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17. Urban Expansion

17.1 Introduction

This section deals with land which is intended to accommodate future urban expansion. It includes land which will accommodate future residential growth and which is zoned Residential Expansion, and a small area adjacent to the proposed Albany Centre, zoned Albany Centre Expansion zone.

In developing objectives, policies and methods for Urban Expansion, regard has been given to the provisions of the Resource Management Act 1991 (RMA), including:

- ⇒ *Section 5:* The sustainable management purpose of the RMA
- ⇒ *Section 6:* All matters listed
- ⇒ *Section 7:* The efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, maintenance and enhancement of the quality of the environment
- ⇒ *Section 8:* Treaty of Waitangi

The most significant provisions of the RMA in so far as it relates to planning for urban expansion are those which require environmental values to be maintained and protected. In addition, regard has been given to the *Auckland Regional Policy Statement*. The *Auckland Regional Policy Statement* defines the boundaries of the Auckland urban area to exclude Okura as part of its strategy of seeking to confine the growth of Auckland. Long Bay has been incorporated within the Residential Expansion zone of the District Plan in accordance with this Plan's strategy of providing for the growth of the city, both on the periphery and within the existing urban area, in a manner which will protect environmental and amenity values. *Section 6* of the Plan defines the goals for enabling and promoting the purpose of the Resource Management Act 1991 of which a number are relevant for this section, including those relating to Built Environment, Natural Environment, Ease of Movement, Community Well-being, Employment and Economic Growth.

17.2 Urban Expansion Issues

The major resource management issues which affect land for residential expansion and which must be addressed in the objectives and policies of this section are:

- *How to ensure that at a macro level an effective framework for development is provided for areas which are to be urbanised, with comprehensive and integrated planning of the location and provision of elements such as main roads, schools, major reserves, community focal points, utility services and bush protection*
- *How to ensure that new residential development proceeds only when provision has been made for utility services in a cost effective and environmentally acceptable manner*
- *How to ensure that land is set aside for the provision of schools and other services and activities required by the community, in order to achieve the cost-effective provision of these facilities, while also ensuring good access to them for the community*
- *How to protect environmental, landscape and cultural values in newly developing areas*
- *How to ensure that development reflects the capacity of the existing landform without the need for significant modification*
- *How to ensure the locational integration of all activities in a manner which will facilitate and encourage convenient and safe access between major activities such as housing areas, local shops, schools and recreational facilities by pedestrians,*

cyclists and public transport, as well as by private motorists

- *How to ensure that development facilitates the creation of a sense of community*
- *How to ensure that development is planned, not on the basis of existing lot boundaries, but with regard to all other land which logically forms part of the same topographic/catchment unit*
- *How to ensure that the future development options for land located adjacent to the Albany Centre and Albany Village are not inappropriately compromised.*

In the past, expansion of residential areas on the city's periphery has occurred without comprehensive planning and at considerable cost to environmental values. These areas have often lacked easy and convenient access to services such as schools, shops and recreational facilities and frequently the needs of pedestrians and cyclists have been poorly addressed.

Continued development of new residential areas in a similar manner to the past is no longer acceptable to the community. Nor is it in accordance with the sustainable management principles of the RMA. Therefore the challenge in the District Plan is to develop a system for regulating the development of new residential areas which will provide a comprehensive framework for development with locational integration of all major activities, which has regard to, and reflects existing landscape and natural values.

17.3 Urban Expansion Objective and Policies

17.3.1 Development Control

Objective

To ensure that activities and development within the zones do not compromise future urban development or detract from the environmental, landscape, cultural or general amenity values associated with the area.

Policies

1. By limiting the range of permitted activities included in the zones.
2. By allowing some additional activities to be established provided that the activity:
 - i) Will not compromise the logical and efficient development of the future urban area;
 - ii) Will be compatible with future urban development having particular regard to factors such as appearance and generated effects;
 - iii) Will not, in its establishment or operation, significantly detract from environmental landscape or amenity values; and
 - iv) Is located where satisfactory effluent disposal can be provided.
3. By imposing building development controls which will maintain the spacious rural character, ensure that the natural environment rather than the built form is dominant, and protect neighbours' privacy.

Methods

- Policies 1-3 will be implemented by rules.

Explanation and Reasons

The optimum development potential of land identified for future urban purposes can be easily compromised by inappropriate subdivision or development during this intermediary stage. For this reason, activities are closely controlled with generally only rural activities included as Permitted activities, thereby ensuring that an efficient and logical pattern of future development is achieved. A wider range of activities has been included as Discretionary activities, as the associated application procedure enables the Council to fully examine the implications of any proposal. Of particular concern is the need to ensure that any proposal will not compromise future urban development, and that

satisfactory provision has been made for effluent disposal, which potentially could include a package treatment plant. Development activities such as clearing of stands of remnant and regenerating native bush and earthworks are also controlled to ensure that the intrinsic environmental values currently within undeveloped areas are recognised and protected, adding significantly to the character and amenity of the area when it is developed.

Expected Environmental Results

- Protection of the intrinsic environmental and landscape values associated with undeveloped areas, as measured by a five-yearly Urban Expansion zone land use survey
- Retention of these areas as attractive semi-rural lifestyle environments during the interim stage prior to development, as measured by a five-yearly Urban Expansion zone land use survey
- Establishment of interim activities that will not compromise future urban development opportunities, as measured by a five-yearly Urban Expansion zone land use survey.

17.4 Urban Expansion

17.4.1 Residential Expansion Zone

Objective

To enable the extension of the urban area to occur in a manner that responds to the environmental constraints and opportunities associated with the land and enables the efficient use of natural and physical resources.

