

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER of **Private Plan Change 67** – Hingaia 1 Precinct to the Auckland Unitary Plan

HEARING DIRECTION #2 FROM THE HEARING PANEL

1. Pursuant to section 34A of the RMA, Auckland Council (the Council) has appointed a Hearing Panel consisting of three independent hearing commissioners – Bill Smith (Chairperson), Rebecca Skidmore and Mark Farnsworth. The Hearing Panel’s function is to hear the application and submissions and make a decision on the Plan Change proposal, including any changes to it that are within scope of the notified Plan Change.
2. On 8 December 2021 the hearing panel directed the applicant to file a memorandum outlining what, if any, changes they recommend to the proposal and outline which changes are in response to which submissions. The applicant filed the memorandum on 13 December 2021. Both documents are attached to this Direction.
3. The hearing panel have considered the applicants memorandum and accordingly directs the following:
 - (a) Pursuant to section 42A of the RMA, the S42A hearing report is to be with the Council’s Hearings Advisor, Nick Somerville by 9am on Monday, 10 January 2022 and shall be released to all parties no later than **5pm Monday, 10 January 2022**.

The hearing panel is not able to direct the section 42A hearing report to include an assessment of the revised provisions as that would be contrary to Part 2 of Schedule 1 of the RMA.

- (b) Pursuant to sections 41B(1) and (2) of the RMA, the Applicant’s expert evidence (evidence given by a professional with specialist qualifications and experience) is to be provided to the Council’s Hearings Advisor no later than **midday, Tuesday, 18 January 2022** and will be made available to the parties and on the Council’s website no later than 5.00 pm the same day.
 - (c) Should changes to the Plan Change be proposed by the applicant the evidence provided in (b) must include a S32AA report and reasons why any proposed changes are in scope.
 - (d) Pursuant to sections 41B(3) and (4) of the RMA, any submitter who intends to call expert evidence at the hearing (evidence given by a professional with specialist

qualifications and experience) is to provide that evidence to the Council's Hearings Advisor no later than **midday, Tuesday, 25 January 2022** and will be made available to the parties and on the Council's website no later than 5.00 pm the same day.

- (e) Pursuant to sections 41B(1) and (2) of the RMA, any rebuttal evidence to be provided by the Applicant is to be provided to the Council's Hearings Advisor no later than **4pm, Thursday, 27 January 2022** and will be made available to the parties and on the Council's website no later than 5.00 pm the same day
 - (f) The hearing shall commence on **Tuesday, 1 February 2022** and has been set down for 3 days, with 1 overflow day.
4. While these Directions do not apply to lay or non-expert statements/evidence, the Hearing Panel would appreciate any written statements to be presented at the hearing by submitters to be provided to the Council's Hearings Advisor no later than **midday, Wednesday, 26 January 2022** and will be made available to the parties and on the Council's website no later than 5.00 pm the same day
 5. The Hearing Panel also encourages parties to pre-circulate any opening legal submissions in advance of the hearing, preferably no later than **midday, Friday, 28 January 2022**. The Hearing Panel and other parties will be assisted if the legal submissions can be pre-read.
 6. The purpose of these Directions is to provide the opportunity for the Hearing Panel and the other parties to have read and considered any legal submissions, evidence or statements in advance of the hearing to assist in understanding the case being presented. As the Hearing Panel will have read all the pre-circulated material before the hearing, there will be no need for it to be read out. An executive summary maybe read out or the key points highlighted.
 7. Any enquiries regarding these Directions or related matters should be directed to the Council's Hearings Advisor, Nick Somerville, by email at nick.somerville@aucklandcouncil.govt.nz.



Bill Smith, Chairperson
14 December 2021

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER of **Private Plan Change 67** – Hingaia 1 Precinct to the Auckland Unitary Plan

HEARING DIRECTION #1 FROM THE HEARING PANEL

1. Pursuant to section 34A of the RMA, Auckland Council (the Council) has appointed the chair of the Hearing Panel – Bill Smith (Chairperson). The hearing panel members will be appointed shortly. The Hearing Panel's function is to hear the application and submissions and make a decision on the Plan Change proposal, including any changes to it that are within scope of the notified Plan Change.
2. Plan Change 67 aims to rezone properties at 144, 152, 158, 180 and 252 Park Estate Road, Hingaia and make changes to the Hingaia 1 Precinct provisions. The rezoning relates to changing the zone of land from Residential Mixed Housing Suburban zone to Residential Mixed Housing Urban zone and a relocation a Business Neighbourhood Centre zone in the Auckland Unitary Plan (Operative in Part) 2016.
3. Before the hearing timetable is set down, the Chair directs the applicant to file a memorandum outlining what, if any, changes they recommend to the proposal and outline which changes are in response to which submissions. This memorandum should be lodged with the Council's Hearings Advisor, Nick Somerville, by 5pm, Monday 13 December 2021.
4. The reason for this is, in accordance with Part 2 of Schedule 1 of the RMA, any modifications to the plan change application must be made prior to the Local Authority considering the request under S25 of Schedule 1. As this private plan change has already been notified, the S42A report will be based on the private plan change as notified. The chair, in setting the hearing timetable, will take into consideration the extent of any proposed changes to ensure all parties have sufficient time to prepare for the hearing.
5. Any enquiries regarding these Directions or related matters should be directed to the Council's Hearings Advisor, Nick Somerville, by email at nick.somerville@aucklandcouncil.govt.nz.



William (Bill) Smith, Chairperson
8 December 2021

Before Auckland Council

In the matter of the Resource Management Act 1991

And

In the matter of Private Plan Change 67 – Hingaia Precinct to the Auckland Unitary Plan

Memorandum of counsel for applicant in response to Hearing Direction #1

Dated 13 December 2021

May it please the Chair

1. Hearing Direction #1 from the Hearing Panel, dated 8 December 2021, directed the applicant, Hugh Green Ltd (**Applicant**), to file a memorandum outlining what, if any, changes they recommend to the proposal and outline what changes are in response to which submission.
2. Attached as **Appendix A** to this memorandum is a track change version of the Hingaia 1 Precinct with different colours as follows:
 - (a) Changes in **blue** are those that were in the notified version of the plan change;
 - (b) Changes in **red** are those the Applicant recommends as a result of Submission 32 (Hugh Green Ltd). These relate largely to applying the Medium Density Residential Standards (**MDRS**) which form part of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill, which is expected to be enacted this week. It is proposed that the MDRS would be included in an Appendix which would cease to have effect once the MDRS has been incorporated into the Auckland Unitary Plan through the Intensification Planning Instrument process required by the Bill;

(c) Changes in orange are those the Applicant recommends as a result of the following submissions:

- (i) In response to submission 31 (Transpower New Zealand Limited), which supports retention of the National Grid Corridor for the Hingaia 1 Precinct, it is recommended to amend the Precinct Description section to insert a list of the overlays that apply within the precinct;
- (ii) In response to submission 38.5 (Auckland Council), which seeks amendments to generally reflect the underlying Auckland-wide and Residential zone provisions, the Applicant recommends simplifying the activity tables further, including removal of the column “Standards to be complied with”. Consequential changes also give effect to submissions 31.5 and 31.6 (Transpower New Zealand Limited) and further submissions FS03 (Auckland Transport) and FS04 (NZTA), by removing “if listed” from the explanation of which standards are to apply.
- (iii) In response to submission 38.19 (Auckland Council), references to “reserves” have been amended to refer to “open spaces” or “public places” as sought in the submission;
- (iv) In response to submission 39.1 (Parklands Properties Limited), the restriction of the show homes permitted activity only applying in the Mixed Housing Urban Zone to recommended to be removed, alongside consequential changes to the related proposed standard.
- (v) In response to submission 40.6 (Auckland Transport), road construction guidelines are recommended to be included as an appendix and an associated assessment criterion to be added for subdivision.

(d) Changes in grey are those the Applicant considers necessary or appropriate but which have not been specifically raised in any submission. These are considered to be within the Hearing Panel’s general jurisdiction to make minor corrections:

- (i) Inserting an omitted reference to Activity Table I4XX.4.2
- (ii) ‘Filling’ the blank cell for the activity of “Construction or use of a vehicle crossing” by including separate activities for when this is a permitted or restricted discretionary activity in Table E27.4.1.
- (iii) Correcting “Matters for discretion” to “matters of discretion”;
- (iv) Inserting matters of discretion and assessment criteria (cross-referencing the relevant provisions in E27) for the inserted restricted discretionary activity.

