

16 April 2024

Attention: Vijay Lala, Tattico

Dear Vijay,

Private Plan Change – Second Request for Information under Clause 23 of Schedule 1 of the RMA

Applicant:	Fletcher Residential Limited
Address:	79 Ladies Mile, Remuera

Thank you for providing the additional information in response to our initial request dated 8 February 2024 under Clause 23(1) of Schedule 1 of the Resource Management Act 1991 (RMA). We acknowledge receipt of your responses on 19 March 2024, 25 March 2024, and 11 April 2024.

After reviewing the information provided, we have determined that further clarification and additional details are necessary to fully understand your request and its potential effects on the environment. Therefore, pursuant to Clause 23(1) of Schedule 1 of the RMA, we are issuing a second request for information.

The further information we require is set out in Appendix 1.

If you have any questions or concerns about this notice, please contact me at 022 091 7233 or daniel.kinnoch@colabplanning.co.nz.

Yours sincerely,



Daniel Kinnoch
Consultant Planner for Auckland Council

Appendix 1 – Clause 23 Request for Information

#	Category of Information	Specific Request	Reasons for request	Applicant response (please reference any attachments)
Planning (Daniel Kinnoch, 022 091 7233, daniel.kinnoch@colabplanning.co.nz)				
P1	Precinct Provisions	<p>The response to the first Clause 23 request includes a set of marked up precinct provisions in response to the request. This mark up however is to an older version of the Precinct provisions dated 30 November 2023, and not the set included with the lodged request, which were dated 20 December 2023. The latter included a number of changes in response to pre-lodgement feedback provided to the requestor. Please explain why the 30 November provision set has been used. Or alternatively, please provide an updated set of marked up provisions based on the 20 December 2023 set.</p> <p><i>Note: See non-clause 23 matters below and Appendix 2. We have attempted to assist by incorporating the 20 December 2023 set with the changes made in response to the first Clause 23 request.</i></p>	To ensure that the correct set of proposed provisions are being considered.	
P2	Apartment Setback Assessment Criteria IXXX.7.2(9)	The proposed assessment criteria in the precinct at IXXX.7.2(9) for an infringement to IXXX.6.9 Apartment Setback cross-references the height infringement assessment criteria in THAB. It is unclear why the assessment criteria for height in THAB are referenced and not the criteria for yards. As written, this would also require an assessment of THAB Policy H6.3(4), which refers to 'identified locations adjacent to centres'. The proposed precinct is not located adjacent to a centre. Please clarify the thinking proposed.	To understand the relationship between proposed precinct and zone assessment criteria.	
P3	Ellerslie Racecourse Precinct	The Clause 23 response proposes that I313.6.8. Interface control area will not apply adjoining the proposed precinct. Please explain what has distinguished the need for no interface control to apply in this location versus where the control applies adjoining other residential properties and public roads on I313.10.1. Ellerslie Racecourse: Precinct plan 1. Please also provide a copy of the amended Ellerslie Racecourse Precinct Plan 1 as a PDF.	To understand the rationale for why the existing interface control method for the Ellerslie Racecourse is not considered necessary to manage effects in this location adjoining the proposed precinct.	
Transport / Infrastructure (Daniel Kinnoch, 022 091 7233, daniel.kinnoch@colabplanning.co.nz)				
TI1	Assessment of Upzoning and Development Potential	Please explain how the existing Auckland Unitary Plan and/or the proposed precinct provisions would ensure that any permitted activities (including, but not limited to, an increase from 1 to 3 dwellings per site) within the MHU and THAB zones of the precinct are appropriately assessed in terms of infrastructure and transport effects, considering that the fast-track consent does not limit this future development potential. In your response, please address the potential for cumulative effects from permitted activities that could occur over time without any specific precinct control.	There are concerns about the level of assessment associated with upzoning the site to MHU and THAB, and the potential for the new zoning to enable greater development than what was approved under the fast-track consent. In particular, it is unclear how permitted activities within these zones, which can occur without a resource consent process, would be assessed under the existing Auckland Unitary Plan and/or proposed precinct provisions in terms of infrastructure and transport effects, including potential cumulative effects.	
Arboricultural (Allan Holmes, 021 811 757, allan.holmes@greenscenenz.com)				
A1	Tree #13 and Standard IXXX.6.5	<ol style="list-style-type: none"> 1. Please provide an explanation for why Tree #13 has not been proposed to be scheduled as a notable tree, given it meets the eligibility criteria. 2. The proposed standard IXXX.6.5 does not explicitly restrict the removal of the Pohutukawa trees and does not address tree trimming or alteration. Please advise how these matters are proposed to be addressed by the 	The Arbor Connect report identifies Tree #13 as meeting the threshold for potential scheduling as a notable tree. However, the requestor has not proposed scheduling this tree under the plan change. In addition, the proposed standard IXXX.6.5 for protecting the existing Pohutukawa	

		standard.	trees along Ladies Mile has several shortfalls including in relation to tree trimming/alteration and restricting the removal of the trees.	
Parks Planning (Roja Tafaraji, 021 937 084, roja.tafaraji@aucklandcouncil.govt.nz)				
OS1	Publicly Accessible Pedestrian Routes and Open Spaces	Please explain how the current standards and provisions of the precinct plan, particularly IXXX.6.3 (Publicly Accessible Open Space) and IXXX.6.4 (Pedestrian Routes), ensure that both the publicly accessible open spaces and the proposed pedestrian routes will be unrestricted and available for public access at all times.	The proposed precinct provisions and precinct plans do not clearly ensure that the identified pedestrian routes and open spaces will be publicly accessible and not restricted for public access. While easements are proposed under the approved fast-track consent, the plan change needs to consider the scenario where that development does not eventuate.	
Healthy Waters (Lee Te, lee.te@aucklandcouncil.govt.nz)				
HW1	Stormwater Management and Flood Risk	Objective 4 of the proposed precinct provisions states, " <i>Development is coordinated with the supply of sufficient three waters, energy and communications infrastructure.</i> " Please explain how this objective responds to and manages flood risk within and downstream of the precinct. If Objective 4 does not adequately address flood risk, please advise whether the requestor would consider including an additional objective to specifically manage flood risk.	While Objective 4 addresses the coordination of development with infrastructure provision, it does not appear to specifically address the management of flood risk within and downstream of the precinct. Further information is needed to understand how the proposed objectives will ensure that flood risk is appropriately managed.	
HW2	Incorporation of Stormwater Management Devices Document by Reference	Given that the Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01) December 2017 is referenced in the proposed precinct provisions at IXXX.7.2(11), please advise whether the requestor proposes to incorporate this document by reference and include it within Appendix 17 of the Auckland Unitary Plan. If not, please provide reasons for this position.	The Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01) December 2017 is referenced in the proposed precinct provisions. To formally incorporate this document into the Auckland Unitary Plan, it needs to be included within Appendix 17 as per Schedule 1, Part 3, Clause 30 of the RMA.	
Non-Clause 23 Matters				
	Suggested Precinct Changes	We have suggested a number of changes to the Precinct provisions in line with the questions above and the information received in response to the initial Clause 23 response. It would be helpful if you could please review these and consider whether the requestor would be prepared to modify their request in line with these. Note that we have also tried to integrate the changes that had been made in the 20 December 2023 provision set, see P1 above. Please see Appendix 2.	To assist the requestor by providing markup suggestions that could be one way of responding to the questions above, and ensuring that the provision set aligns with the changes incorporated into the 20 December 2023 provision set.	