Policies

1. By applying the zone to land which will accommodate residential growth on the periphery of the existing residential area during the period of the next two to 20 years as an intermediate stage prior to full urban zonings.
2. By not providing for subdivision until a Structure Plan has been completed for the land.
3. By utilising a structure planning process to achieve a comprehensive and environmentally responsive approach to development.
4. By the Council, or a developer in conjunction with the Council, preparing a Structure Plan formulated with detailed consultation with landowners, the public and interested or affected organisations which:
 - a) Will provide a comprehensive framework for development recognising existing environmental, landscape, cultural and general amenity values.
 - b) Will facilitate the development of convenient and safe neighbourhoods for future residents.
 - c) Will facilitate the creation of residential neighbourhoods with distinct identities which are designed to meet residents' requirements, particularly for attractive, convenient and safe neighbourhoods.
 - d) Recognises that development should reflect the capacity of the existing landform without the need for significant modification.
5. By the Council determining the boundaries of Structure Plans having regard to:
 - a) The likely community of interest, topographic features, primary roading and open space network.
 - b) Utility servicing considerations, notably water and sewerage.
 - c) The likely timing for development completion.

- d) The Stormwater Management Area, constraints on the stormwater network, and sensitivity of the receiving environment.
6. By the Council, as part of the Structure Planning process, initiating discussions with agencies who are responsible for the provision of services and facilities such as schools, health services and public transport, to ensure that adequate provision is made for these activities.
7. By incorporating the essential components of the completed Structure Plan into the District Plan by a Change to the Plan.
8. By requiring that every Structure Plan comprises two parts, being:
 - a) A Land Analysis Background Report which provides a comprehensive analysis of the land's physical, environmental, cultural and landscape features.
 - b) A Development Concept which directly relates to the findings of the Land Analysis Background Report.
9. By utilising the Structure Planning process to ensure that development within the Residential Expansion zone occurs either adjacent to existing communities or in units of sufficient size to create a community with associated services (minimum area, approximately 50 hectares).

Methods

- Policies 1-9 will be implemented by Structure Plans and rules.

Explanation and Reasons

Whilst the land which has been included within the Residential Expansion zone includes areas of quite varied and distinct topography (for example, the semi-enclosed, bush-clad valleys of Greenhithe are markedly different from the expansive rolling grassland hills of Long Bay, large areas of which enjoy panoramic sea views), the area in general has been identified as being suitable for future urban development in terms of environmental effects and the ability to adequately service the areas.

*Prior to urbanisation, the Council will prepare a Structure Plan which shall coordinate development for the next 2-20 years for each distinct area within the Residential Expansion zone, e.g. Albany, Greenhithe and Long Bay. Structure Plans are required to identify environmental constraints and opportunities and to utilise these to provide a broad framework for development within an area undergoing urbanisation. The Structure Plan is required to identify major roads, reserves, local shops, the density of development, and how provision is to be made for major services. It may also identify school sites and other community facilities. It is to be prepared in accordance with the design principles contained in **Rule 17.5.5**. The principles relate to a range of matters including:*

- i) The protection of the natural environment.*
- ii) Reserve network.*
- iii) Identity.*
- iv) Roading.*

The most important design principle is that development should reflect the capacity of the existing landform without the need for significant modification.

An important component of Structure Plan preparation will be consultation with landowners and existing communities in order to ensure that their needs and concerns are considered and that appropriate provisions are in place to enable communities to meet their needs. The process of preparing the Structure Plan will also enable the relevant agencies to be involved in the process of urbanisation at an early stage. This will provide opportunity for those agencies to acquire land for the provision of schools and other services and facilities required by the community, in a cost-effective manner, whilst also ensuring good access to them for the community.

The Structure Plan process provides an opportunity to ensure that existing environmental, landscape, cultural and amenity values are recognised and protected as appropriate.

One of the outcomes sought in the newly urbanised areas is the creation of residential neighbourhoods that are convenient, attractive, distinct and safe. Activities which serve the residential area such as schools, shops, sports areas and community facilities may be provided for and linked by a safe and convenient network of roads, cycle and pedestrian routes. The process also seeks to avoid development that results in the loss of existing features and values associated with an area and consequently new areas lacking identity or having a 'sameness' about them.

Expected Environmental Results

- Maintenance of large lot subdivision pattern enabling good opportunities in the future for the development of an efficient pattern of residential development, as measured by a five-yearly Residential Expansion land use survey
- New residential neighbourhoods with distinct character and amenity, as measured by a biennial assessment of compliance with Structure Plans and by five-yearly resident surveys
- Maintenance of physical, cultural, environmental and landscape features, as measured by five-yearly Urban Expansion zone land use surveys
- Convenient and safe locations for community facilities within neighbourhoods, as measured by five-yearly resident surveys and five-yearly Urban Expansion zone land use surveys
- Opportunities for the Council and any network utility operators to anticipate and plan for servicing requirements in a cost-effective manner, as measured by five-yearly assessment of consultation with network utility operators and Council staff
- Opportunities for the establishment of support facilities such as schools, shopping centres, health services and public transport in conjunction with residential development, as measured by five-yearly Urban Expansion zone land use surveys
- Variety of development densities within new areas, as measured by five-yearly Urban Expansion zone land use surveys
- Children able to independently travel safely and easily to major destinations such as schools and recreation areas, as measured by five-yearly resident surveys.

17.4.2 Albany Centre Expansion Zone

17.4.2.1 Future Development

Objective

To retain options for the future development of land which is strategically located adjacent to the Albany Centre and the Albany Village.

Policies

1. By applying an Albany Centre Expansion zone to the land which has been identified for future development in association with the Albany Centre and the Albany Village, in order to provide an intermediate stage prior to the preferred development option for this land being finalised.
2. By excluding subdivision from this zone.

Methods

- Policies 1 and 2 will be implemented by rules.

Explanation and Reasons

This zone applies to a 34-hectare area of land in the northeastern quadrant of the Albany Centre situated generally between the Oteha Valley Road, the proposed Ring Road and the proposed Northern Motorway and is a deferred development zone. Its application to land within the Albany Centre is to ensure its availability to meet future needs for

expansion in the Albany Centre and in particular, to be available to accommodate those uses which can establish a priority claim for land at this strategic location. The uses likely to meet these criteria could range from an additional demand for commercial activities which locate on the fringe of major retail and business centres, through new technology uses to special residential, educational, medical, cultural and recreational uses which have an association with the Albany Centre, the University or Stadium. Since it is difficult to predict the demand for these uses in advance, the provision of a deferred development zone on this land provides the necessary flexibility to respond to these needs in the future.