3. There are other points raised in submissions which the Applicant does not oppose, but which are not shown as a recommended change because they are already reflected in the plan change as notified. These are:

- (a) Submission 38.3, to the extent it seeks that the Neighbourhood Centre objectives policies and rules should be consistent with the underlying zone - PC67 removes all precinct rules applying in the Neighbourhood Centre zone, with the underlying zone rules applying in full.
 - (b) Submission 38.6 which seeks deletion of the rule enabling cafes to establish as a restricted discretionary activity – while a rule enabling cafés to establish along the coast as a restricted discretionary activity was proposed at an earlier stage, it was not part of the notified plan change;
 - (c) Submission 38.15, which seeks to re-zone land purchased by Council for Open Space - there is no land owned by Auckland Council that is subject to the zone changes proposed by PC67.
4. Finally, “I4XX” is now used as the precinct section number, rather than “I444” (which was used when PC67 was notified). This acknowledges that I444 is now the section number for the Wiri Precinct and there a number of plan changes currently before Council that introduce new precincts within South Auckland.
5. The iterative nature of the plan change process means that the version in Appendix A includes a lot of track changes which may be confusing to the reader. **Appendix B** has therefore been prepared as a ‘clean’ version of the Hingaia 1 Precinct that the Applicant seeks as the end result of the plan change process.
6. The Applicant is happy to provide any further assistance to the Panel in the lead up to the hearing.



Asher Davidson
Counsel for Hugh Green Ltd
13 December 2021

Appendix A

I4XX.6.31 Hingaia 1

I4XX.1. Precinct Description

The Hingaia 1 precinct is located approximately 2.4km west of Papakura and is located in the southern part of the Hingaia Peninsula, to the south of the existing 'Karakā Lakes' residential subdivision.

~~The Hingaia 1 precinct is the area shown on the Hingaia 1 zoning map showing all Hingaia 1 subprecincts A-D.~~

The whole of the Hingaia Peninsula was structure planned for growth in 2000-2002. However, only Stage 1A was re-zoned at that time. This precinct is to be developed to provide for a logical extension of the existing Hingaia urban area, and development in the precinct will be guided by the Hingaia 1 precinct plan.

The purpose of the Hingaia 1 precinct is to provide for comprehensive and integrated residential development on the Hingaia Peninsula, to increase the supply of housing ~~(including affordable housing)~~, to facilitate the efficient use of land, and to co-ordinate the provision of infrastructure.

It is envisaged that future land use, development and subdivision consents will give effect to the key elements of the precinct plan and provide opportunities for pedestrian and roading connections into future development areas.

The zoning of land within this precinct is Residential – Mixed Housing Suburban, Residential – Mixed Housing Urban and Business – Neighbourhood Centre.

The following overlays apply to parts of the land within this precinct:

- D9 Significant Ecological Areas Overlay
- D13 Notable Trees Overlay
- D17 Historic Heritage Overlay
- D26 National Grid Corridor Overlay

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

I4XX.2. Objectives

~~The objectives are as listed in the underlying Mixed Housing Urban zone, Mixed Housing Suburban zone, Neighbourhood Centre zone and Auckland-wide rules in addition to those specified below:~~

- ~~(1) 1.~~ Subdivision and development occurs in a co-ordinated way that implements the Hingaia 1 precinct plan, provides a logical extension to the existing urban environment, and provides for connections to future development on adjoining land.
- ~~(2) 2.~~ Development achieves a high standard of amenity while ensuring there is a choice of living environments and affordability options.
- ~~(3) 3.~~ ~~Retain and enhance t~~The existing stream network ~~and provide stream corridors~~ as illustrated on the Hingaia 1 precinct plan is retained and enhanced.

~~(4) 4-~~Subdivision and development occurs in a manner that achieves the co-ordinated delivery of infrastructure, including transport, wastewater, and water services. ~~Stormwater management approaches should promote the use of water sensitive design options.~~

~~5.Control the location of vehicle crossings to individual properties which adjoin shared paths.~~

~~(5) The safety of users of shared paths and dedicated cycleways is prioritised over vehicle access.~~

~~(6) 6-~~Significant adverse effects of stormwater run-off on communities, the marine receiving environment and freshwater systems are avoided to the extent practical, or otherwise mitigated using water sensitive design principles.

~~7.Major overland flowpaths are retained or provided for in the site layout to manage risks from flood events up to the 1 percent AEP, taking account of maximum probable development in the upstream catchment.~~

~~8.To ensure that affordable housing provided in any residential development is distributed throughout the development.~~

~~(7) 9-~~Subdivision and development adjoining the coast ~~has larger site sizes to~~ provides for enhanced amenity and ~~to avoid~~ risks of adverse effects arising from coastal erosion.

~~10.Subdivision and development in the precinct will not adversely impact on the safe and efficient operation of the adjoining State Highway network and/or the National Grid.~~

~~(8) 11.~~Develop a ~~A~~ neighbourhood centre is developed that provides for small scale convenience retail, service and commercial activities that meet the day-to-day needs of the area, and which does not undermine the viability and role of either the Hingaia Mixed Use Town Centre or the Papakura Metropolitan Centre.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

Further objectives identified in I4XX.12.1 (Appendix 2) may also apply.

I4XX.3. Policies

~~The policies are as listed in the underlying Mixed Housing Urban zone, Mixed Housing Suburban zone, Neighbourhood Centre zone and Auckland-wide rules in addition to those specified below:~~

~~(1) 1-~~Require the structural elements of the Hingaia 1 precinct plan to be incorporated into all subdivision and development that results in urbanisation of the land.

~~(2) 2-~~Require the construction of new roads, as generally indicated on the Hingaia 1 precinct plan, to achieve integration with the existing urban area and to enable future connections to link into adjoining sites to ensure that an interconnected movement network can be achieved on the Hingaia Peninsula.

~~(3) 3-~~Ensure that a range of lot sizes, housing typologies and densities is enabled throughout the precinct to reflect a choice of living environments and affordability, by applying the Medium Density Residential Standards introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 including by enabling greater development potential for higher density residential developments and integrated residential development to be dispersed between lower density vacant lots.

- (4) ~~4.~~Enable a range of residential living opportunities (including a range of lot sizes) with more intensive housing ~~to be generally located~~ encouraged in locations with close proximity to the neighbourhood centre, public transport routes or ~~and locations~~ areas with high amenity (e.g. locations close to public open space).
- (5) ~~5.~~Ensure subdivision and development, including road design, achieves a high standard of amenity, pedestrian safety and convenience, and contributes to a positive sense of place and identity.
- (6) ~~6.~~Require subdivision and development to be staged to align with the co-ordinated provision of infrastructure, including transport, water and wastewater.
- (7) ~~7.~~Require Ssubdivision and development should to use water sensitive design principles as the core development approach to manage stormwater run-off, water quality, and flooding and mimic the natural hydrological regime and provide baseflow to streams.
- (8) ~~8.~~Require subdivision and development to restore and to enhance the stream network, as illustrated on the Hingaia 1 precinct plan, to achieve a natural appearance with appropriate native species and encourage restoration and enhancement of wetland areas.
- (9) ~~9.~~Create Encourage walkways along stream corridors and within and around wetland areas. Where possible, walkways should integrate with existing open space areas and enable future connections to adjoining undeveloped sites.
- (10) ~~10.~~Require the design of Sstormwater retention devices in public areas are designed to be integrated with the surrounding area and to contribute to multi-use benefits for public areas. Where appropriate, the devices should be natural in appearance.

~~11. Stormwater infrastructure and devices are designed and sized to incorporate projected climate change.~~

- (11) ~~12.~~Protect and eEnhance the natural character of the coast and avoid adverse effects from further coastal erosion ~~through:~~ by encouraging a-restoration planting with eco-sourced plants ~~at the time of~~ where subdivision vests esplanade reserve in Council.

~~b. requiring larger site sizes adjoining the coast or proposed esplanade reserve~~

- (12) Promote the development and enhancement of a high amenity urban coastal character by:

(a) managing the interface between reserves open space and private allotments to minimise visual dominance effects from buildings, fences and retaining walls; and

(b) ~~e.~~providing for viewshafts out to the coast along roads and open space (and from the esplanade reserve back into the development).

~~d. providing for ecological corridors through Hingaia.~~

~~13. Subdivision and development promote enhancement and protection of coastal character, heritage items, cultural and ecological features.~~

~~14. New residential developments containing 15 or more dwellings/sites provide for affordable housing.~~

~~15. New retirement village developments containing 15 or more dwellings provide for affordable housing.~~

~~16. Require sites in sub-precincts A-D to be developed in general accordance with Hingaia 1 precinct map.~~

~~17. Require subdivision to be consistent with the Electricity Transmission and High Noise Land Transport overlay provisions.~~

(13) Restrict or manage vehicle access to and from sites adjacent to shared paths or dedicated cycleways so that:

(a) the location, number, and design of vehicle crossings and associated access provides for the efficient movement of users of the shared path or dedicated cycleway; and

(b) any adverse effect on the effective, efficient and safe operation of the shared paths or dedicated cycleways arising from vehicle access across these facilities is avoided or mitigated.