Appendix 2 –Suggested Changes to Precinct Provisions

**REMUERA PRECINCT
PROPOSED PRIVATE PLAN CHANGE**

~~30 DECEMBER 2023~~ ~~30 NOVEMBER 2023~~ 12 MARCH 2024

Commented [DK1]: This mark up is to an earlier set of the provisions than was lodged with the request, the lodged request included a set dated 20 December 2023?

PART A

AMENDMENTS TO IXXX REMUERA PRECINCT

IXXX Remuera

IXXX.1 Precinct description

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

The ~~Remuera~~ Precinct enables housing choice including both medium to high density living opportunities with development up to 25m in height provided within the Terrace House and Apartment Building zones. Development of the Precinct is defined by identified publicly accessible open spaces, areas of private open space, existing mature Pohutukawa trees on Ladies Mile (combined with a 6m setback in their vicinity) and garden streets.

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

Stormwater from the precinct is managed by the adopted Stormwater Management Plan for the precinct.

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

IXXX.2 Objectives

- (1) The Precinct is a well-functioning urban environment that is serviced with adequate infrastructure and which recognises the importance of intensification of this locality in proximity to the Ellerslie Rail Station.
- (2) Development is based around an integrated and connected series of public streets, publicly accessible open spaces, garden streets and publicly accessible pedestrian routes.
- (3) An accessible, safe and well-connected transport network is established for all modes within the Precinct and to the surrounding transport network which enables travel choice including public transport services, pedestrian, cycle, vehicle access and egress.

Commented [DK2]: Consider making clear that these are to be publicly accessible

(4) Development is coordinated with the supply of sufficient three waters, energy and communications infrastructure

(5) Stormwater is managed to avoid, or otherwise minimise or mitigate, adverse effects on the receiving environment and flood risk is not increased for people, property and infrastructure downstream of the precinct

Commented [VL3]: The following objective is proposed which is taken from the recently approved and operative Drury Waihoehoe Precinct provisions. As this objective has recently been approved by the Environment Court, it is considered to be the most appropriate.

Commented [LT4]: Objective 4 only refers to provision of infrastructure. Objective 5 is recommended to specifically refer to managing flood risk.

All relevant overlay, Auckland-wide and zone objectives apply in this Precinct in addition to those specified above. The Precinct objectives prevail where there is a conflict between objectives in the Precinct and the Auckland-wide and zone objectives.

IXXX.3 Policies

- (1) **Ensure-Require** a high-quality open space and landscape outcome as set out on Precinct Plan 2 that achieves all of the following:
 - a. Publicly accessible open spaces
 - b. A sloping 10m wide visual corridor along the alignment of Abbotts Way through to the racetrack as identified on Precinct Plan 2
 - c. Private open spaces within the northern 25m building height variation control area
 - d. Retention of identified mature Pohutukawa trees along the Ladies Mile frontage
 - e. Two public roads
 - f. Garden streets
- (2) **Ensure-Require** development **to considers** and positively responds to the natural and physical features of the area (including viewshafts and boundary setbacks), while concurrently providing for the planned built outcomes of the Precinct.
- (3) Provide for varying building heights through the application of the Height Variation Control
- (4) Provide a variety of residential dwelling types that will enable housing choices that meet community needs.
- (5) Ensure **the** stormwater **in management of the Precinct** is **managed** in accordance with the **principles and outcomes of the** adopted Stormwater Management **Plan**.
- (6) Implement the transport network connections and elements as shown on Precinct Plan 3 including the following:
 - a. The upgrade of the Derby Downs Place/Ladies Mile intersection to a signalised intersection.
 - b. A new pedestrian footpath along the western side of Ladies Mile adjacent the Precinct boundary
 - c. New pedestrian crossings at the Ladies Mile/Abbotts Way intersection
 - d. New bus stops on Ladies Mile
 - e. Two public roads
- (7) Restrict vehicle intersections to Ladies Mile and avoid vehicle access from individual lots to Ladies Mile to support the effective, efficient and safe operation of the arterial road network.

Commented [VL5]: The amended policy gives effect to the outcome sought by Healthy Waters – i.e. stormwater is to be managed in accordance with all parts of the adopted SMP, not just the principles and outcomes

Commented [LT6R5]: Agree

All relevant overlay, Auckland-wide and zone policies apply in the Precinct in addition to those specified above. The Precinct policies prevail where there is a conflict between policies in the Precinct and the Auckland-wide and zone policies.

IXXX.4 Activity table

All relevant overlay, Auckland-wide, and zone activity tables apply unless the activity is listed in Activity table IXXX.4.1 below.

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

Table IXXX.4.1 Activity table

Activity		Activity status
(A1)	Any activity, development and/or subdivision that does not comply with Standards IXXX.6.1 – IXXX.6.1011	RD
(A2)	Any activity, development and/or subdivision that does not comply with Standards IXXX.6.11	RD
(A32)	The construction of stormwater management structures or devices in accordance with the adopted Stormwater Management Plan identified in Standard IXXX.6.11	P
(A43)	The construction of stormwater management structures or devices not in accordance with the adopted Stormwater Management Plan identified in Standard IXXX.6.11	RD
(A524)	Any activity, development and/or subdivision that does not comply with Standard IXXX.6.12 Arterial Road Access	D
(A635)	Any activity, development and/or subdivision that does not comply with Standard IXXX.6.13 Development Staging & Transport Network Infrastructure Requirements and Table IX.6.13.1	D

Commented [DK7]: Suggest A1 and A2 are consolidated as they have the same activity status and apply to the same 'activity' e.g. 'activity, development and/or subdivision'

Commented [VL8]: Refer to CL23 response table for reasons for changes to Activity Rule A2 and the deletion of the two rules below in this table.