Similarly, the application of this zone to a small area near the Albany Village is on the basis of keeping land available to meet future needs. One of the options under consideration for this land involves a possible service lane linkage for the Albany Village.

Expected Environmental Results

- Strategically located land retained for future expansion needs, as measured by a five-yearly Albany Centre Expansion zone land use survey.

17.4.2.2 Urban Layout

Objective

To provide for an orderly and logical transition of this land to its final and most appropriate form of development as determined by the environmental characteristics of the land and the advantages of its location.

Policies

1. By requiring that an Urban Development Plan be prepared and approved for this land and that it provide for special types of activities which benefit from the good highway visibility and accessibility of the land and its proximity to the Albany Centre, Massey University and the North Shore Domain/Sports Stadium, prior to any rezoning of the land.
2. By using the preparation of an Urban Development Plan to ensure that comprehensive, environmentally responsive urban development is achieved.
3. By ensuring that any Urban Development Plan for the land in the northeastern quadrant of the Albany Centre:
 - i) Gives effect to the Albany Centre Structure Plan and Design Requirements and associated objectives and policies.
 - ii) Results in a roading network which will facilitate an efficient flow of traffic and in particular avoids any factors that would impede traffic flow to or from the Oteha Valley Road intersection with the Northern Motorway and ensures that major traffic generating activities are well served by the intended roading network.

Methods

- Policies 1-3 will be implemented by rules.

Explanation and Reasons

Requiring an Urban Development Plan to be prepared for the future development of this land will ensure that development occurs in a comprehensive and environmentally responsive manner and allows particular consideration to be given to a number of important factors such as the relationship of development on this land to the Albany Centre, the University and the Stadium, the roading network, and where appropriate, the implementation of the relevant aspects of the Albany Centre Structure Plan and Design Requirements.

Expected Environmental Results

- A pattern of development which reflects the values, characteristics and advantages associated with this land, as measured by five-yearly Albany Centre Expansion zone land use surveys.

17.5 Methods: Structure Plans

17.5.1 Preparation

The Council, either by itself or in conjunction with a developer, will prepare a Structure Plan for each of the following areas:

- Greenhithe/Schnapper Rock Road
- Long Bay
- South of Oteha Valley
- North of Oteha Valley (west of motorway)
- North of Oteha Valley (east of motorway).

17.5.2 Incorporation into Plan

The Council will initiate a Plan Change or Variation to incorporate the Structure Plan into the District Plan and change the zoning of the affected land.

17.5.3 Consultation

In addition to the requirements relating to consultation contained in Clause 3 of the First Schedule of the RMA, prior to adopting the Structure Plan and publicly notifying the proposed Change, the Council will consult with the following parties, as far as practicable, in order to obtain additional information about the area and to gauge views on the future form of development and its servicing requirements:

- Landowners
- Iwi
- Heritage organisations and community groups
- Affected community
- Network utility operators
- Adjoining local authorities
- Auckland Regional Council
- Interested Government departments
- Passenger transport operators.

17.5.4 Contents of Structure Plan

17.5.4.1 Land Analysis Background Report

The Structure Plan will be prepared with regard to the findings of a Land Analysis Background Report comprising information on the following matters:

1. Physical Characteristics:
 - Subdivisional and land ownership pattern
 - Existing roading pattern
 - Contours (2 metre intervals)
 - Areas subject to natural hazards including instability, inundation and flooding
 - Basic geotechnical analysis.
2. Environmental Values:
 - Streams and associated vegetation
 - Native bush and mature trees

- Areas of ecological or wildlife significance including riparian margins
 - The coast and any associated features, including cliffs, mangroves and salt marshes.
 - The on-site stormwater management requirements for different activities within the area having regard to constraints on the stormwater network and sensitivity of the receiving environment.
3. Cultural Features:
 - Location of existing nodes of development, including community, commercial or recreation activities
 - Archaeological analysis and waahi tapu.
 4. Infrastructure:
 - Location of bulk services and significant network utility services.
 5. Landscape:
 - An assessment by a Landscape Architect which identifies those features or aspects of the land which contribute most significantly to the area's character and which could provide a framework for urbanisation.

17.5.4.2 Structure Plan

The Structure Plan will directly relate to the findings of the Land Analysis Background Report, and will:

- i) Provide for any particular matters which are relevant to the area, including (but not exclusively) those contained in [Appendix 17A](#) to this Section.
- ii) Define the main road access points and main roading pattern, and the location of major pedestrian and cycle routes.
- iii) Identify in an indicative manner critical roads in areas of high environmental sensitivity.
- iv) Identify in an indicative manner the proposed location of major activities such as schools, reserves (excluding neighbourhood reserves), local shops, and small business areas.
- v) Identify future reserve areas where existing vegetation should remain, including potential ecological corridors.
- vi) Apply the relevant zonings or development densities to the land.
- vii) Provide an indicative location of any large scale stormwater management devices such as stormwater ponds.
- viii) Identify the 1% AEP flood plain and overland flow paths to be protected at the time of subdivision.

17.5.5 Design Principles

The Structure Plan will be developed in accordance with the following principles:

1. Natural Environment

Natural environmental values should be protected by:

- i) Ensuring that the location of roads and non-residential activities, and the residential zoning or density reflect the capacity of the existing landform without the need for significant modification.
- ii) Ensuring that the location and density of development can be achieved with a level of earthworks which will have minimum impact on the environment.
- iii) Seeking to protect all significant trees and areas of bush on the land by inclusion in recreation reserves, road reserves and within large lots.

2. Reserve Network

A reserve network should be identified in a manner that:

- i) Incorporates important natural features, provides habitat areas and ecological corridors.
- ii) Contributes to the identity and amenity of the area.
- iii) Assists in the development of reserve linkages.

3. Identity

A residential area with a strong identity should be proposed by:

- i) Responding to the land's natural characteristics, setting, landmarks and views in the design and layout of the Structure Plan elements.
- ii) Enabling the grouping together of reserves, community facilities, local shops and small scale business areas to create a sense of place or identity for the neighbourhood.