~~18. Ensure that in the Neighbourhood Centre zone:~~

~~a. the total land area for the neighbourhood centre is limited in extent to a maximum of 4,000m² in the Hingaia 1 precinct~~

~~b. a range of convenience retail and commercial services is provided that meets the day-to-day needs of local residents and wider public~~

~~c. activities are compatible with adjoining residential land uses~~

~~d. development of the neighbourhood centre occurs in a manner that protects and safeguards the viability and roles of the Hingaia Mixed Use Town Centre and the Papakura Metropolitan Centre.~~

(14) Provide for a neighbourhood centre as a community meeting point that meets the convenience needs of local residents in a manner that protects and safeguards the viability and roles of the Hingaia Local Centre (and adjacent Mixed Use zone) and the Papakura Metropolitan Centre.

(14) 19. Encourage subdivision and development to contribute to a positive sense of place and identity through in-street landscape elements, including retaining existing landscape features, and maximising coastal vistas.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

Further objectives identified in 14XX.12.2 (Appendix 2) may also apply.

6.31 Hingaia 1

~~The activities, controls and assessment criteria in the underlying Mixed Housing Urban zone, Mixed Housing Suburban zone, Neighbourhood Centre and Auckland-wide rules apply in the Hingaia 1 precinct unless otherwise specified.~~

~~For the purposes of this precinct the definition of “Integrated Residential Development” applies with the following modification:~~

~~“Residential development on sites more than 800m² where elements of the development such as building design, open space, landscaping, vehicle access, roads and subdivision are designed to form an integrated whole. The height in relation to boundary, and yards development controls do not apply to internal site boundaries in the Integrated Residential Development. The maximum density land use controls do not apply to Integrated Residential Development.”~~

I4XX.4. 1. Activity Table

All relevant overlay activity tables apply unless otherwise specified below.

The activities in the All other relevant Auckland-wide rules, Mixed Housing Urban zone, and Mixed Housing Suburban zone activity tables apply in the Hingaia 1 precinct unless otherwise specified the activity is listed in the Activity Table I4XX.4.1 below, Activity Table I4XX.4.2 below, Activity Table I4XX.12.4.1 (Appendix 2) or Activity Table I4XX.12.4.2 (Appendix 2).

Table I4XX.4.1 specifies the activity status of land use and development activities in the Hingaia 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I4XX.4.2 specifies the activity status of subdivision activities in the Hingaia 1 Precinct pursuant to section 11 of the Resource Management Act 1991.

A blank cell in the activity status means that the activity status (and any relevant matters of control or discretion) in the relevant overlay, Auckland-wide or zone provisions applies.

Table I4XX.4.1 Activity Table – Land use activities

<u>Activity</u>	<u>Activity Status</u>	<u>Standards to be complied with</u>
<u>Transport</u>		
(A1) Construction or use of a vehicle crossing that is listed as a permitted activity in Table E27.4.1	P	<u>E27.6.4.1. Vehicle access restrictions; E27.6.4.2. Width and number of vehicle crossings; Standard I4XX.6.1.7 Vehicle access restrictions – Cycle facilities</u>
(A2) Construction or use of a vehicle crossing that is listed as a restricted discretionary activity in Table E27.4.1	RD	
<u>Residential</u>		
(A2) <u>Residential activities (including dwellings) not provided for below</u>		<u>The underlying zone standards applying to that activity; Standard I4XX.6.1.4 Fences and walls adjoining reserves</u>
(A3) <u>Two or three dwellings per site where the site area per dwelling is less than 400 m² in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area</u>	RD	<u>Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard I4XX.6.1.4 Fences and walls adjoining reserves</u>
(A4) <u>Four or more dwellings per site where the site area per dwelling is less than 400 m² in the Residential – Mixed Housing Suburban zone</u>	RD	<u>Standard H4.6.4 Building height; Standard; H4.6.5 Height in relation to boundary; H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard I4XX.6.1.4 Fences and walls adjoining reserves</u>
(A5) <u>One dwelling on a front site less than 400 m² in area in the Residential – Mixed Housing Urban zone</u>	P	<u>Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls;</u>

			Standard H5.6.16 Minimum dwelling size; Standard I4XX.6.1.1 Maximum impervious areas for higher density development; Standard I4XX.6.1.2. Building coverage for higher density development; Standard I4XX.6.1.3. Landscaped area for higher density development; Standard I4XX.6.1.4 Fences and walls adjoining reserves; Standard I4XX.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone
(A6)	Two or three dwellings per site where the site area per dwelling is less than 400 m² in the Residential — Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard I4XX.6.1.4 Fences and walls adjoining reserves; Standard I4XX.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone
(A7)	Four or more dwellings per site where the site area per dwelling is less than 400 m² in the Residential — Mixed Housing Urban zone	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard I4XX.6.1.4 Fences and walls adjoining reserves; Standard I4XX.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone
(A8)	Integrated Residential Development in the Residential — Mixed Housing Suburban zone	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A9)	Integrated Residential Development in the Residential — Mixed Housing Urban zone	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard I4XX.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone
Commerce			
(A10)	Show homes in the Residential — Mixed Housing Urban zone	P	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size; Standard I4XX.6.1.1 Maximum impervious areas for higher density development; Standard I4XX.6.1.2. Building coverage for higher density development; Standard I4XX.6.1.3. Landscaped area for higher density development; Standard I4XX.6.1.4 Fences and walls adjoining reserves; Standard I4XX.6.1.5 Height in relation to

			<u>boundary in the Residential — Mixed Housing Urban Zone; Standard I4XX.6.1.6 Show homes in the Residential — Mixed Housing Urban zone</u>
Development			
(A11)	Internal and external alterations to buildings in residential zones		The same activity status and standards as applies to the land use activity that the building is designed to accommodate
(A12)	Accessory buildings in residential zones		The same activity status and standards as applies to the land use activity that the building is accessory to
(A13)	New buildings and additions to buildings in the Residential — Mixed Housing Suburban zone which do not comply with H4.6.5 Height in relation to boundary but comply with H4.6.6 Alternative height in relation to boundary		The same activity status and standards as applies in the underlying zone
(A14)	New buildings and additions to buildings in the Residential — Mixed Housing Urban zone which do not comply with Standard H5.6.5 Height in relation to boundary but comply with Standard I4XX.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone	P	Standard I4XX.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone Note: Compliance with Standard H5.6.5 Height in relation to boundary is not required.
(A15)	New buildings and additions to buildings in the Residential — Mixed Housing Urban zone which do not comply with Standard I4XX.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary	RD	H5.6.6 Alternative height in relation to boundary Note: Compliance with Standard I4XX.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone is not required.
(A16)	New buildings and additions to buildings in residential zones		The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate
(A11)	Fences and walls	P	
(A12)	Structures not defined as buildings under Chapter J not otherwise provided for	P	
(A17)	Structures not defined as buildings under Chapter J in the Residential — Mixed Housing Suburban zone that are accessory to a residential activity listed as permitted or restricted discretionary activity in this activity table	P	Standard H4.6.14 Front, side and rear fences and walls; Standard I4XX.6.1.1 Maximum impervious areas for higher density development; Standard I4XX.6.1.3. Landscaped area for higher density development; Standard I4XX.6.1.4 Fences and walls adjoining reserves
(A18)	Structures not defined as buildings under Chapter J in the Residential — Mixed Housing Suburban zone not otherwise provided for	P	Standard H4.6.8 Maximum impervious areas; Standard H4.6.10 Landscaped area; Standard H4.6.14 Front, side and rear fences and walls; Standard

			I4XX.6.1.4 Fences and walls adjoining reserves
(A19)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Urban zone that are accessory to a show home or a residential activity listed as permitted or restricted discretionary activity in this activity table	P	Standard H5.6.15 Front, side and rear fences and walls; Standard I4XX.6.1.1 Maximum impervious areas for higher density development; Standard I4XX.6.1.3. Landscaped area for higher density development; Standard I4XX.6.1.4 Fences and walls adjoining reserves
(A20)	Structures not defined as buildings under Chapter J in the Residential – Mixed Housing Urban zone not otherwise provided for	P	Standard H5.6.9 Maximum impervious areas; Standard H5.6.11 Landscaped area; Standard H5.6.15 Front, side and rear fences and walls; Standard I4XX.6.1.4 Fences and walls adjoining reserves
(A21)	Structures not defined as buildings under Chapter J in the Business – Neighbourhood Centre zone	P	Standard H12.6.11 Landscaping; Standard H12.6.6. Maximum impervious area in the riparian yard; Standard I4XX.6.1.4 Fences and walls adjoining reserves