Commented [LT9R8]: Ok

Commented [DK10]: Suggested removal of hyphen

IXXX.5 Notification

- (1) Any application for resource consent for an activity listed in Table IXXX.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

IXXX.6 Standards

- (1) The standards in the relevant zones, overlays and Auckland-wide provisions apply in this precinct, in addition to the standards below I6.1 to I6.13, except for the following: unless otherwise specified below.
- The zone and Auckland-wide standards relating to the standards below do not apply to the activities listed in activity tables above. H6 Residential – Terrace House and Apartment Buildings Zone
 - H6.6.5 Building Height
 - H6.6.9.1 Front Yard – Only on Ladies Mile Frontage
 - E27 Transport
 - E27.6.4.1 – Vehicle Access Restriction

Commented [DK11]: This whole section has reverted to the version pre- initial lodgement feedback. Should include those specific zone standards that are replaced by precinct standards?

IXXX.6.1 Building Height ~~Variation~~

Purpose:

- To enable higher building intensity and scale in specified areas additional building height up to 25m within the Terrace Housing AB and Apartment Buildings zoned areas within the Remuera of the Precinct
- (1) Buildings within the Terrace Housing and Apartment Buildings THAB-zoned areas identified on Precinct Plan 1 must not exceed 25m in height. subject the Height Variation Control must not exceed the height in metres shown on Precinct Plan 1.
- (2) Buildings within the Mixed Housing Urban zoned areas identified on Precinct Plan 1 are subject to the Building Height standard for the Mixed Housing Urban zone.

IXXX.6.2 Visual Corridor

Purpose:

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

XXXX.6.3 Publicly Accessible Open Space

Purpose:

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

Commented [DK12]: Consider making clear the requirement that these spaces are made accessible to the public (leaving the instrument to do so open).

XXXX.6.4 Publicly Accessible Pedestrian Routes

Purpose:

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

Commented [DK13]: Consider making clear the requirement that these spaces are made accessible to the public (leaving the instrument to do so open). Change to name of standard to better align with "Publicly Accessible Open Spaces"

XXXX.6.5 Existing Pohutukawa Trees

Purpose:

- To retain a mature landscaped frontage along the Ladies Mile boundary of the Precinct by protecting ~~the existing~~ identified ~~existing~~ Pohutukawa trees along this frontage.
 - To provide a landscaped buffer for the potential 25m high apartment buildings within this part of the Precinct.
- (1) Any activity, development and/or subdivision within any part of the Precinct must not result in the removal any works within the protected root zone of the ~~existing~~ Pohutukawa trees identified on

Commented [DK14]: Suggested changes to address tree trimming/alteration, clear and unambiguous restriction on removal, and eligibility of Tree #13 to be scheduled given it has been assessed by requestor's expert as meeting criteria in RPS

Commented [DK15]: If they're identified do we need to include existing? Existing mentioned twice

Commented [DK16]: As above

Precinct Plan 2 or any works within the protected root zone of these trees, except as provided for by Standard E17.6.3 Works within the protected root zone of the AUP.

(2) Any trimming or alteration of the Pohutukawa trees identified on Precinct Plan 2 must comply with Standard E17.6.1 Tree trimming or alteration.

(3) This standard does not apply to Tree #13 as identified on Precinct Plan 2. Tree #13 is subject to the provisions of D13 Notable Trees Overlay.

IXXX.6.6 Garden Streets

Purpose:

- To ensure a connected network of Garden Streets within the Precinct to provide vehicular and pedestrian access to dwellings within the Precinct.
- (1) Any activity, development and/or subdivision within any part of the Precinct must provide the Garden Street identified on Precinct Plans 2 and 3 in accordance with the Remuera Precinct Landscape at Appendix A.
- (2) The Garden Streets must be located in the areas identified and with the dimensions specified on Precinct Plan 2.
- (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

IXXX.6.7 Planted Embankment

Purpose:

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

IXXX.6.8 Private Open Space

Purpose:

- To ensure Private Open Spaces within the THAB zoned areas of the Precinct to provide useable open spaces for residents.
 - To ensure the spatial layout of buildings within the THAB zoned areas of the Precinct is integrated with the Private Open Spaces and results in building forms that do not dominate the streetscape or the Precinct.
- (1) Any activity, development and/or subdivision within the THAB zoned areas of the Precinct must provide the Private Open Space identified on Precinct Plan 2 in accordance with the Remuera Precinct Landscape at Appendix A.
 - (2) The Private Open Spaces must be located in the general areas identified and with the dimensions specified on Precinct Plan 2 or in an alternative location within the THAB zoned areas as long as the total area of Private Open Space is no less than that identified on Precinct Plan 2.
 - (3) A landscape plan demonstrating compliance with this standard shall be prepared and lodged with any resource consent or building consent application.

QM
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IXXX.6.9 Apartment Setback

Purpose:

- To ensure any buildings within the THAB zone adjoining Ladies Mile identified on Precinct Plan 1 are setback from the street frontage to protect the health of the existing Pohutukawa trees along this frontage.
 - To ensure the potentially 25m high apartment buildings are sufficiently setback from this frontage to protect the character and amenity of this streetscape.
- (1) Any development within the THAB zone adjoining Ladies Mile shall be setback from the street front boundary by a distance of no less than 6m as identified on Precinct Plan 1.

IXXX.6.10 Entry Point Identifier

Purpose:

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

IXXX.6.11 Stormwater Management

Purpose:

- To ensure ~~the stormwater is managed in accordance with the current adopted Stormwater Management Plan to avoid, or otherwise minimised or mitigate, adverse effects on the receiving environment and flood risk is not increased for people, property and infrastructure downstream of management of the Precinct is in accordance with approved adopted Stormwater Management Plan.~~
- (1) The management of stormwater ~~from any activity, development and/or subdivision~~ shall be in accordance with ~~the an approved current adopted Stormwater Management Plan. Stormwater from the Precinct shall be managed within the precinct and/or within the irrigation pond at the Ellerslie Racecourse~~

Commented [VL17]: Given that the SMP for the Precinct has already been adopted into Schedule 4 of the NDC, this Precinct standard only needs to refer to the current adopted SMP. This is unlike other plan changes where only provisional approval to a SMP is given by Healthy Waters (pending final approval and adoption).

Commented [LT18R17]: Ok to refer to 'adopted' SMP and do not need 'current'.

Commented [VL19]: Amendment suggested by Healthy Waters – Opposed. Stormwater is managed through a number of measures some of which are outside the Precinct so this wording is repetitive and is covered by (1). Reliance should only be made on the current adopted SMP.

