5.7 Brov.ns Bay

The activities, controls and assessment criteria inthe underlying MO<ed Use and Public Open Space -Informal Recreation zones and Auckland-wide rules apply inthe Browns Bay precinct unless otherwise specified belcw. Refer to planning maps for the location and extent of the precinct

1. Development controls
	1. The development controls inthe underlying zones apply in the Brcwns Bay precinct unless otheM.Iise specified belcw.

##### Heigtt in relation to public open spaces

* + 1. Buildings must not project beyond *a* 45 degree recession plane measured 9mvertically above the boundary to Beachfront Lane or Beachfront reserve, whichever is closer, as shown on Figure 1.

2. Developmentthat does not comply with clause 1above is *a* discretionary *adivity.*

Figure 1: Height in relation to bounda-y

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#### Beacl'l Front Lane or Browns Bay Beach Reserve

1. **Assessment ­ Development control infringements**

2.1 Matters of discretion

* 1. The council will restrict its discretion to the matters set out in [clause 2.3](http://unitaryplan.aucklandcouncil.govt.nz/Common/Output/HTMLtoPDF.aspx?hid=39006) in relation to building height.
	2. Assessment criteria
		1. The council will consider the assessment criteria in [clause 2.3](http://unitaryplan.aucklandcouncil.govt.nz/Common/Output/HTMLtoPDF.aspx?hid=39006) for infringements of the building height development control, and the following:
			1. buildings should not dominate or significantly shade Beachfront Lane or the adjoining beachfront reserve, or adversely affect the character of the coastal environment.