4. Roading

The location and alignment of key roads, major cycle and pedestrian routes, should be designed to:

- i) Provide safe and convenient access throughout the residential area and into adjacent areas, in particular to provide linkage to activities within or near the residential area, including local shops, schools, reserves and places of community or employment significance.
- ii) Maximise public transport accessibility and efficiency.
- iii) Facilitate safe and convenient walking and cycling to daily activities.

5. Stormwater Management

By ensuring stormwater management is an integral component of overall catchment and/or site development (or redevelopment). The location, design and function of stormwater management techniques should be designed in accordance with Rule 8.4.8 in response to the relevant Stormwater Management Area and:

- i) Provide an integrated and comprehensive approach to land development that recognises the importance of considering stormwater management from the beginning of a development process, including the design of subdivision to minimise impervious surfaces and protect natural areas through land use and development controls:
- ii) Consider the impacts of land use on stormwater quantity and quality.
- iii) Protect the integrity of the 1% AEP flood plain and overland flow path.
- iv) Protect and enhance the ecological value of riparian areas.
- v) Protect and enhance aquatic ecosystems.
- vi) Minimise the effect of stormwater contaminants, increased flows and volumes and increased stormwater temperatures on streams and the marine receiving environment.
- vii) Facilitate multiple objectives where appropriate, including provision of recreational facilities and protection of significant natural and physical resources.
- viii) Minimise the amount of impervious areas.

17.5.6 Additional Principles for Long Bay Structure Plan

In addition to the principles specified in Rule 17.5.5, the Long Bay Structure Plan will be developed in accordance with the following additional principles:

- 1. Protect habitat values and water quality generally within the Long Bay area and in

particular within the sediment deposition zones in the Okura Estuary by a range of methods, including restrictive zoning, stormwater quality detention and treatment ponds (during and after development), and the provision of an extended buffer area along the estuary margin.

2. Recognise and protect the ecological values of the Long Bay/Okura Marine Reserve.
3. Provide for avoidance and/or mitigation of adverse landscape and visual effects of development on the Long Bay Regional Park.
4. Incorporate in the Structure Plan the esplanade reserve requirements resulting from the Council's Coastline Survey so that esplanade reserves can be acquired when subdivision occurs and a coastal walkway (Crimson Walkway) created.
5. Enhance public access to the coast through the provision of pedestrian, cycle or road access to the coast and estuary.
6. Maximise the recreational opportunities of the area by ensuring that esplanade reserves, sports fields, neighbourhood reserves and scenic bush reserves are provided for.
7. Use the results of landscape and ecological surveys to determine the carrying capacity of the land in order to manage, in a sustainable and environmentally sensitive manner, the impact of human activity in the area.
8. Protect significant landscape and ecological values of the area, on the basis that such protection may involve appropriate zoning and/or land purchase.
9. Exclude areas of significant vegetation from further development.
10. Incorporate means of ameliorating the visual impacts of development by controlling the location and design of housing, roading and services.

The purchase of land to expand the Regional Park may be an appropriate action for helping achieve the above.

17.6 Rules: Albany Centre Expansion Zone

17.6.1 Development Process: Conversion of Land Zoned Albany Centre Expansion to Urban Development

Land zoned Albany Centre Expansion may be developed for urban purposes when the requirements and procedures in the following rules have been completed in respect of that land:

- a) An Urban Development Plan has been prepared and incorporated into the District Plan for either a part of or the whole of the zone.
- b) A rezoning of the land to an appropriate zoning has been undertaken.

17.6.2 Urban Development Plan

17.6.2.1 Information Requirements

The Urban Development Plan shall include the following information:

- The location and design of access into the zone from the surrounding road network
- The location and design of internal roading, parking areas and parking buildings, service access, pedestrian links, cycleways and of public transport routes and infrastructure and their linkages to pedestrian routes
- The location of all existing significant trees or groups of trees, notated according to whether they are to be retained or removed
- The location of any streams or waterways, and the extent of the riparian margin
- The extent of proposed earthworks including details of both natural and finished levels

- The location and arrangement of specific activities together with the appropriate zonings
- The location of proposed site boundaries
- The type of design, height, bulk, massing, materials and finish of all proposed buildings
- The density, if residential development is incorporated
- The likely staging of the development
- A plan detailing the proposed landscape concept
- The integration of the development with the adjoining land and development including the nominated reserves and with the Albany Centre and wider community
- The implementation of the relevant portions of the Albany Centre Structure Plan and Design Requirements.
- The location and extent of natural flooding hazards (including flood plains, overland flow paths and coastal inundation areas).

17.6.2.2 Procedural Requirements

The Urban Development Plan shall be prepared by either Council or a landowner and shall be incorporated into the District Plan by way of a Plan Change or Variation.

The applicant shall provide evidence of consultation in the preparation of the Urban Development Plan. The views, if any, of those parties consulted shall form part of the application to Council. As far as appropriate and practicable, the following parties shall be consulted:

- North Shore City Council
- Affected landowners
- Iwi
- Heritage organisations and interested community groups
- Network utility operators
- Auckland Regional Council
- Interested Government departments
- Passenger transport operators.

Where, in accordance with Part II of the First Schedule of the RMA, an Urban Development Plan is proposed as a private Plan Change (i.e. is promulgated by a landowner, rather than the Council), the Council will seek to ensure that the proposal complies with the provisions of [Rule 17.6.2.1](#) and the relevant objectives and policies. The Council may itself object to a Plan Change, amend the Change through the hearing of objections process, or may require that the Plan Change be abandoned.