Table I4XX.4.2 Activity Table – Subdivision activities

Subdivision Activity		Activity Status	Standards to be complied with
(A22)	Subdivision that is listed as a restricted discretionary activity in Table E38.4.1, E38.4.2, E38.4.3 or E38.4.4 and not otherwise provided for below	RD	The relevant Auckland wide standards in sections E38.6 to E38.10; Standard I4XX.6.2.1 Precinct Plan; I4XX.6.2.3 Riparian Margins;
(A23)	Vacant sites subdivision in a residential zone	RD	The standards in section E38.6 General standards for subdivision; the standards in section E38.8.1 General standards in residential zones; Standard I4XX.6.2.1 Precinct Plan; Standard I4XX.6.2.2 Vacant Sites Subdivision in Residential Zones; Standard I4XX.6.2.3 Riparian Margins
(A24)	Any subdivision listed in this activity table that does not meet any of the standards to be complied with listed in this table comply with any of the relevant standards in I4XX.6.2 Subdivision standards	D	

Residential Activity Table 1 – Hingaia 1 Precinct

Activity	Activity Status
Residential	
Integrated Residential Development on front sites	RD
Dwelling(s) on sites that adjoin the coast/and or esplanade reserve and that have a net site area of 600m² or less	RD

Land Use Controls – All Zones

A. Affordable Housing

Purpose:

To ensure that the Precinct contains affordable housing to help address Auckland's housing affordability needs.

1. New residential developments containing 15 or more dwellings/vacant sites must provide for affordable dwellings/vacant sites that are either (a) relative affordable or (b) retained affordable that will meet the requirements of rules 2-9 below.
2. All resource consent applications requiring the provision of affordable dwellings/vacant sites must be accompanied by details of the location, number and percentage of affordable dwellings/vacant sites.
3. Affordable dwellings/vacant sites must be spread throughout the development, with no more than six in any one cluster.
4. For staged developments, a proportionate number of affordable dwellings and/or vacant sites must be provided at each respective stage on a pro-rata basis and spread throughout the development in accordance with rule 3 above.
5. For apartments, no more than one-third of the total number of identified affordable dwellings shall be located on a single building level/storey, unless the development is two levels, in which case no more than half of the identified affordable dwellings shall be located on a single level.
6. If the calculation of the percentage of dwellings (and/or vacant sites) that must be affordable dwellings (and/or vacant sites) results in a fractional dwelling (or vacant site) of one-half or more, that fraction is counted as 1 dwelling (or vacant sites) and any lesser fraction may be disregarded.
7. For avoidance of doubt, the land use rules in this section 6.31.4 do not apply to resource consent applications processed under the Housing Accords and Special Housing Areas Act 2013 ("HASHAA") as the provisions specified in the relevant Order in Council apply. The above provisions apply to consents that are not processed under the HASHAA.

B. Relative Affordable

Number of Relative Affordable Dwellings or Sites

Purpose:

To ensure that the precinct contains price relative affordable housing available to first home buyers to help address Auckland's housing affordability needs.

1. For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites, (or a mixture of both with the total cumulative number of dwellings and/or vacant sites being 15 or more), at least 10 percent of the total number of dwellings/vacant sites must be relative affordable and meet the following criteria:
 - a. The price at which a dwelling may be sold does not exceed 75 percent of the Auckland region median house price (calculated as an average of 3 calendar months previous to the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later) that is published by the Real Estate Institute of New Zealand.
 - b. If the application is for a subdivision consent, the applicant must identify the sites of the subdivision allocated for the building of relative affordable dwellings and must specify the mechanism (consent notice for example) for ensuring that the combined value of the building and the land upon completion will meet that criterion or is a building associated with such a dwelling.
 - c. Dwellings must be sold to first home buyers who must reside in the dwelling and retain ownership from the date of transfer.

C. Eligibility for Relative Affordable Housing

Purpose:

To ensure relative affordable housing is purchased by appropriate persons

1. ~~Prior to the first transfer of affordable dwellings (including new dwellings that have never been occupied and are built on vacant sites that are identified for affordable dwellings), the consent holder shall provide the Council with a statutory declaration that confirms the sale complies with the following eligibility requirements:~~

~~a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 percent of the Auckland median household income at the date the sale and purchase agreement was made unconditional.~~

~~b. the consent holder has sold the dwelling (and any associated parking that is required by resource consent and storage) at a price which is not more than that defined by the 75 percent median price in accordance with rule B.1(a).~~

~~c. the purchaser is a first home buyer and has never owned any other real property.~~

~~d. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in the name of any other person or entity.~~

2. ~~Prior to the transfer of a vacant site identified for affordable dwellings, the purchaser shall be made aware of the consent notice mechanism required to ensure any building built on the site is a dwelling that will meet the relative affordable criteria in clause 1 above or is a building associated with such a dwelling.~~

3. ~~Prior to the transfer of a vacant site identified for an affordable dwelling, the consent holder shall provide the Council with a statutory declaration executed by the intended purchaser that confirms the sale complies with the following eligibility requirements:~~

~~a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 percent of the Auckland median household income as set at the date the sale and purchase agreement became unconditional;~~

~~b. any development of the site shall be such that the combined value of the dwelling and the land on completion, as confirmed by a registered valuation, shall be no more than that defined by the 75 percent median price in accordance with rule B.1(a);~~

~~c. the purchase is a first home buyer and has never owned any other real property;~~

~~d. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in the name, or on behalf, of any other person or entity.~~

4. ~~A consent notice shall be placed on the computer freehold register for the respective affordable dwellings/vacant sites requiring the above eligibility criteria to be met for 3 years from the date of transfer to the first eligible purchaser.~~

D. Retained Affordable Eligibility for Retained Affordable Housing

Purpose:

To ensure that the precinct contains income related retained affordable housing to help address Auckland's housing affordability needs and to ensure retained housing is appropriately managed by Community Housing Providers to achieve ongoing provision and availability where required.

1. ~~Purchasers in respect of retained affordable housing must be a registered community housing provider or the Housing New Zealand Corporation. This rule does not apply to Retirement Villages which are dealt with by rule E below.~~

Number of Retained Affordable Dwellings or Sites

1. ~~For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites (or a mixture of both with the total cumulative number of dwellings and/or vacant~~

sites being 15 or more), at least 5 percent of the total number of dwellings, or vacant sites in any development must be retained affordable and meet the following criteria:

- a. The price at which a dwelling may be sold would mean that the monthly mortgage payments for a household receiving the Auckland median household income (as published by Statistics New Zealand for the most recent June quarter calculated as an average of 3 calendar months previous to the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later) would not exceed 30 percent of the household's gross monthly income, based on the assumptions that:
 - i. The dwelling is purchased with a 10 percent deposit; and
 - ii. The balance of the purchase price is financed by a 30-year reducing loan, secured by a single mortgage over the property, at a mortgage interest rate equal to the most recent average two-year fixed rate. The interest rate used is to be that published most recently by the Reserve Bank of New Zealand, in relation to the date the application for resource consent is made.

2. As part of the resource consent application evidence shall be provided to demonstrate a community housing provider will purchase the dwellings/sites. Prior to transfer of the retained affordable dwellings/sites a Council approved statutory declaration must be returned to the Council by the consent holder to demonstrate the dwellings/sites are to be sold at the price point outlined in clause 1 above.

E. Affordable Housing in Retirement Villages

Purpose:

To ensure affordable housing is provided in retirement village complexes

1. For retirement village developments (including any redevelopment creating additional units) containing 15 or more units:

- a. At least 10 percent of the total number of units must be relative affordable for three years from the date of purchase. If a dwelling is transferred (including by way of lease or licence) during this timeframe it must continue to meet the required price point set out below in clause (i) below:
 - i. The units classed as relative affordable will be valued at no more than 65 percent of the Auckland region median house price published by the Real Estate Institute of New Zealand for the most recent full calendar month preceding the date on which the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later.
 - ii. The price point required by clause (i) above shall include annual charges for maintenance and refurbishment at the retirement village but exclude entry costs, transfer costs, periodical charges, rates and insurance.

Eligibility for Relative Affordable in a Retirement Village

Purpose:

To ensure relative affordable housing is purchased by qualified persons

1. The purchaser(s)/resident(s) shall have a gross household income that does not exceed 150 percent of the NZ superannuation income receivable, current at the date of purchase.

