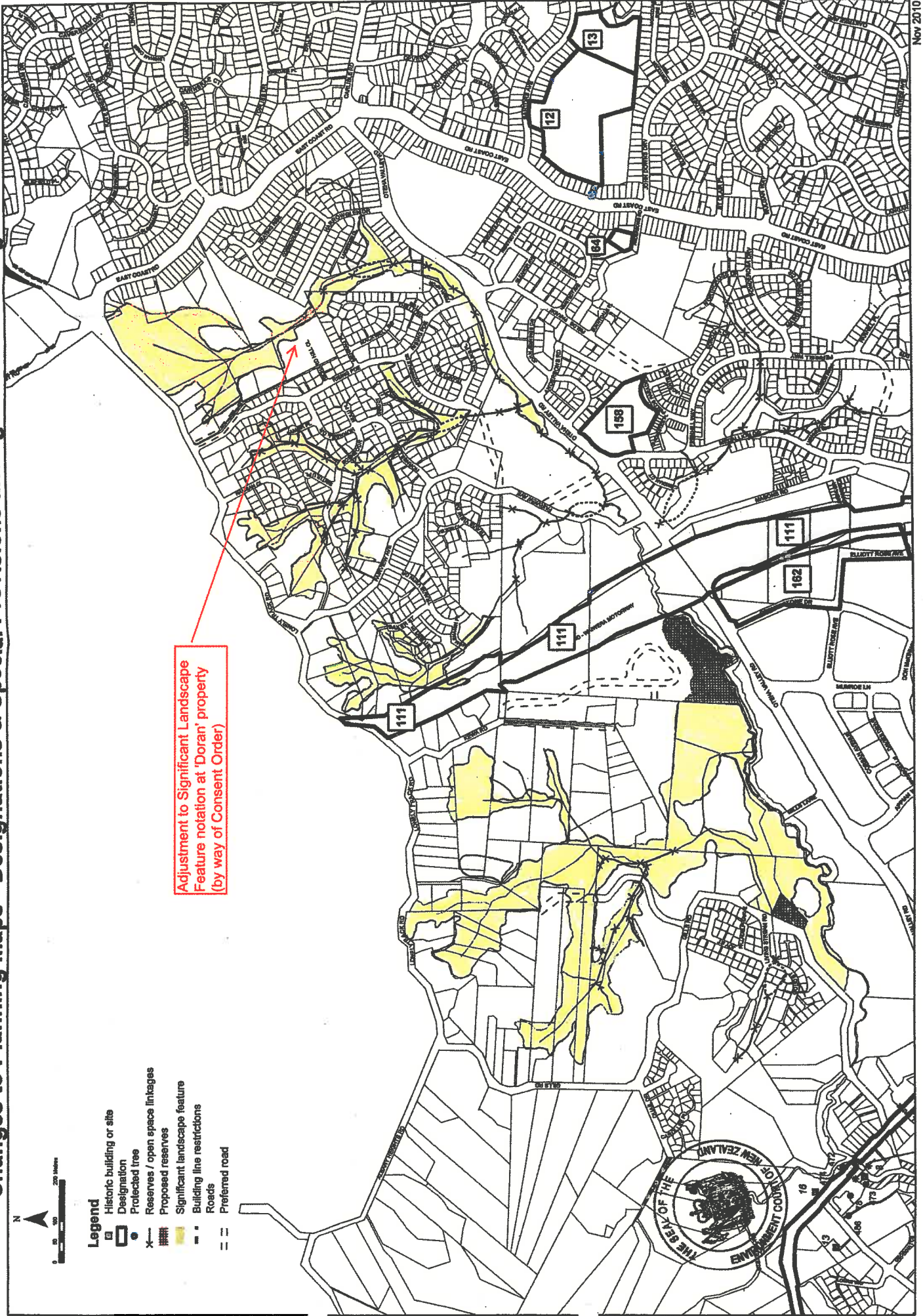
Fairview Avenue traffic catchment delineation - Appendix 17A/M