17.7 Rules: Activities - Urban Expansion Zones

17.7.1 Determination of Activity Status

[Table 17.1](#) that follows specifies the activities which have Permitted, Controlled, Limited Discretionary, Non-Complying or Prohibited status within the zones. The status of any activity may change according to rules contained 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*
- *N/C* = *Non-Complying activity*
- *PR* = *Prohibited activity*

Table 17.1 Activities		
Activities	Residential Expansion Zone	Albany Centre Expansion Zone
HOUSING		
Residential Units, not exceeding 1 per site	P	P
Minor Residential Units on sites with a minimum net site area of 600sqm or greater	P	P
Minor Residential Units on sites with a minimum net site area of less than 600sqm	D	D
Boarding Houses and Residential Care Centres, for up to 5 persons	C	C
SERVICES AND FACILITIES		
Home Occupations	P	P
Home Occupations which do not comply with provisions of Rule 17.8.3.2	D	D
Childcare Centres for:		
a) Up to 5 children	P	P
b) 6-10 children	C	C
Commercial Breeding or Boarding Establishments for Animals	D	D
Community Buildings and Facilities	D	D
Dairies not exceeding 100m ²	D	D
Garden Centres	D	D
Golf Courses	D	C
Guesthouses	D	D
Health Care Centres		
a) Health Care Centres staffed by not more than 1 Health Care Provider at any one time	C	C
b) Health Care Centres, staffed by not more than 2 Health Care Providers at any one time	D	D

Table 17.1 Activities		
Activities	Residential Expansion Zone	Albany Centre Expansion Zone
Private helipads and helicopter landing areas for private use provided that such sites shall be located within the areas shown in Appendix 12F to this plan and provided further that this shall not preclude the use of any land for helicopter landing for emergency, rescue, paramedical, fire fighting, police or similar purposes nor, where the approval of the Civil Aviation Division has been obtained, for the following purposes: aerial construction work; special events such as school galas; public meetings and the like; and news filming. The use of any land for helicopter landing for the specific purposes listed above shall be a Permitted activity	D	N/C
Travellers' Accommodation	D	N/C
Riding Trails and Horse Jumping Courses	P	P
FARMING		
Pastoral Farming	P	P
Horticulture	P	P
Glasshouses less than 50m ²	P	P
Glasshouses in excess of 50m ²	D	D
Sale of Produce Grown on the Property, provided that the stall is not located on a State Highway or other arterial road identified on Appendix 1 to the District Plan maps	C	C
Sales of Produce Grown on the Property not otherwise permitted	D	D
ACCESSORY BUILDINGS		
Accessory Buildings not exceeding 50m ² GFA	P	P
Accessory Buildings not otherwise provided for in this table	LD	LD

Table 17.1 Activities		
Activities	Residential Expansion Zone	Albany Centre Expansion Zone
SUBDIVISION		
Subdivision	N/C	PR
LPG		
Domestic LPG facilities with a capacity or a combined capacity not exceeding 100kg	P	P
Domestic LPG facilities with a capacity or a combined capacity between 100kg and 250kg	C	C

17.8 Rules: Urban Expansion Controls

17.8.1 Compliance

All Permitted and Controlled activities in the urban expansion zones are subject to the controls listed below. An element of flexibility is provided in respect of some of the controls, as a Limited Discretionary activity.

17.8.2 General Development Controls

17.8.2.1 Maximum Height

Permitted and Controlled activities: 8 metres

Special Height Restriction:

- a) RNZAF Airbases - Refer to [Rule 14.10.1](#).
- b) Dairy Flat Airfield -Refer to District Plan Map 3.

Control Flexibility

Up to 9 metres by means of a Limited Discretionary activity application.

Explanation and Reasons

Building height can have a dramatic effect on amenity. Buildings which are out of scale with their surroundings can overshadow and visually dominate other buildings, private property, public open space and the street. By controlling height, a degree of protection is also provided for views. The 8 metre height limit is intended to retain the scale of existing development. Although the area's character is currently semi-rural, the 8 metre standard has been imposed in recognition of the fact that land in the zone will be urbanised in future. It is therefore necessary to ensure that buildings do not dominate the existing rural landscape and, in future, a developing urban area.

17.8.2.2 Height in Relation to Boundary

No part of any building shall exceed a height equal to 2.5 metres plus the shortest horizontal distance between that part of the building and any site boundaries.

Control Flexibility

Unrestricted, by means of a Limited Discretionary activity application.

Explanation and Reasons

This control protects the amenities of adjacent sites and the streetscape in a variety of ways. It ensures that these areas receive adequate sunlight and daylight access, and it prevents their physical domination by adjoining buildings. The control enables a single storey building to be established on the boundary, but in general requires that two storey buildings be at least 3 metres away.

17.8.2.3 Front Yards

Permitted and Controlled activities: 5 metres.

Control Flexibility

To a minimum of 1.5 metres, provided that in the area which lies between 1.5 and 5 metres back from the front boundary of the site, generally not more than 30% of the area may be covered by buildings, by means of a Limited Discretionary activity application.

Explanation and Reasons

The 5 metre front yard has been imposed to retain the open, semi-rural character of these areas as viewed from the road and to provide physical separation between the road and residential activities. The control also equates to the standard which is imposed within residential zones, and will ensure that when these areas are urbanised in the future, existing development will easily 'fit' into an urban landscape. With Control Flexibility, approval can be sought to establish buildings in yards where, for instance, innovative development might be achieved or where it is not reasonable to comply with the standards. However, in general the establishment of two storey buildings within the 5 metre front yard is not considered to be appropriate due to the impact on the streetscape.

17.8.2.4 Other Yards

Side Yard: 2.4 metres

Rear Yard: 3 metres⁴

Foreshore Yard: Refer to [Rule 16.6.1.5A](#)

Special Provision: Side and Rear Yards

Notwithstanding the above side and rear yard provisions, a building may be erected in any side or rear yard where the written consent of the adjoining property owner is obtained; provided that where the required neighbours consent has not been obtained, the proposal may be considered as a Limited Discretionary activity where the proposal satisfies the criteria contained in [Rule 17.9.5](#).

Control Flexibility

Unrestricted in all zones by means of a Limited Discretionary activity application (except for the Foreshore Yard as per [Rule 16.6.1.5A](#)).

Explanation and Reasons*Side and Rear Yards*

The required side and rear yards are intended to retain the area's existing open rural character until such time as urban development occurs. Opportunities for Control Flexibility are provided by enabling buildings to be erected within side and rear yards with the consent of affected neighbours.

Foreshore Yard

The explanation for foreshore yards is included in [Section 8: Natural Environment](#).

17.8.2.5 Arterial Roads: Special Setbacks

Where any site adjoins an arterial road which is identified on Appendix 1 to the District Plan Maps, the minimum setback for any part of a residential unit shall be 5 metres from the common boundary with that road. This provision shall apply notwithstanding that the boundary might otherwise be a side or rear yard as defined by this Plan.