Commented [LT20R19]: OK

IXXX.6.12 Arterial Road Access Restriction

Purpose:

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

IXXX.6.13 Development Staging & Transport Network Infrastructure Requirements

Purpose:

- To ensure subdivision and development is integrated with the delivery of the required transport infrastructure upgrades identified in Table IX.6.13.1.
 - To ensure that the required transport infrastructure upgrades are implemented to avoid or mitigate the adverse traffic effects of any activity, development and/or subdivision on the existing and future transport network.
 - To ensure that the required transport infrastructure upgrades are implemented in an integrated and planned manner, and coordinated with development in the Precinct.
 - To ensure an efficient, safe and effective transport network, with infrastructure and service connections for all modes to and through the Precinct.
- (1) Activities, development and/or subdivision within the stages identified on the Precinct Plans must not exceed the thresholds specified in Column 1 in Table IX.6.13.1 below until the transport network infrastructure upgrades and measures identified in Column 2 have been implemented,

constructed and are operational. This does not apply to site preparation works, retaining, infrastructure and earthworks within the Precinct.

Table IX.6.13.1: Transport Network Infrastructure Upgrades and Measures

Column 1 Activity, development and / or subdivision thresholds for transport network infrastructure upgrades and measures		Column 2 Transport network infrastructure upgrades and measures required
(a)	Prior to occupation of the 20 th dwelling with access from Derby Downs Place	<ul style="list-style-type: none"> • Upgrade the Derby Downs Place/Ladies Mile intersection to a signalised two-lane intersection with separate through lanes and turning lanes including pedestrian crossings as identified on Precinct Plan 3 (Upgrade 1) • Construction of the Lower Loop Road in the location identified on Precinct Plan 3
(b)	Prior to the occupation of the first dwelling within the north eastern THAB 25m Height Variation Control block or the first dwelling requiring access to the Upper Loop Road	<ul style="list-style-type: none"> • Construction of the Upper Loop Road in the location identified on Precinct Plan 3 • Installation of the Ladies Mile footpath on the western side as identified on Precinct Plan 3 (Upgrade 4) • Installation of pedestrian crossings at the Ladies Mile/Abbotts Way intersection as identified on Precinct Plan 3 (Upgrade 5) • Installation of new bus stops as identified on Precinct Plan 3 (Upgrade 6)

IXXX.7 Assessment – Restricted Discretionary Activities

IXXX.7.1 Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the zone, overlay and Auckland wide provisions:

- (1) [Building Height Variation Control](#)
 - (a) [THAB zoned area -Matters of discretion H6.8.1 \(4\)](#)
 - (b) [Mixed Housing Urban zoned area - Matters of discretion H5.8.1 \(4\)](#)
- (2) Visual Corridor
 - (a) The purpose of the standard
 - (b) The width of the visual corridor
 - (c) Street furniture, artworks, other public amenity elements or retaining structures
- (3) Publicly Accessible Open Space
 - (a) The purpose of the standard
 - (b) The size, location, dimensions, topography, aspect and landscaping of the open space.
 - (c) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.
- (4) [Publicly Accessible Pedestrian Routes](#)
 - (a) The purpose of the standard
 - (b) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.
- (5) Existing [Pohutukawa Trees](#)
 - (a) Matters of discretion E17.8.1 (1)
- (6) Garden Streets
 - (a) The purpose of the standard

Commented [DK21]: Consequential change if earlier suggested change to standard made

Commented [DK22]: Is there a reason why the purpose of the standard is not proposed to be included as relevant here?

- (b) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.

(7) Planted Embankment

- (a) The purpose of the standard
- (b) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.

(8) Private Open Space

- (a) The purpose of the standard
- (b) The strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space.

(9) Apartment Setback

- (a) Matters of discretion H6.8.1 (4)

Commented [DK23]: Is there a reason why the purpose of the standard is not proposed to be included as relevant here?

(10) Entry Point Identifier

- (a) The purpose of the standard
- (b) The strategy and outcomes identified in the Remuera Precinct Landscape at Appendix A for the entry point.

(11) Stormwater Management

- a) The [purpose of the standard, principles and outcomes of the approved SMP](#)
- (b) The [current](#) adopted [Stormwater Management Plan](#).

Commented [VL24]: Amendments give effect to relief sought by Healthy Waters. The matters of discretion include the whole SMP not just the SMP principles and outcomes as originally proposed. RD status is appropriate as any effects are restricted to stormwater management related effects.

IXXX.7.2 Assessment criteria

The Council will consider the relevant assessment criteria identified below for restricted discretionary activities, in addition to the assessment criteria specified for assessment of the relevant restricted discretionary activities in the zone, Auckland wide or overlay provisions.

- (1) [Building Height Variation Control](#)

(a) THAB Zoned Area - Assessment Criteria H6.8.2 (5) (a), (b) and (d)

(b) Mixed Housing Urban Zoned Area - Assessment Criteria H5.8.2(4)

Commented [VL25]: Amendment proposed as a result of CL23 comment

(2) Visual Corridor

(a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated.

(b) Whether the width of the corridor exceeds 10m in parts to compensate for any reductions in the 10m width.

(c) Whether street furniture, artworks, other public amenity elements or retaining structures will enable a reasonable view corridor to be achieved.

Commented [DK26]: All others below include the words 'within the Precinct' - is there a reason why this one does not?

(3) Publicly Accessible Open Space

(a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.

(b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix B for the open space are achieved within the Precinct.

(4) Publicly Accessible Pedestrian Routes

(a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.

(b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space are achieved within the Precinct.

Commented [DK27]: Consequential change if earlier suggested change to standard made

(5) Existing Pohutukawa Trees

(a) Assessment Criteria E17.8.2 (1)

Commented [DK28]: Is there a reason why the purpose of the standard is not proposed to be included as relevant here?

(6) Garden Streets

(a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.

(b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space are achieved within the Precinct.

(7) Planted Embankment

(a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.

(b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space are achieved within the Precinct.

(8) Private Open Space

(a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.

(b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the open space are achieved within the Precinct.

(9) Apartment Setback

(a) Assessment Criteria H6.8.2 (9) (a), (b) and (d) (5)

Commented [DK29]: Is there a reason why the purpose of the standard is not proposed to be included as relevant here?

Commented [DK30]: Should this be H6.8.2(9) for yards, rather than for height?

Also, same issue as earlier for building height under (1), where (c) should not be referenced as it refers to Policy H6.3(4), which would not be applicable in this location

(10) Entry Point Identifier

(a) The extent to which the purpose of the standard is achieved or alternative solutions that achieve the purpose of the standard are demonstrated within the Precinct.

(b) The extent to which the strategy and outcomes identified in the Remuera Precinct Landscape Appendix A for the entry point are achieved.