Neighbourhood Centre Zone Activity Table

The activities in the Auckland wide rule and the Neighbourhood Centre zone apply to the Hingaia 1 precinct unless otherwise specified in the activity table below

Activity	Activity Status
Retail	
Individual retail tenancies not exceeding 450m ² (gross floor area)	P
Individual retail tenancies exceeding 450m ² (gross floor area)	NC

Any Retail Activity that results in the total gross floor area of all Commercial and Retail Activities in the Neighbourhood Centre zone exceeding 1,000m²	NC
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I4XX.5. 2-Notification

- ~~(1) Any application for resource consent for an activity listed in Table I4XX.4.1 or Table I4XX.4.2 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).~~

~~1.The notification provisions for sub-precincts A and C outlined in Chapter G.2.4 and Chapter I.1.2 apply.~~

~~2.Subdivision and resource consent applications for urban development within 37m of the centerline of a National Grid transmission line, or over underground Counties Power electricity lines, or adjoining the southern motorway in sub-precincts B, C or D will be notified on a limited basis to Transpower, the New Zealand Transport Agency and/or Counties Power if written approval from these parties is not included with the resource consent application.~~

~~3.Subdivision and resource consent applications that do not meet the minimum berm width adjacent to the road boundary shown in the figures referenced in Activity Table 4, and/or where planting is proposed on berms accommodating services, will be notified on a limited basis to Counties Power if written approval from this party is not included with the resource consent application.~~

~~4.All other restricted discretionary activities will be considered without public or limited notification, or the need to obtain written approval from affected parties, unless otherwise specified in the Unitary Plan or special circumstances exist in accordance with section 95A(4) of the RMA that make notification desirable.~~

I4XX.6. Standards

I4XX.6.1. 3. Land use controls standards

~~Land use activities listed in Table I4XX.4.1 Activity Table – Land use activities must comply with the standards listed in the column in Table I4XX.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, if listed.~~

- ~~(1) All relevant overlay, Auckland-wide and zone standards apply to the activities listed in Table I4XX.4.1.~~
- ~~(2) Activity (A11) listed in Table I4XX.4.1 must comply with Standard I4XX.6.1.4.~~
- ~~(3) Activity (A10) listed in Table I4XX.4.1 must comply with Standard I4XX.6.1.6.~~
- ~~(4) Activities (A1) and (A2) listed in Table I4XX.4.1 must comply with Standard I4XX.6.1.7.~~

~~The land use controls in the Mixed Housing Urban zone, Mixed Housing Suburban and Neighbourhood Centre zone apply to the Hingaia 1 precinct.~~

4. Development controls

~~The development controls in the Mixed Housing Urban zone, Mixed Housing Suburban and Neighbourhood Centre zone apply to the Hingaia 1 precinct subject to any additional or more~~

permissive rules provided below. For the avoidance of any doubt, where the same development control is provided in the underlying zoning and in this section, the more permissive control will apply.

4.1 Impervious area, building coverage and landscaping

Purpose:

To provide for flexibility of built form for higher density development

1. Integrated residential development

a. Maximum impervious area: 70 percent

b. Maximum impervious surface within riparian yard: 10 percent

c. Building Coverage: 50 percent

d. Landscaping: 30 percent

e. At least 10 percent of the required landscaped area must be planted including at least one tree that is pB95 or larger at the time of planting.

f. At least 40 percent of the front yard must comprise landscaped area.

14XX.6.1.1. Maximum impervious areas for higher density development

Purpose:

- ~~• to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risk;~~
- ~~• to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;~~
- ~~• to reinforce the building coverage and landscaped area standards;~~
- ~~• to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood; and~~
- ~~• To provide for flexibility of built form for higher density development~~

~~(1) The maximum impervious area must not exceed 70 per cent of the site area.~~

~~(2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.~~

14XX.6.1.2. Building coverage for higher density development

Purpose:

- ~~• in the Residential—Mixed Housing Suburban zone, to manage the extent of buildings on a site to achieve the planned suburban built character of buildings;~~
- ~~• in the Residential—Mixed Housing Urban zone, to manage the extent of buildings on a site to achieve the planned urban built character of buildings; and~~
- ~~• to provide for flexibility of built form for higher density residential development.~~

~~(1) The maximum building coverage must not exceed 50 per cent of the net site area.~~

14XX.6.1.3. Landscaped area for higher density development

Purpose:

- ~~• in the Residential—Mixed Housing Suburban zone, to provide for quality living environments consistent with the planned suburban built character of buildings within a generally spacious setting;~~

- ~~• in the Residential—Mixed Housing Urban zone, to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space;~~
- ~~• to maintain the landscaped character of the streetscape within the zone; and~~
- ~~• to provide for flexibility of built form for higher density residential development.~~

~~(1) The minimum landscaped area must be at least 30 per cent of the net site area.~~

~~(2) The front yard must comprise landscaped area of at least 40 per cent of the front yard.~~

4.2 Dwellings fronting the street

Purpose:

To provide for flexibility of built form for higher density development

1. Integrated residential development

a. The front façade of a dwelling or dwellings on a front site must contain:

i. glazing that is cumulatively at least 20 percent of the area of the front façade (excluding the garage door)

ii. a main entrance way that is visible from the street.

4.3 Maximum building length

Purpose:

To manage the length of buildings along side boundaries and the separation between buildings on the same site, to integrate them visually with the surrounding neighbourhood

1. Integrated residential development

a. Where any part of a building is within 5m of a side boundary, the maximum length of the building along the side boundary is to be 20m, after which there must be a separation of at least 5m along the same boundary to any other building on the same site.

4.4 Fencing

Purpose:

To ensure a safe and inviting streetscape for pedestrians

1. Where there is no separation between the lot and the adjacent footpath, fencing located within 0.6m of the front boundary must not exceed 1.2m in height and be 50 percent visually permeable (i.e. with 50 percent material spaced evenly across the width of the fence).

4.5 On-site Stormwater Management – new impervious surfaces

1. In catchments draining to intermittent or permanent streams (as indicated on Hingaia 1—Precinct Map) all new impervious surfaces of 50m² and over are to be designed to achieve the following:

a. Provide retention (volume reduction) of at least 5mm of run-off depth for the impervious area for which hydrology mitigation is required;

b. Provide detention (temporary storage) and a drain-down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 90th percentile, 24-hour rainfall event minus the 5mm retention volume (11.5mm) or any greater retention volume that is achieved over the impervious area for which hydrology mitigation is required.

2. In all other catchments (catchments draining to the coast) all new impervious surfaces of 50m² and over are to be designed to achieve the following:

a. Provide retention (volume reduction) of at least 5mm of runoff depth for the impervious area, alternatively the equivalent of the retention component can be met by filtration devices or a first flush diverter.

3. Stormwater run-off must be directed to an on-site device designed and sized to accommodate stormwater runoff from the areas described in clause 1 and 2 above.

4. Stormwater device/s on private land:

a. Must be maintained by the site owner in perpetuity.

b. If rainwater tanks are proposed for a dwelling to achieve the retention requirements of (a), the rainwater tank must be dual plumbed to non-potable uses such as the toilet as a minimum.

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

4.6 Garages

Purpose:

To ensure garages are not a dominant feature of the streetscape

1. A garage door facing a street must be no greater than 45 percent of the width of the front façade of the dwelling to which the garage relates.

2. Garage doors must not project forward of the front façade of a dwelling.

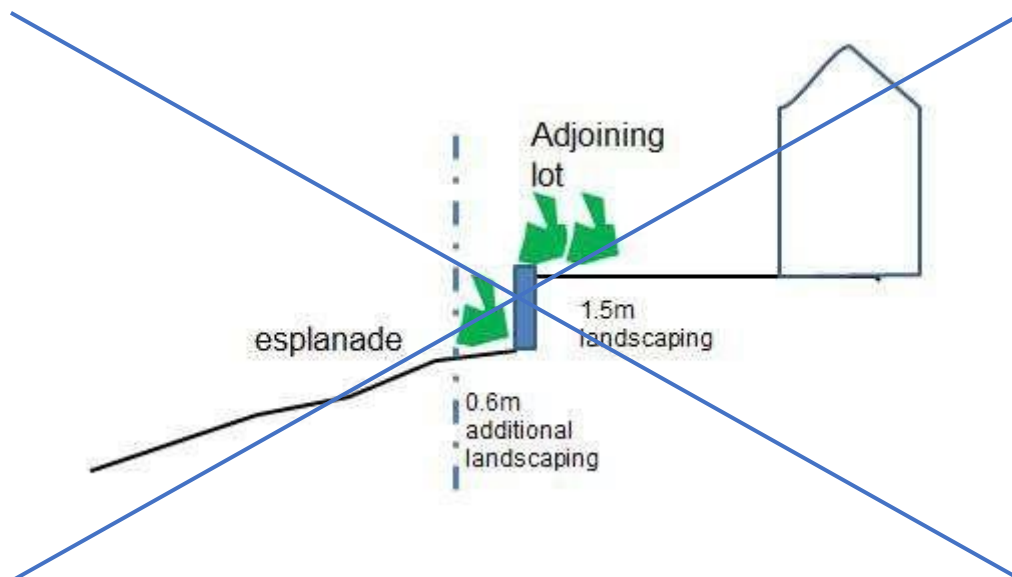
3. The garage door must be set back at least 5m from the site frontage.