Control Flexibility

As per [Rule 17.8.2.3](#).

Explanation and Reasons

The special building setback is intended to provide a physical separation between arterial roads and residential activities which is of sufficient width to provide opportunities for landscaping and screening to be established which will provide privacy for the residential unit and, where applicable, its associated outdoor living areas. It also contributes to a good standard of visual amenity on the arterial road itself. The control will be waived where the intent of the control can be achieved by other means such as wide road reserves, landscaping, and design and layout of building to maintain privacy and amenity.

17.8.2.6 Swimming Pools

- a) Swimming pools shall comply with the side, rear and foreshore yard requirements of [Rule 17.8.2.4](#).
- b) Swimming pools may be situated in the front yard, provided that they are at least 1.5 metres from the front boundary and do not exceed a height of 0.5 metres above natural ground level.

Control Flexibility

As per [Rule 17.8.2.3](#).

Explanation and Reasons

The purpose of this control is to provide opportunities for the establishment of swimming pools while protecting the amenities of the street and adjacent properties. It permits swimming pools to be established close to the front boundary in order to provide opportunities for more private open spaces to be created to the rear of a dwelling. Swimming pools are required to comply with side and rear yards in order to provide a buffer for adjoining properties.

17.8.2.7 Maximum Building Coverage

20% of the site.

Control Flexibility

Up to a maximum of 25% of the site, by means of a Limited Discretionary activity application.

Explanation and Reasons

The maximum net site coverage control ensures that the intensity of development reflects the existing rural location and character. It will also ensure that there is adequate open space on each site to accommodate parking, access and outdoor living areas, and to enable drainage to occur through ground seepage. Importantly, it also provides opportunities for areas of trees and landscaping.

17.8.2.8 Building Length

Those parts of any building which are in excess of a height of 5 metres shall be wholly confined within the arms of 130° angle formed by the lines intersecting at any point on the adjacent boundary such that each line forms an angle of 25° with that boundary. This control is illustrated in [Appendix 16B](#).

Control Flexibility

Unrestricted, by means of a Limited Discretionary activity application.

Explanation and Reasons

The purpose of this control is to keep bulky buildings a reasonable distance from site boundaries in order to prevent the physical domination of adjoining sites. Developments which do not comply with this provision may be approved in accordance with Control Flexibility where the non-complying parts are detached and separated by a minimum of 6 metres, or are of an open character, e.g. a pergola.

17.8.2.9 Fences, Boundary or Retaining Walls

A fence, or boundary or retaining wall may be erected on any residential site boundary or within any yard. Provided that the combined height shall not exceed 1.8 metres, measured at any point from natural ground level, and retaining walls shall not exceed 0.5

metres, and that no obstruction to overland flow paths is created (in accordance with 8.4.9.2).

Provided that the following may be erected with the neighbours' written consent:

- a) A retaining wall greater than 0.5 metres but not exceeding 1 metre.
- b) A fence on a site or rear boundary, with a height greater than 1.8 metres and not exceeding 2 metres.

Control Flexibility

- Up to 2.5 metres maximum height for a combined fence, boundary or retaining wall
- Retaining wall greater than 0.5 metres but less than 1 metres without neighbours' consent; and any retaining wall greater than 1 metre by means of a Limited Discretionary activity application.

Explanation and Reasons

This control is intended to enable fencing to be established which will maintain on-site privacy and security, while ensuring that the amenities of neighbouring sites are maintained. In particular, it prevents the establishment of large retaining walls close to neighbouring sites to minimise overlooking. This control is also intended to ensure that fencing, boundary and retaining walls do not obstruct the natural flow of water creating flooding problems both on-site and on neighbouring sites.

17.8.2.10 Maximum Impervious Area

The extent of impervious area shall not be in excess of 15% of the site area.

17.8.3 Additional Controls for Specific Activities

17.8.3.1 Minor Residential Units

A minor residential unit shall comply with the following:

- a) It shall not exceed 60m² gross floor area.
- b) The minor residential unit shall be located on a site which contains not more than one other residential unit.
- c) The residential unit and its associated minor residential unit shall comply with [Rule 16.6.2.4 \(a\)](#) and [Rule 16.6.2.5](#) (Living Courts and Service Courts).

Explanation and Reasons

The purpose of this control is to provide for the establishment of a small dwelling in association with a main residential unit which can either provide accommodation for a relative or be used as a home and income. The control seeks to ensure that the minor residential unit and the main residential unit retain a good standard of amenity.

17.8.3.2 Home Occupations

- a) Every home occupation shall be incidental to the residential use of the site and occupy not more than 25% of the gross floor area of the main residential unit.
- b) The total number of persons employed in a home occupation shall not exceed three in any residential unit.
- c) In the case of a residential unit on a site having an area of 450m² or more, not more than two persons outside the residing family shall be employed in home occupation purposes.
In the case of a residential unit on a site having an area of less than 450m², no persons other than the residing family shall be employed in the home occupation purposes.
- d) In addition to those persons engaged in the home occupation, the activity shall not attract more than four persons to the site in any one hour.
- e) Non-resident employees and visitors to the site, associated with the home occupation, shall be limited to the hours 8.00am to 6.00pm, Monday to Friday

inclusive, and 9.00am to 1.00pm Saturday. In general, all other activities which form part of the home occupation shall not be permitted between 10.00pm and 8.00am.

- f) The activity shall be carried out wholly within the residential unit or within an **Accessory Building** erected or modified for that purpose, provided that in relation to an **Accessory Building**, the maximum area that may be used for this purpose is the equivalent of 25% of the gross floor area of the main residential unit.
- g) There shall be no exterior storage, display or other indication of the home occupation or variation from the residential character of the site or neighbourhood, other than a sign allowed under the Plan.
- h) There shall be not more than 16 private vehicle trips associated with the home occupation per day.
- i) Only one non-domestic vehicle used in conjunction with the home occupation shall be stored on the site.
- j) All car parking requirements shall be complied with, including the provision of one parking space per non-residential employee.
- k) There shall be no retail sales from the site.

Control Flexibility

Not available. Refer to **Rule 17.9.4.3**.