(11) Stormwater Management

(a) ~~The extent to which the provisions of the current adopted Stormwater Management Plan are met, including the following matters: The principles and outcomes of the approved Stormwater Management Plan~~

i. The design and efficacy of ~~stormwater infrastructure management devices;~~

ii. Stormwater management calculations that confirm the design and capacity of the ~~stormwater management structure device~~ is fit for purpose and satisfies the requirements of the ~~adopted~~ Stormwater Management Plan;

~~iii. Where alternatives to any approved or consented landscaping is proposed, A whether the amended Landscape Plan that identifies the landscaping proposed, a planting plan and including the maintenance plan to will ensure the stormwater management outcomes are maintained and quality visual amenity outcomes are achieved.~~

~~iii. The An oOperation and mMaintenance Plan for the design of the any proposed the stormwater managementsystem, including wWhether safe and direct access is can be provided to enable the maintenance of stormwater structures detention and retention ponds and wetlands;~~

Commented [VL31]: Amended to address matters raised by Healthy Waters

Commented [LT32R31]: Ok

Commented [DK33]: To align with J1 definition and ensure consistency in wording

Commented [DK34]: To align with J1 definition and ensure consistency in wording

Commented [LT35]: Maintenance in next point (iii)

Commented [LT36]: Moved to (b), see below

Commented [LT37]: Criteria should be O&M broadly and for all things related to sw, not just structures. A plan would be how this is demonstrated.

Commented [DK38R37]: I checked with Lee - The SMP refers to the operation and management plan for the private pond and proposed stormwater management devices. The provisions should refer to operations and management broadly across the whole stormwater system, rather than be limited to a specific device operation and maintenance plan.

Further minor changes suggested here as requested by HW

~~structures proposed.~~

~~The extent to which interference with public use and enjoyment of proposed open space is minimised where stormwater detention and retention ponds and wetlands are proposed to be located in or adjacent to proposed public open space.~~

~~iv.i. Whether safe and direct access can be provided to enable the maintenance of stormwater detention and retention ponds and wetlands.~~

iv. Whether there will be health and safety effects associated with stormwater detention and retention ponds and wetlands and the extent to which these can be mitigated through measures such as fencing.

v. Whether new buildings and alterations and additions to buildings are made of inert materials.

v. The extent to which water quality from public roads, commonly owned access lots COALs, and private carriage ways are managed and designed in accordance with 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)' ~~(GD01)~~ and

vi.

vii. The extent to which an assessment of flood effects in the storm events from 10% and 1% AEP 10 storm events year 100 year ARI is provided (including climate change effects) and the extent to which to determine any attenuation measures are required within the Precinct.

(b) Where alternatives to any approved or consented landscaping are proposed, whether the amended Landscape Plan will ensure the stormwater management outcomes are maintained and achieved.

(c) The extent to which interference with public use and enjoyment of proposed open space is minimised where stormwater detention and retention ponds and wetlands are proposed to be located in or adjacent to proposed public open space.

Commented [LT39]: Moved to (c) below

Commented [LT40]: Combined into above (see iii)

Commented [DK41]: Consider including 'commonly owned access lot' as COAL not listed as acronym in Chapter J1

Commented [LT42]: Added building materials and water quality matters from SMP

Commented [DK43]: Consider whether request needs to include an addition to Appendix 17 Documents incorporated by reference to cater for GD01.

Consider spelling this out in fill give GD01 not defined in AUP

Commented [LT44]: The way this is written the assessment criteria is the is the provision of the flood assessment, rather than the content/outcome of the assessment !!

Commented [LT45]: Shifted these two separate because these are not matters within the SMP

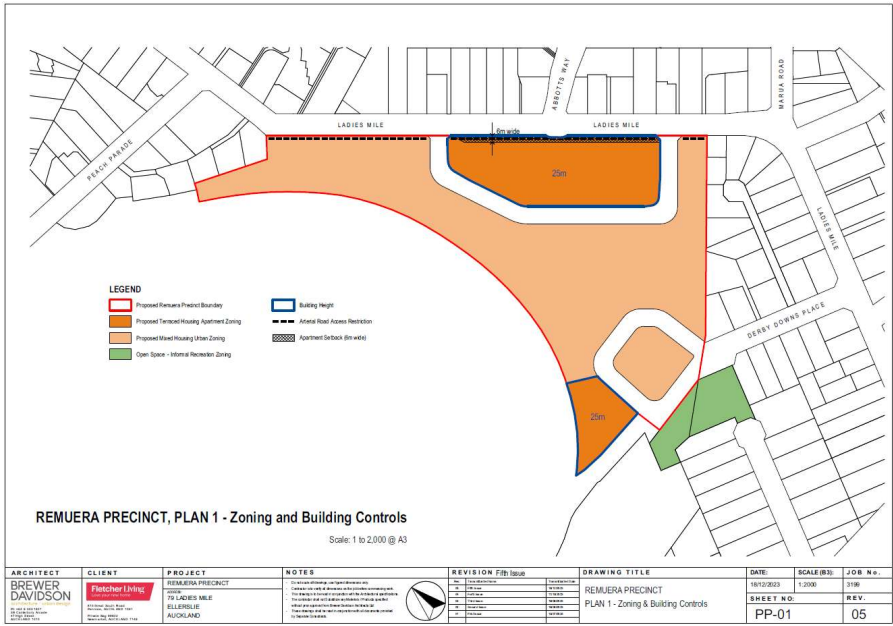
Commented [LT46]: Maintenance above

Commented [DK47]: Consider removal of capitalisation, wasn't clear on why it was so?

Commented [LT48]: Maintenance has been included into (iii). Visual amenity reference has been deleted, it should be part of the landscaping assessment criteria, not in the sw section.