4.7 Landscaping for Coastal Retaining Walls

Purpose:

To soften the visual impact of retaining walls from the esplanade reserve

1. Retaining walls of 1.0m or more in height adjoining the esplanade reserve boundary must have trees planted for a depth 0.6m in front of the retaining wall and within the site as illustrated in the figure below.



14XX.6.1.4. Fences and walls adjoining reserves public places other than roads

Purpose: to enable fences and walls to be constructed on or adjacent to a site boundary adjoining public places other than roads a reserve vested or, including land to be vested in Council as reserve, to be a sufficient height to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the adjoining reserve public place; and
- minimise visual dominance effects to the adjoining reserves public places;

- (1) Where a site has a boundary that adjoins either a site that is vested in Council as a local purpose (esplanade) reserve or part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as a local purpose (esplanade) reserve, then:
- (a) no fences or walls shall be constructed on or within 1.0 m of that boundary;
 - (b) no retaining walls shall be constructed within 1.5 m of that boundary;
 - (c) within 1.5 m of that boundary, any fences must not exceed a height, measured from the ground level at the boundary, of either:
 - (i) 1.2 m; or
 - (ii) 1.6 m, if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary;
 - (d) within 1.5 m of that boundary, any fences must be a dark, recessive colour; and
 - (e) if any fence is constructed within 1.5 m of that boundary, then the area between the fence and that boundary shall be fully planted with shrubs that are maintained at a height of at least 1.0 m, except that:
 - (i) where a fence contains a gate, no planting is required between that gate and the boundary for a maximum width of 2 m.

- (2) Where a site has a boundary that adjoins either a ~~public place other than a road site that is vested in Council as a reserve or in lieu of reserves, or~~ part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as a reserve or in lieu of reserves or a site ~~or part of a site in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open – Space Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone~~ that Standard I4XX.6.1.4(1) does not apply to, then:

- (a) on or within 1.0 m of that boundary, fences or walls or any combination of these structures (whether separate or joined together) must not exceed a height, measured from the ground level at the boundary, of either:
 - (i) 1.4 m;
 - (ii) 1.8 m for no more than 50 per cent of the length of the boundary and 1.4 m for the remainder; or
 - (iii) 1.8 m if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary.

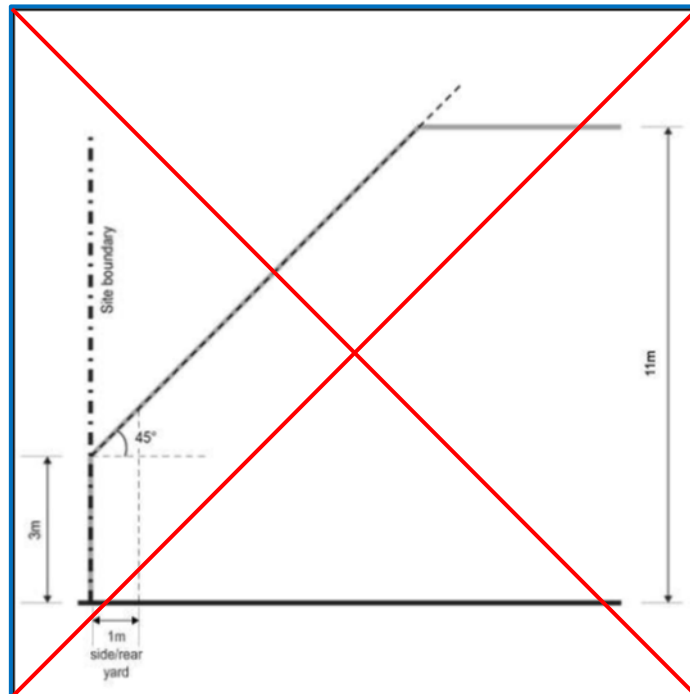
I4XX.6.1.5. Height in relation to boundary in the Residential – Mixed Housing Urban Zone

Purpose:

- ~~• to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours; and~~
- ~~• to enable the efficient use of the site by providing design flexibility at upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours~~

(1) Unless otherwise specified below, buildings must not project beyond a 45 degree recession plane measured from a point 3 m vertically above ground level along side and rear boundaries, as shown in Figure I4XX.6.1.5.1 Height in relation to boundary below.

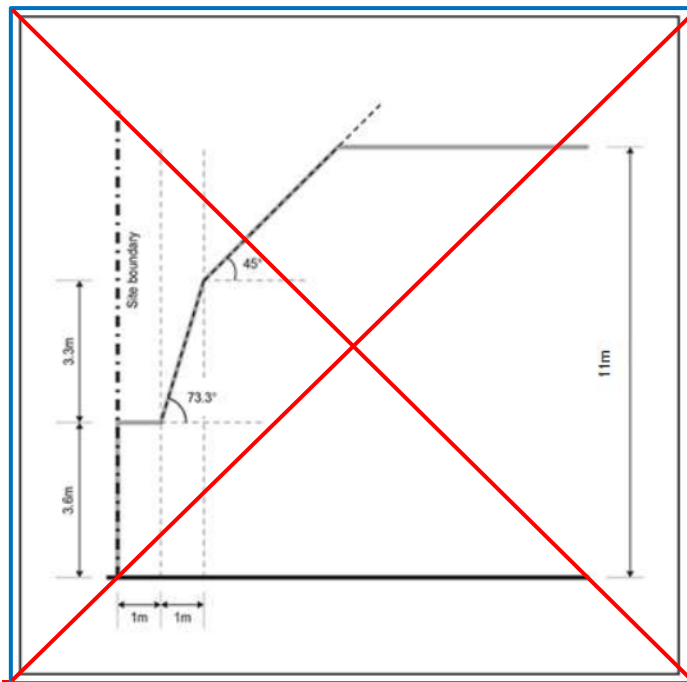
Figure I4XX.6.1.5.1 Height in relation to boundary



(2) Standard I4XX.6.1.5(1) does not apply to any buildings or parts of buildings that comply with Standards I4XX.6.1.5(3) and I4XX.6.1.5(4) below.

(3) Any buildings or parts of buildings on front sites within 20 m of the site frontage and more than 6 m from any rear boundary must not exceed a height of 3.6 m measured vertically above ground level at side boundaries. Thereafter, buildings must be set back 1 m and then 0.3 m for every additional metre in height (73.3 degrees) up to 6.9 m and then 1 m for every additional metre in height (45 degrees) as shown in Figure I4XX.6.1.5.2 Alternative Height in relation to boundary, below.

Figure I4XX.6.1.5.2 Alternative Height in relation to boundary



~~(4) Standard I4XX.6.1.5(3) above only applies to buildings that comply with the following:~~

~~(a) Where the site that adjoins the side boundary that the recession plane under Standard I4XX.6.1.5(3) is taken from contains an existing dwelling (or a dwelling that has obtained building consent), then shading caused by those parts of the building that would not comply with Standard I4XX.6.1.5(1) shall not result in less than four hours of sunlight between the hours of 9am and 4 pm during the equinox (22 September) over an area of at least:~~

~~(i) 75% of that existing dwelling's outdoor living space, if the outdoor living space has a total area of 20 m² or greater; or~~

~~(ii) 100% of that existing dwelling's outdoor living space, if the outdoor living space has a total area of less than 20 m².~~

~~(b) The front façade of each building must contain glazing that is cumulatively at least 20 percent of the area of the front façade (excluding any garage door).~~

~~(c) The front yard must comprise landscaped area of at least 50 per cent of the front yard.~~

~~(d) The proposed building shall provide a main entrance door that is visible from the street.~~

~~(e) Pedestrian access between the main entrance door of the building and the street must not cross any areas for the parking or manoeuvring of vehicles.~~