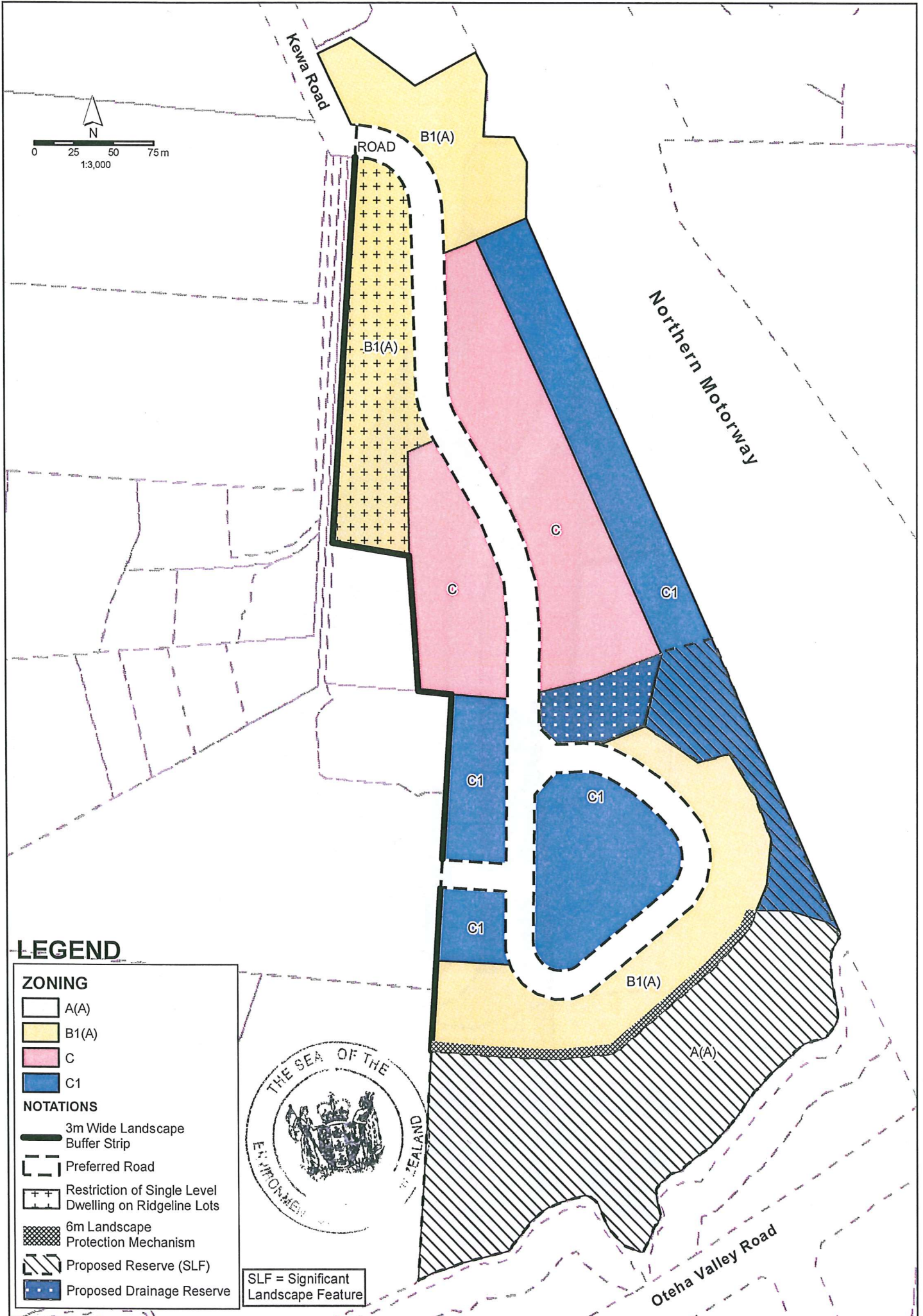


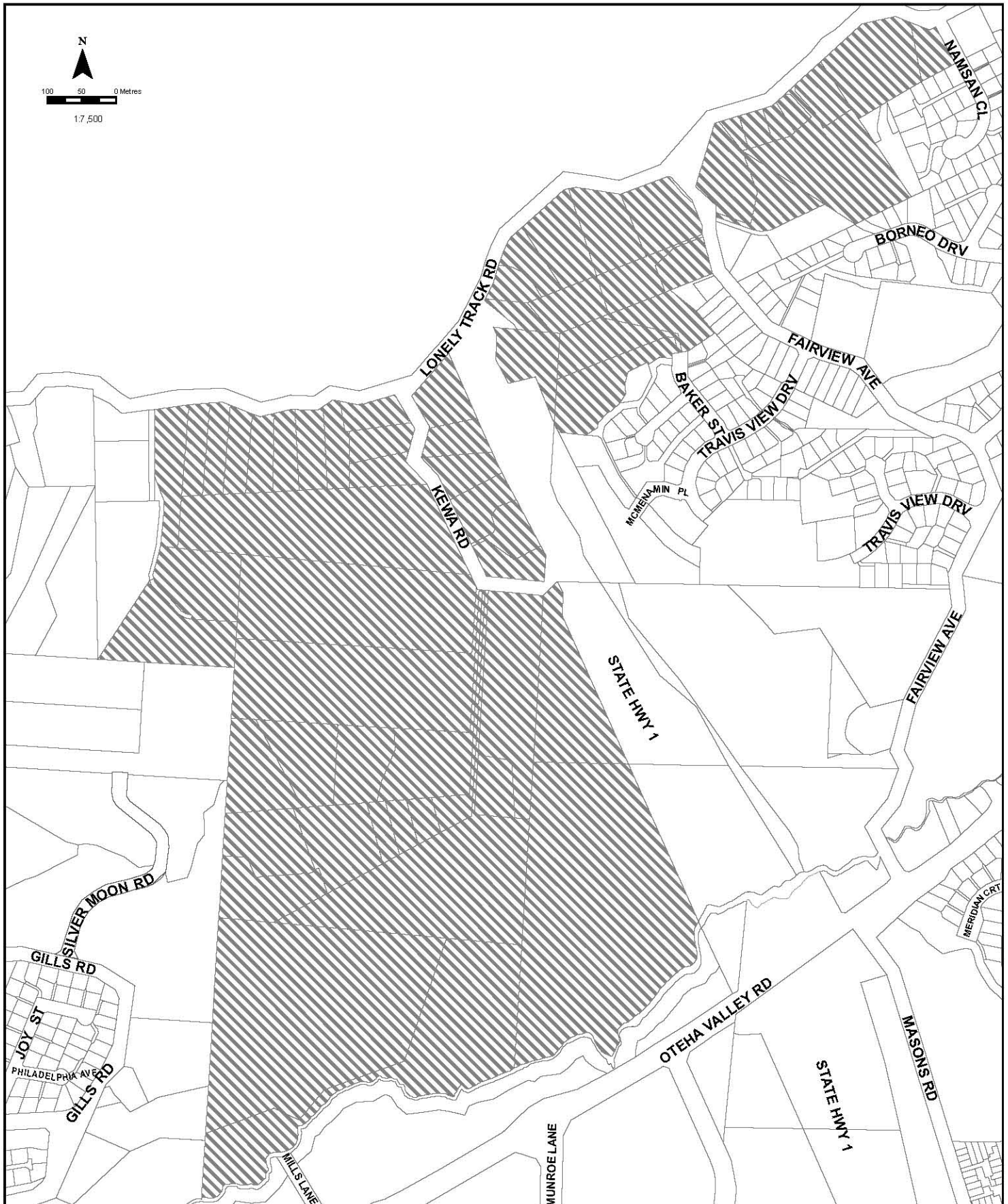
See Appendix 17A/L



Changes to Planning Maps - Designations & Special Provisions arising from Plan Change 32 Decision







Legend

-  Fairview Avenue Catchment