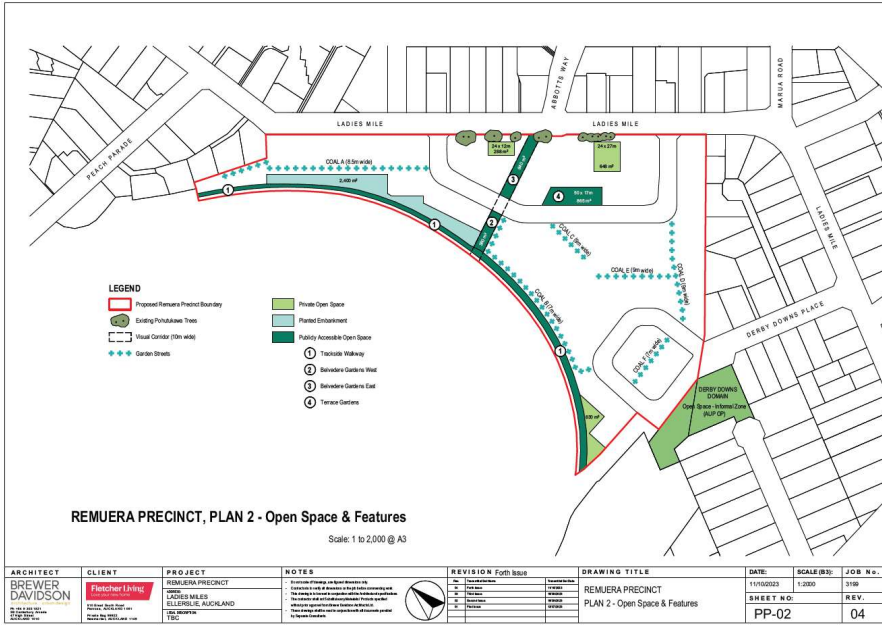
- IXXX.10 Precinct Plans

IXXX.10.1 Remuera Precinct Plan 1- Zoning and Building Controls



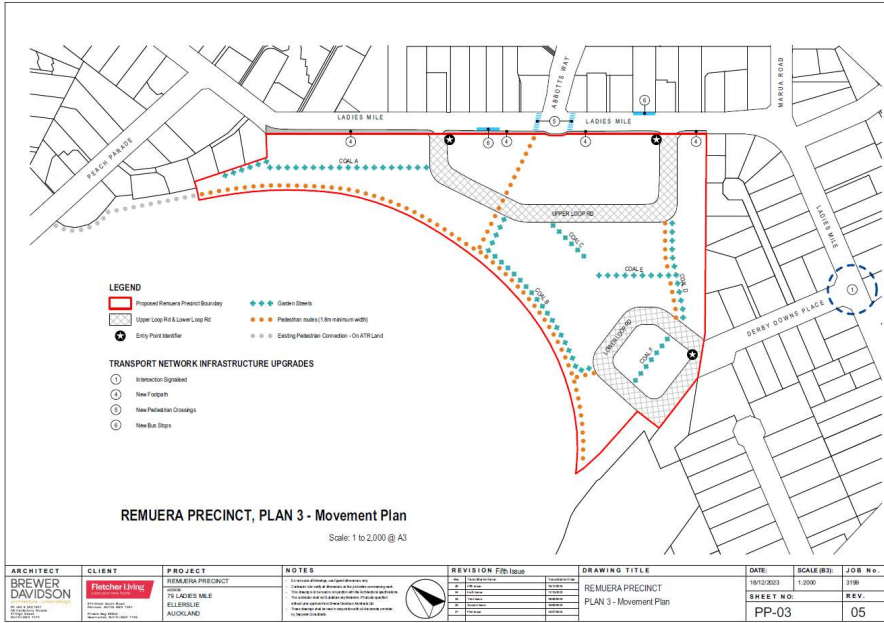
IXXX.10.2 Remuera Precinct Plan 2— Open Space & Features

Commented [DK49]: Suggested that Tree #13 is clearly identified on this plan so it is clear that the precinct provisions do not apply to it and that the Notable Tree provisions are used



IXXX10.3 Remuera Precinct Plan 3-Movement

Commented [DK50]: Consider how pedestrian routes that are over COALs are to be ensured as public if development plans for the site were to fall over, and the easements in gross for the underlying subdivision were not for some reason carried through. Nothing on here indicates that they are for public use. Could be labelled as "Publicly Accessible Pedestrian Paths"

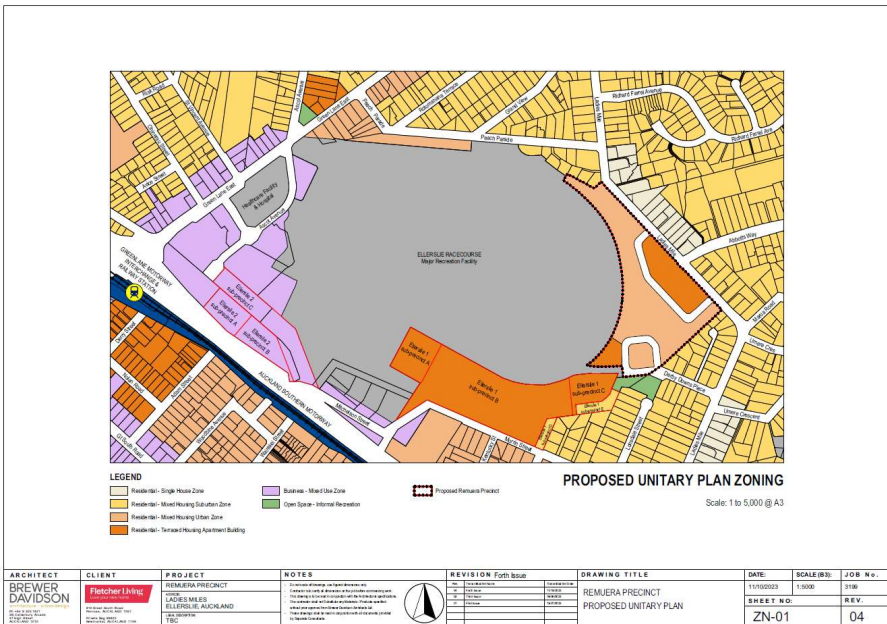


APPENDIX A

Remuera Precinct Landscape

PART B

- Rezone the 6.2-hectare area of land identified as the Remuera Precinct in the plan below from Major Recreation Zone and Ellerslie Racecourse Precinct to Remuera Precinct.
- Remove all the associated Ellerslie Racecourse Precinct provisions, including amendments to the site area, from applying to this land including the Interface Control Area standard