~~(f) Any garage doors facing the street must:~~

~~(i) Be set back at least 5 m from the front boundary; and~~

~~(ii) Must not project forward of the front façade of the building.~~

~~(g) — Any balconies, decks or any similar outdoor living spaces above ground floor level must not be visible from any side boundary (when viewing perpendicular to that boundary), unless the structure (including any balustrades) does not intrude the recession planes specified in Standard I4XX.6.1.5(1).~~

~~(h) — Those parts of the building that would not comply with Standard I4XX.6.1.5(1) must not include any glazing that faces a side boundary unless at least one of the following applies:~~

~~(i) — The glazing is opaque; or~~

~~(ii) — The window sill height is at least 1.6 m above the room's floor level.~~

~~(5) — Standards I4XX.6.1.5(1) and I4XX.6.1.5(3) above do not apply to a boundary or part of a boundary adjoining any of the following sites:~~

~~(a) — Any site in the Business — Neighbourhood Centre Zone;~~

~~(b) — Any site within the Open Space — Conservation Zone, Open Space — Informal Recreation Zone, Open Space — Sports and Active Recreation Zone, Open Space — Civic Spaces Zone or the Open Space — Community Zone that are greater than 2,000 m² in area, subject to the following:~~

~~(i) — the site is greater than 20 m in width when measured perpendicular to the shared boundary; and~~

~~(ii) — where an open space comprises multiple sites but has a common open space zoning, the entire zone may be treated as a single site for the purpose of applying this standard.~~

~~(c) — A site vested in Council as reserve or in lieu of reserve or a site shown on an approved subdivision consent scheme plan to be vested in Council as reserve or in lieu of reserve where:~~

~~(i) — the site and any adjoining sites vested in Council as reserve or in lieu of reserve are cumulatively greater than 2,000 m² in area; and~~

~~(ii) — where that part of the site in (i) is greater than 20 m in width when measured perpendicular to the shared boundary; or~~

~~(d) — Part of a site subject to a land covenant that protects streams and/or wetlands where:~~

~~(i) — the covenant area is within 5 m of the site boundary;~~

~~(ii) — the covenant area and any adjoining covenant areas for the purpose of protecting streams and/or wetlands are cumulatively greater than 2,000 m² in area; and~~

~~(iii) — that part of the site is greater than 20 m in width when measured perpendicular to the shared boundary.~~

~~(6) — Unless otherwise specified below, buildings must not project beyond a 45 degree recession plane measured from a point 2.5 m vertically above ground level along any boundary adjoining any of the following sites:~~

~~(a) — Any site in the Residential — Mixed Housing Suburban Zone; or~~

~~(b) — Any site within the Open Space — Conservation Zone, Open Space — Informal Recreation Zone, Open Space — Sports and Active Recreation Zone, Open Space — Civic Spaces Zone or the Open Space — Community Zone not covered by Standard I4XX.6.1.5(5)(b) above.~~

~~(7) — Standards I4XX.6.1.5(1), I4XX.6.1.5(3) and I4XX.6.1.5(6) do not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.~~

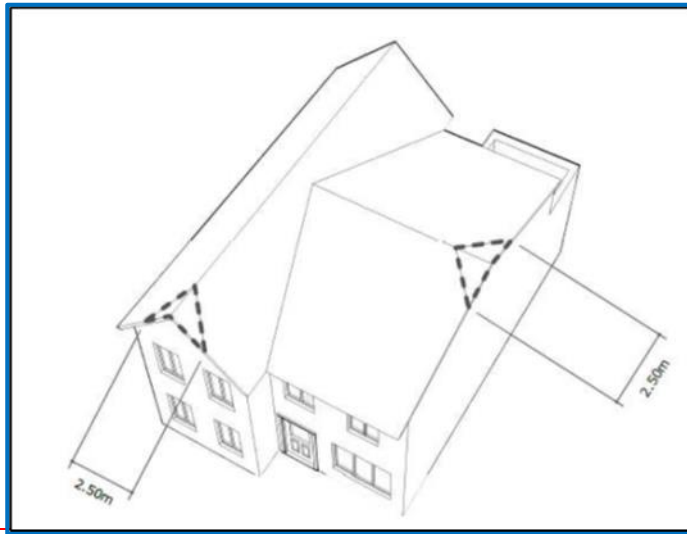
~~(8) — Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the applicable recession plane in Standard I4XX.6.1.5(1), I4XX.6.1.5(3) or I4XX.6.1.5(6) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.~~

~~(9) — A gable end, former or roof may project beyond the applicable recession plane in Standard I4XX.6.1.5(1), I4XX.6.1.5(3) or I4XX.6.1.5(6) where that portion beyond the recession plane is:~~

~~(a) — no greater than 1.5 m² in area and no greater than 1 m in height; and~~

~~(b) — no greater than 2.5 m cumulatively in length measured along the edge of the roof as shown in I4XX.6.1.5.3 Exceptions for gable ends, dormers and roof projections and dormers below.~~

Figure I4XX.6.1.5.3 Exceptions for gable ends, dormers and roof projections and dormers



~~(10) No more than two gable end, dormer or roof projections enabled under I4XX.6.1.5(9) above are allowed for every 6 m length of site boundary.~~

~~(11) The recession planes in Standards I4XX.6.1.5(1), I4XX.6.1.5(3) and I4XX.6.1.5(6) do not apply to existing or proposed internal boundaries within a site.~~

I4XX.6.1.6. Show homes in the Residential — Mixed Housing Urban zone

Purpose: to avoid, remedy and mitigate adverse effects on residential amenity resulting from show homes, including in relation to noise and traffic.

- (1) The show home shall ~~be treated as~~ comply with all standards that are applicable to a dwelling for the purpose of compliance with all other standards listed in the column in Table I4XX.4.1 called Standards to be complied with.
- (2) The show home shall not operate outside the hours of 9:00 am and 5:00 pm on any day.
- (3) The show home shall cease to operate five years after approval of code compliance certificate for that show home. From that date, the show home shall be deemed to be a dwelling.

I4XX.6.1.7. Vehicle access restrictions – Cycle facilities

- (1) In addition to the requirements of Standard E27.6.4.1, new vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which has frontage to an existing or proposed shared path or dedicated cycle way, including where shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan. For the avoidance of doubt, this relates only to allotments fronting that side of the road where the shared path or dedicated cycle way exists or is proposed.
- (2) Standard I4XX.6.1.7(1) above applies in any of the following circumstances:
 - (a) a new vehicle crossing is proposed;
 - (b) a new activity is established on a site;
 - (c) there is a change of type of activity; or
 - (d) a building(s) is constructed, or additions to buildings that are not permitted activities in Table H12.4.1 Activity table, except that this does not apply in the case of a dwelling where the reconstruction, alteration or addition does not increase the number of dwellings on a site.
- (3) Standards I4XX.6.1.7(1) and I4XX.6.1.7(2) above do not apply to:
 - (a) the use of a vehicle crossing that exists on [legal effect date] that serves no more than one dwelling per site; and
 - (b) the construction or use of a vehicle crossing that has been shown on the plans of an approved subdivision consent that will serve no more than one dwelling per existing or approved site.

I4XX.6.2. 5. Subdivision standards controls

5.1 Activity Table

The Activity Table 1—General and Activity Table 2—Residential Zones in Part 3, Chapter H Section 5 of the Unitary Plan, and related controls, apply to the Hingaia 1 precinct, except as otherwise specified in Table 3 below.

Activity Table 3—Hingaia 1 Precinct

Subdivision Activity	Activity Status
Vacant lot subdivision in accordance with the Hingaia 1 precinct plan	RD
Vacant lot subdivision not in accordance with the Hingaia 1 precinct plan	D

Vacant lot subdivision adjoining the coast and/or esplanade reserve of 600m ² net site area or more	RD
Vacant lot subdivision adjoining the coast and/or esplanade reserve of less than 600m ² net site area	NC
Subdivision of sites in accordance with an approved (or concurrent) land use consent, resulting in sites less than 600m ² net site area adjoining an existing or proposed esplanade reserve	RD

5.2 Development Controls

The subdivision controls in the Hingaia 1 precinct are those listed in the Auckland-wide rules—subdivision except as specified below.

- (1) Unless specified in Standard I4XX.6.2(2), all relevant overlay, Auckland-wide and zone standards apply to the activities listed in Table I4XX.4.1.
- (2) Subdivision activities listed in Table I4XX.4.2 Activity Table—Subdivision must comply with the standards listed in the column in Table I4XX.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, if listed, except that the following Auckland-wide standards do not apply to any proposed allotment 4 ha or greater in area:
 - (a) E38.6.1. Site size and shape;
 - (b) E38.6.6. Existing vegetation on the site;
 - (c) E38.7.3.1. Subdivision of a site with two or more zones or subdivision along an undefined zone boundary;
 - (d) E38.7.3.3. Subdivision of a site within the one per cent annual exceedance probability floodplain;
 - (e) E38.7.3.4. Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area;
 - (f) E38.8.1.1. Site shape factor in residential zones;
 - (g) E38.8.2.5. Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.
- (3) Activities listed in Table I4XX.4.1 must comply with the Standards I4XX.6.2.1 to I4XX.6.2.3.