Explanation and Reasons

The provisions relating to home occupations are intended to provide an opportunity for people to operate a small business from their home while ensuring that they do not detract from the amenities of the surrounding residential area or generate any effect which would distinguish the site from the generality of the residential area. The Plan also provides for those home occupations which do not comply with one or other of the above performance criteria to be considered as a Discretionary activity.

17.8.3.3 Childcare Centres for 6 to 10 Children

The above activity shall comply with the following:

- a) The site shall be a front site and shall have a minimum area of 600m².
- b) The activity shall not have direct access to an arterial road identified on Appendix 1 to the District Plan maps.
- c) The centre shall provide an outdoor play area for children which is appropriately screened by landscaping or screening from adjoining sites.
- d) The centre shall provide safe, convenient and easily accessible parking and manoeuvring spaces for the delivery and collection of children in accordance with the provisions of **Section** : Transportation.

Explanation and Reasons

Controls have been applied which are intended to ensure that small childcare centres do not affect the amenities of adjacent sites, nor the safe and efficient operation of the roading system.

17.8.3.4 Health Care Centres

Health Care Centres staffed by two Health Care Providers shall comply with the following:

- a) The site shall be a front site.

17.8.3.5 Produce Stalls

Stalls selling produce grown on the site shall comply with the following standards:

- a) The stall shall have a selling space not exceeding 25m² gross floor area; and

- b) On site parking and manoeuvring shall be provided in accordance with the provisions of this Plan and to the satisfaction of the Council.

17.8.3.6 Accessory Buildings

All accessory buildings identified as a Limited Discretionary activity in [Table 17.1](#) shall comply with [Rule 17.8.2](#), General Development Controls.

Explanation and Reason

As accessory buildings are additional buildings on a site, compliance with the general development controls will ensure that these buildings attain good standards of on-site and neighbourhood amenity.

17.8.4 Other Relevant Controls

In addition to the controls specified in [Section 17.8](#), all Permitted and Controlled activities shall comply with the relevant controls specified in the following General Sections:

[Section 3](#): Procedures and General Rules

[Section 8](#): Natural Environment

[Section 9](#): Subdivision and Development

[Section 10](#): Pollution, Hazardous Substances and Waste Management

[Section 11](#): Cultural Heritage

[Section](#) : Transportation

[Section 13](#): Signs

17.9 Assessment Criteria: Prior to Urbanisation

17.9.1 Compliance with Development Standards

Controlled Activities

All Controlled activities must comply with all relevant rules of the Plan. In addition, the Council may impose conditions, in respect of any of the matters specified in Sections 108 and 220 of the RMA and any of the matters referred to in the assessment criteria set out below.

Discretionary Activities

Without restricting the exercise of its discretion to grant or refuse consent or impose conditions, the Council will have regard to the assessment criteria set out below when considering an application under Sections 104 and 105 of the RMA. Discretionary activities are expected to comply with relevant Development Controls in [Rule 17.8.2](#) unless an alternative standard is required for the operation of the activity.

17.9.2 Assessment Procedure

When assessing all Controlled and Discretionary activities, the Council will have regard to the Assessment Criteria contained in [Rule 17.9.3](#) as relevant and to any Specific Assessment Criteria in [Rule 17.9.4](#) which relate to the activity.

17.9.3 General Assessment Criteria

a) Protection of Urban Development Potential

The activity should be sited and designed to:

- Ensure that a logical pattern of future urban development is not compromised
- The character and intensity of development will be compatible with a developing urban area.

b) Design of Access

Vehicular and pedestrian access to and from the site must be:

- Sufficiently remote from busy intersections and corners to ensure adequate sight distances and to prevent on-street congestion caused by vehicles entering and departing the site
- Located and designed so as to protect the aural privacy of adjacent sites
- Designed to maximise convenience to users of the site.

c) Parking

- Every activity should comply with the Plan's parking and access controls in [Section](#) : Transportation unless it can be demonstrated that, in relation to a particular proposal, an alternative standard is appropriate
- Those activities which are likely to attract service vehicles or buses, such as larger community facilities, should ensure that vehicular access and circulation and on-site parking areas are designed to easily accommodate them
- Groups of three or more car parking spaces should be located and designed so as to minimise any adverse effects on adjacent properties by the provision of adequate separation distances, landscaping and fencing
- Large groups of parking spaces should be avoided due to their impact on the visual and aural amenities unless these effects can be adequately mitigated by separation distances, landscaping and screening.

d) Traffic Safety

- The proposal should not significantly detract from traffic safety or efficiency having regard to the total volume of traffic attracted, times of peak generation, potential traffic conflict and proximity to major traffic intersections
- Where it is proposed to establish an activity which has the potential to attract significant volumes of traffic with direct access to an arterial road identified on Appendix 1 to the District Plan Maps, the applicant must satisfy the Council that the proposal will not significantly adversely affect traffic safety or efficiency.

e) Landscaping and Open Space

The site should be landscaped in a manner which will ensure that:

- The effects of the proposal are internalised to the site and, in particular, will not significantly detract from the amenities of the adjoining road or adjacent sites
- The character and appearance of the site is compatible with the semi-rural nature of the neighbouring area
- An attractive environment is created for the occupants of the site.

In order to achieve this:

- i) In general, a minimum 30% of every site should be landscaped, or in grassland.
- ii) Wherever practical, existing trees and bush should be retained and incorporated into landscaping.
- iii) Landscaping and fencing should be designed to reduce any significant adverse effects of the proposed activity and its associated building(s), parking and access on the amenities of the street and adjoining properties. The provision of a landscaped front yard comparable to that of other sites in the vicinity is of particular importance for non-residential activities.

Where community buildings and facilities provide outdoor areas on which people may congregate for social purposes, these areas should generally be located a minimum of 10 metres from the boundary of any adjoining residential property. Outdoor areas, including decks at, or above ground level, must be appropriately screened to minimise the intrusion of noise and avoid overlooking of adjacent properties.

- iv) In the case of the following prescribed activities, the development should include open space available for the use and enjoyment of residents and visitors which is sited and designed to provide a good standard of amenity. The

size of the open space shall reflect the needs of the occupants and the scale of the development:

- Boarding Houses and Residential Care Centres
- Childcare Centres
- Travellers' Accommodation.