ARCHITECT BREWER DAVIDSON <small>201 Queen Street, Auckland Phone: 09 308 8282 Fax: 09 308 8283 Email: info@brewer-davidson.co.nz</small>	CLIENT Ditcher Living <small>201 Queen Street, Auckland Phone: 09 308 8282 Fax: 09 308 8283 Email: info@brewer-davidson.co.nz</small>	PROJECT REMUERA PRECINCT LADIES MALES ELLERSLIE, AUCKLAND T100	NOTES 1. This plan shall be read in conjunction with the Unitary Plan and any other relevant documents. 2. The boundaries of the proposed precinct are shown in dashed lines. 3. The proposed precinct is subject to the provisions of the Unitary Plan and any other relevant documents. 4. The proposed precinct is subject to the provisions of the Unitary Plan and any other relevant documents. 5. The proposed precinct is subject to the provisions of the Unitary Plan and any other relevant documents.	REVISION Foth Bishop <table border="1"> <tr><th>No.</th><th>Description</th><th>Date</th></tr> <tr><td>1</td><td>Issue for Comment</td><td>11/10/2023</td></tr> <tr><td>2</td><td>Issue for Comment</td><td>11/10/2023</td></tr> <tr><td>3</td><td>Issue for Comment</td><td>11/10/2023</td></tr> <tr><td>4</td><td>Issue for Comment</td><td>11/10/2023</td></tr> <tr><td>5</td><td>Issue for Comment</td><td>11/10/2023</td></tr> <tr><td>6</td><td>Issue for Comment</td><td>11/10/2023</td></tr> <tr><td>7</td><td>Issue for Comment</td><td>11/10/2023</td></tr> <tr><td>8</td><td>Issue for Comment</td><td>11/10/2023</td></tr> <tr><td>9</td><td>Issue for Comment</td><td>11/10/2023</td></tr> <tr><td>10</td><td>Issue for Comment</td><td>11/10/2023</td></tr> </table>	No.	Description	Date	1	Issue for Comment	11/10/2023	2	Issue for Comment	11/10/2023	3	Issue for Comment	11/10/2023	4	Issue for Comment	11/10/2023	5	Issue for Comment	11/10/2023	6	Issue for Comment	11/10/2023	7	Issue for Comment	11/10/2023	8	Issue for Comment	11/10/2023	9	Issue for Comment	11/10/2023	10	Issue for Comment	11/10/2023	DRAWING TITLE REMUERA PRECINCT PROPOSED UNITARY PLAN	DATE 11/10/2023 SHEET NO ZN-01	SCALE(S) 1:5000 JOB No. 3190 REV. 04
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APPENDIX B

Schedule 3A of the Resource Management Act 1991

Schedule 3A MDRS to be incorporated by specified territorial authorities

s 77G

Schedule 3A: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

Part 1 General

Schedule 3A Part 1: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

1 Interpretation

(1) In this schedule, unless the context otherwise requires,—

construction includes construction and conversion, and additions and alterations to an existing building
density standard means a standard setting out requirements relating to building height, height in relation to boundary, building setbacks, building coverage, outdoor living space, outlook space, windows to streets, or landscaped area for the construction of a building
subdivision of land, as defined in section 218(1).

(2) Terms used in this schedule that are defined in section 77F have the same meaning in this schedule as they do in that section.

(3) Terms used in this schedule that are defined in the national planning standards have the same meaning in this schedule as they do in those standards.

Schedule 3A clause 1: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

2 Permitted activities

(1) It is a permitted activity to construct or use a building if it complies with the density standards in the district plan (once incorporated as required by section 77G).

(2) There must be no other density standards included in a district plan additional to those set out in Part 2 of this schedule relating to a permitted activity for a residential unit or building.

Schedule 3A clause 2: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

3 Subdivision as controlled activity

Subdivision requirements must (subject to section 106) provide for as a controlled activity the subdivision of land for the purpose of the construction and use of residential units in accordance with clauses 2 and 4.

Schedule 3A clause 3: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

4 Restricted discretionary activities

A relevant residential zone must provide for as a restricted discretionary activity the construction and use of 1 or more residential units on a site if they do not comply with the building density standards in the district plan (once incorporated as required by section 77G).

Schedule 3A clause 4: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

5 Certain notification requirements precluded

(1) Public notification of an application for resource consent is precluded if the application is for the construction and use of 1, 2, or 3 residential units that do not comply with 1 or more of the density standards (except for the standard in clause 10) in the district plan (once incorporated as required by section 77G).

(2) Public and limited notification of an application for resource consent is precluded if the application is for the construction and use of 4 or more residential units that comply with the density standards (except for the standard in clause 10) in the district plan (once incorporated as required by section 77G).

(3) Public and limited notification of an application for a subdivision resource consent is precluded if the subdivision is associated with an application for the construction and use of residential units described in subclause (1) or (2).

Schedule 3A clause 5: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

6 Objectives and policies

(1) A territorial authority must include the following objectives in its district plan:

Objective 1

(a) a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future:

Objective 2

(d) a relevant residential zone provides for a variety of housing types and sizes that respond to—

(i) housing needs and demand; and

(ii) the neighbourhood's planned urban built character, including 3-storey buildings.

(2) A territorial authority must include the following policies in its district plan:

Policy 1

(a) enable a variety of housing types with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments:

Policy 2

(b) apply the MDRS across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga):

Policy 3

(e) encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance:

Policy 4

(f) enable housing to be designed to meet the day-to-day needs of residents:

Policy 5

(g) provide for developments not meeting permitted activity status, while encouraging high-quality developments.

Schedule 3A clause 6: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

Subdivision requirements

Heading: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

7 General subdivision requirements

Any subdivision provisions (including rules and standards) must be consistent with the level of development permitted under the other clauses of this schedule, and provide for subdivision applications as a controlled activity.

Schedule 3A clause 7: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

8 Further rules about subdivision requirements

Without limiting clause 7, there must be no minimum lot size, shape size, or other size-related subdivision requirements for the following:

(a) any allotment with an existing residential unit, if—

(i) either the subdivision does not increase the degree of any noncompliance with the density standards in the district plan (once incorporated as required by section 77G) or land use consent has been granted; and

(ii) no vacant allotments are created;

(b) any allotment with no existing residential unit, where a subdivision application is accompanied by a land use application that will be determined concurrently if the applicant for the resource consent can demonstrate that—

(i) it is practicable to construct on every allotment within the proposed subdivision, as a permitted activity, a residential unit; and each residential unit complies with the density standards in the district plan (once incorporated as required by section 77G); and

(ii) no vacant allotments are created.

Schedule 3A clause 8: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

9 Rules about common walls

For the purposes of clause 8(a)(i), if a subdivision is proposed between residential units that share a common wall, the requirements as to height in relation to boundary in the district plan (once incorporated as required in section 77G) do not apply along the length of the common wall.

Schedule 3A clause 9: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

Part 2 **Density standards**

Schedule 3A Part 2: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

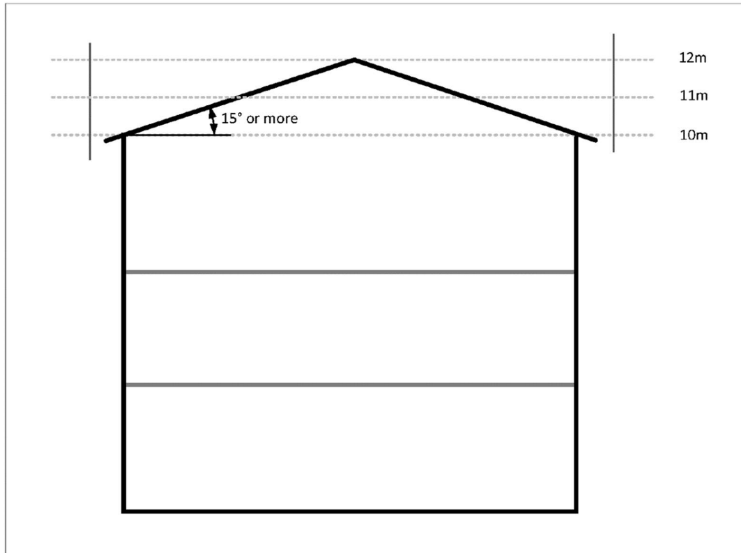
10 Number of residential units per site

There must be no more than 3 residential units per site.