The area of open space shall be located and designed so as to avoid, remedy or mitigate any adverse effects on the amenities of adjacent sites by appropriate landscaping and separation distances.

f) Building Design and Site Layout

Proposals should be designed so as to ensure that there will be no significant detraction from the amenities of adjoining sites, or the area as a whole, either now or when the area is developed for urban purposes in the future. The following matters are of particular significance:

- The character and appearance of buildings used for non-residential activities should be compatible with the neighbouring area (both existing and potential), having regard to matters such as scale, design and finishing materials
- Community buildings and facilities licensed in terms of the Sale of Liquor Act 1989, or used for social or recreational purposes, whether or not liquor will be consumed, must incorporate noise attenuation measures in the design of the building to ensure that the noise control limits set by the Plan will be achieved at all times
- The maintenance of an appropriate level of visual and aural privacy on neighbouring sites by such factors as landscaping, screening, appropriate separation distances between boundaries and buildings, outdoor activity areas, car parking and manoeuvring
- The maintenance of sunlight and daylight access to neighbouring sites
- Wherever practical, the protection of existing views
- Where buildings are licensed in terms of the Sale of Liquor Act 1989, or used for social or recreational functions, the Council may impose conditions on the hours of operation, noise (including restrictions on the use of amplified music), numbers attending, lighting and signs, to minimise the impacts of the activity on the neighbouring area. The hours of operation will be considered in relation to the location of the building and the neighbouring land uses, and the nature of the proposed activity, but in general shall be restricted as follows:

Days	Hours
Monday - Thursday	0730 - 2300
Friday and Saturday	0730 - 2400
Sunday and Public Holidays	0830 - 2300

More or less restrictive hours may be imposed depending on the extent to which the Council considers that the proposed activity will impact on any residential property.

g) Intensity and Scale

The intensity and scale of the proposal, in particular the number of people involved in the activity, traffic generation, hours of use, size of building and associated parking, signs, noise and other generated effects should be compatible with the existing character and amenities of the surrounding area, and its likely future character and amenities, when it is developed for urban purposes. Those activities which generate large volumes of traffic should generally not be located on a minor

road and should have ready access to principal roads in order to avoid heavy traffic volumes on minor roads. The Council may impose conditions to minimise the impact of the activity on the neighbouring area.

h) Infrastructure

- The Council must be satisfied that adequate provision has been made for the disposal of sewage and stormwater, having particular regard to the need to maintain the quality of water in streams and the coastal marine area
- The proposal should not generate demand for the uneconomic or untimely extension of services by the Council or other network utility services.

i) Environment

- Activities should be designed to avoid, remedy or mitigate any adverse effects on the environment, in particular the natural character of the coastal environment, having particular regard to the provisions of [Section 8: Natural Environment](#)
- Activities and associated development should not have an adverse effect on any building, tree or feature scheduled in [Appendix 8A](#) to [Appendix 8E](#) or [Appendix 11A](#) or on any archaeological site, whether recorded or previously not recorded
- Consent will be refused to those Discretionary activities which could have a significant adverse effect on the environment.

j) Locational Criteria Relating to Front Sites

Those Discretionary activities which have the potential to attract significant volumes of traffic should be located on front sites, or on a rear site having access of sufficient width to ensure traffic and pedestrian safety and minimise disruption to adjoining sites.

k) Stormwater Management

The extent to which development of impervious areas within the Urban Expansion zones achieves a level of stormwater runoff equivalent to 15% of the site area being covered in impervious surfaces or pre application levels, and is in accordance with Rule 8.4.8.8 assessment criteria for on-site stormwater management.

17.9.4 Additional Assessment Criteria for Specific Activities

17.9.4.1 Commercial Breeding and Boarding for Domestic Pets

All buildings should be located at least 15 metres from all boundaries.

17.9.4.2 Dairies

- a) Satisfactory provision should be made to enable access by trade vehicles.
- b) Buildings should be located at least 5 metres from the front boundary.
- c) In general, these activities should not be established on a site which fronts the State Highway or East Coast Road.

17.9.4.3 Home Occupations

- a) The activity should not detract from the amenities of the neighbourhood and should be incidental to the residential use of the site.
- b) The equivalent of not more than 45% of the gross floor area of the main residential building should be used for the home occupation.
- c) Sale of goods should be limited to handicrafts which have been produced on the site or to fruit, vegetables or other natural products grown on the property. There shall be no exterior display of items for sale.

17.9.4.4 Private Helipads/Helicopter Landing Areas

Refer to [Section 12.5.4.1](#).

17.9.5 Assessment Criteria for Limited Discretionary Activities

17.9.5.1 Accessory Buildings

Council may grant or refuse consent, and (if granted) may impose conditions on accessory buildings with a Limited Discretionary activity status under section 108 of the RMA in respect to the following matters over which it has restricted the exercise of its discretion:

- i) In assessing accessory buildings, account shall be taken to the extent to which any adverse effects of the prime activity are extended; this is particularly in regard to the intensity and scale of the prime activity. Any additional effects should be compatible with the character and amenities of the surrounding area and its likely future character and amenities when it is developed for urban purposes.
- ii) The proposed **Accessory Building** should be sited and designed to:
 - ensure that a logical pattern of future urban development is not compromised
 - avoid, remedy or mitigate any adverse effects on the environment, in particular the natural character of the coastal environment, having regard to the provisions of **Section 8: Natural Environment**.

17.9.6 Assessment Criteria for Control Flexibility

Where any Permitted or Controlled activity fails to comply with any control specified in **Section 17.8**, the Council may consent to the activity as a Limited Discretionary activity, where it is satisfied that all the following criteria are met:

- a) The rule provides for Control Flexibility, and the activity falls within the limits specified under the heading Control Flexibility, or where no limits are specified the effects will be minor, having regard to the stated Explanation of the Control; and
- b) Any adverse effects can be avoided, remedied or mitigated through the imposition of conditions; and
- c) Either

The proposal meets the intent of the control as contained in its associated Explanation;

Or

It is unreasonable or impractical to enforce the control, in which case, one or more of the site characteristics specified in **Section 3.10.6** shall apply.

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.