Schedule 3A clause 10: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

11 Building height

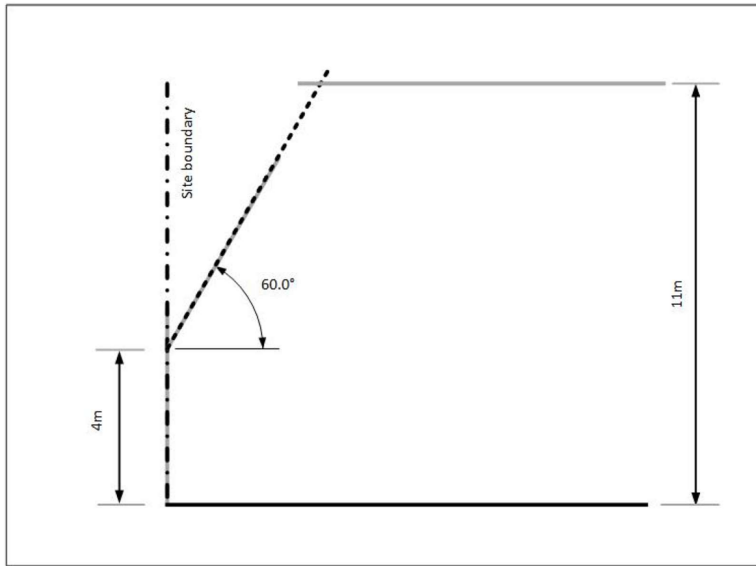
Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:



[Schedule 3A clause 11: inserted, on 21 December 2021, by section 17 of the Resource Management \(Enabling Housing Supply and Other Matters\) Amendment Act 2021 \(2021 No 59\).](#)

12 Height in relation to boundary

- (1) [Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.](#)



(2) This standard does not apply to—

- (a) a boundary with a road;
- (b) existing or proposed internal boundaries within a site;
- (c) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

[Schedule 3A clause 12: inserted, on 21 December 2021, by section 17 of the Resource Management \(Enabling Housing Supply and Other Matters\) Amendment Act 2021 \(2021 No 59\).](#)

13 Setbacks

(1) Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:

<u>Yard</u>	<u>Minimum depth</u>
<u>Front</u>	<u>1.5 metre</u>
<u>Side</u>	<u>1 metre</u>
<u>Rear</u>	<u>1 metre (excluded on corner sites)</u>

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

[Schedule 3A clause 13: inserted, on 21 December 2021, by section 17 of the Resource Management \(Enabling Housing Supply and Other Matters\) Amendment Act 2021 \(2021 No 59\).](#)

14 Building coverage

The maximum building coverage must not exceed 50% of the net site area.

Schedule 3A clause 14: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

15 Outdoor living space (per unit)

(1) A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that,—

- (a) where located at ground level, has no dimension less than 3 metres; and
- (b) where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and
- (c) is accessible from the residential unit; and
- (d) may be—
 - (i) grouped cumulatively by area in 1 communally accessible location; or
 - (ii) located directly adjacent to the unit; and
- (e) is free of buildings, parking spaces, and servicing and manoeuvring areas.

(2) A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—

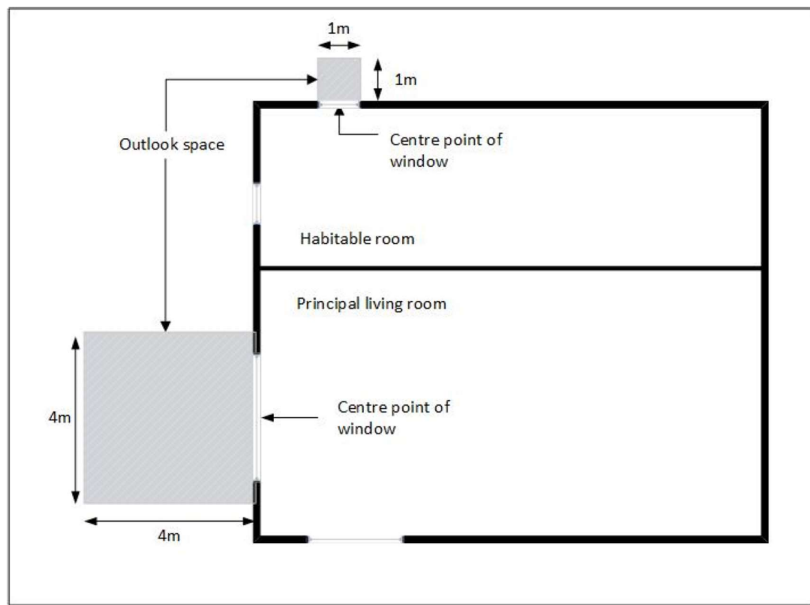
- (a) is at least 8 square metres and has a minimum dimension of 1.8 metres; and
- (b) is accessible from the residential unit; and
- (c) may be—
 - (i) grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - (ii) located directly adjacent to the unit.

Schedule 3A clause 15: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

16 Outlook space (per unit)

(1) An outlook space must be provided for each residential unit as specified in this clause.

(2) An outlook space must be provided from habitable room windows as shown in the diagram below:



- (3) The minimum dimensions for a required outlook space are as follows:
- (a) a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - (b) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- (4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (5) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
- (6) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
- (7) Outlook spaces may be under or over a balcony.
- (8) Outlook spaces required from different rooms within the same building may overlap.
- (9) Outlook spaces must—
- (a) be clear and unobstructed by buildings; and
 - (b) not extend over an outlook space or outdoor living space required by another dwelling.
- [Schedule 3A clause 16: inserted, on 21 December 2021, by section 17 of the Resource Management \(Enabling Housing Supply and Other Matters\) Amendment Act 2021 \(2021 No 59\).](#)

17 Windows to street

[Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.](#)

[Schedule 3A clause 17: inserted, on 21 December 2021, by section 17 of the Resource Management \(Enabling Housing Supply and Other Matters\) Amendment Act 2021 \(2021 No 59\).](#)

18 Landscaped area

- (1) [A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.](#)
- (2) [The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.](#)

[Schedule 3A clause 18: inserted, on 21 December 2021, by section 17 of the Resource Management \(Enabling Housing Supply and Other Matters\) Amendment Act 2021 \(2021 No 59\).](#)