I4XX.6.2.1. Precinct Plan

- (1) Vacant sites subdivision shall provide for the following structural elements shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan, unless they are shown on the precinct plan to be within any proposed allotment 4 ha or greater in area:
 - (a) Collector roads;
 - (b) Shared paths or dedicated cycle ways (excluding the shared path along the Southern Motorway);
 - (c) Parks, in the locations shown on the precinct plan.

- (2) Where the structural elements shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan are required within any proposed allotment that is 4 ha or greater in area, it shall be demonstrated that the proposed subdivision does not preclude the provision of these elements under future subdivisions of that allotment.

I4XX.6.2.2. Vacant Sites Subdivision in Residential Zones

~~1. In addition to the controls in table 1 of Chapter H Section 6.2.3, subdivision of a parent site of 1ha or more and where 15 or more vacant sites are proposed, each site that will contain a building must comply with the average net site area for the zone below, provided that the proposed minimum net site area is no less than 20 percent less of the required minimum net site areas for the relevant zone and that the average lot size is not less than:~~

~~a. 300m² net site area for the Mixed Housing Suburban Zone~~

~~2. Any lot which is 800m² or greater (and identified for future development) will be excluded from the calculation of average lot size under clause 1 above.~~

- (1) Where subdivision is of a parent site less than 1 ha, each vacant site must comply with the minimum net site area of 300 m².
- (2) Where subdivision is of a parent site 1 ha or greater in area:
- (a) Each vacant site within residential zones must comply with the minimum net site area in Table I4XX.6.2.3.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.

Table I4XX.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater

<u>Zone</u>	<u>Minimum Net Site Area</u>	<u>Minimum Average Net Site Area</u>	<u>Maximum Average Net Site Area</u>
<u>Residential – Mixed Housing Suburban Zone</u>	<u>240m²</u>	<u>300m²</u>	<u>480m²</u>
<u>Residential – Mixed Housing Urban Zone</u>	<u>240m²</u>	<u>300m²</u>	<u>360m²</u>

- (b) The minimum average net site area calculated over the total of all sites created must comply with Table I4XX.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.

When calculating the minimum average net site area for the purpose of this standard, any proposed site with a net site area greater than the maximum average net site area specified for the applicable zone in Table I4XX.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater must be included in the averaging calculation at the figure specified as the maximum average net site area for the applicable zone.

- (3) Where 30 or more vacant sites are proposed, the total number of rear sites must not exceed five per cent of the total number of proposed sites.

5.3 Roading Standards

~~1. Roads must be provided in accordance with the Hingaia 1 precinct plan.~~

~~2. New roads are to be constructed to the standards contained in Table 4 for Additional Road Types.~~

3. ~~New roads in sub-precinct A must be constructed in accordance with the road construction standards in figures 1—4 in Table 4 and the corresponding figure in the precinct figures.~~

4. ~~New roads in sub-precincts B—C must be constructed in accordance with figures 1—3 in Table 4 and the corresponding figure in the precinct figures.~~

5. ~~New roads in sub-precinct D must be constructed in accordance with figures 1, 2, 3, 5 and 6 in Table 4 and the corresponding figure in the precinct figures.~~

6. ~~On Collector, Amenity Connector and Local Roads an unsealed strip of land with a minimum width of 600mm must be provided immediately adjacent to the road boundary of all lots for electricity supply infrastructure installation and maintenance.~~

7. ~~In the Minor Residential Street, an easement in favour of Counties Power Limited must be provided over a strip of land with a minimum width of 700mm in all residential allotments immediately adjacent to the road boundary as outlined in Figure 4 in Table 4 and the corresponding figure in the precinct figures.~~

8. ~~The unsealed strip of land required by standards 5 and 6 must be kept free of planting, fencing, buildings and structures.~~

9. ~~No vehicle access to allotments adjoining a Collector or Amenity Connector road is to be provided over the combined cycle / footpath.~~

10. ~~For the avoidance of doubt:~~

~~a. Construction of a Minor Residential Street will require resource consent as a restricted discretionary activity;~~

~~b. Private vehicle access over a combined cycle/footpath to allotments adjoining a Collector and/or Amenity Connector road will require consent as a restricted discretionary activity.~~

Activity Table 4 — Minimum Road Construction Standards

Types of Road	Road Width	Carriageway	Footpath Width	Combined Cycle / Footpath	Figure
Collector	21m	7.0m	1.8m (one side)	3.0m (one side)	Figure 1
Amenity Connector	18m	6.0m	1.8m (one side)	3.0m (one side)	Figure 2
Local Road	16m	6.0m	1.8m	N/A	Figure 3
Minor Street	12m	5.6m	1.8m	N/A	Figure 4
Reserve Edge Link	12m	6.0m	1.8m	N/A	Figure 5
Park Edge Road	14.7m	5.8m	1.8m	N/A	Figure 6

I4XX.6.2.3. 5.4 Riparian Margins

- (1) ~~4-~~ Where a permanent or intermittent stream is shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan within or adjoining a road or an allotment less than 4 ha in area Riparian margins shall be established either side of the banks of ~~a perennial the stream (shown on subprecincts A-D as Indicative Intermittent Stream and Stream Buffer)~~ (or on one side where the opposite side adjoins an allotment 4 ha or more in area) to a minimum width of 10m measured from the bank of the stream, where the location of the bank can be physically identified by ground survey, or from the centreline of the stream where the bank cannot be physically identified by ground survey. Those margins shall be planted in native vegetation and shall ~~be offered to Council for vesting in the Council~~ as local purpose (drainage) reserves.

I4XX.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I4XX.8. 6-Assessment of Restricted Discretionary Activities

I4XX.8.1. 6.1 Matters for of Discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application.

- ~~(1) for two or three dwellings per site where the site area per dwelling is less than 400 m² in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m² in the Residential – Mixed Housing Suburban zone:~~

~~(a) the matters listed in H4.8.1(2)(a) and H4.8.1(2)(c); and~~

~~(b) all of the following standards:~~

~~(i) Standard I4XX.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) Standard I4XX.6.1.2 Building coverage for higher density development;~~

~~(iii) Standard I4XX.6.1.3 Landscaped area for higher density development;~~

~~(iv) Standard H4.6.11 Outlook space;~~

~~(v) Standard H4.6.12 Daylight;~~

~~(vi) Standard H4.6.13 Outdoor living space;~~

~~(vii) Standard H4.6.14 Front, side and rear fences and walls; and~~

~~(viii) Standard H4.6.15 Minimum dwelling size.~~

- ~~(2) for two or three dwellings per site where the site area per dwelling is less than 400 m² in the Residential – Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m² in the Residential – Mixed Housing Urban zone:~~

~~(a) — the matters listed in H5.8.1(2)(a) and H5.8.1(2)(c); and~~

~~(b) — all of the following standards:~~

~~(i) — Standard I4XX.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) — Standard I4XX.6.1.2 Building coverage for higher density development;~~

~~(iii) — Standard I4XX.6.1.3 Landscaped area for higher density development;~~

~~(iv) — Standard H5.6.12 Outlook space;~~

~~(v) — Standard H5.6.13 Daylight;~~

~~(vi) — Standard H5.6.14 Outdoor living space;~~

~~(vii) — Standard H5.6.15 Front, side and rear fences and walls; and~~

~~(viii) — Standard H5.6.16 Minimum dwelling size.~~

1. Integrated Residential Development

The Council will restrict its discretion to those matters listed under “four or more dwellings” in the Mixed Housing Suburban zone.

~~(3) — for Integrated Residential Development in the Residential — Mixed Housing Suburban zone:~~

~~(a) — the matters listed in H4.8.1(3)(a) and H4.8.1(3)(c); and~~

~~(b) — all of the following standards:~~

~~(i) — Standard I4XX.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) — Standard I4XX.6.1.2 Building coverage for higher density development;~~

~~(iii) — Standard I4XX.6.1.3 Landscaped area for higher density development;~~

~~(iv) — Standard I4XX.6.1.4 Fences and walls adjoining reserves;~~

~~(v) — Standard H4.6.11 Outlook space;~~

~~(vi) — Standard H4.6.12 Daylight;~~

~~(vii) — Standard H4.6.13 Outdoor living space;~~

~~(viii) — Standard H4.6.14 Front, side and rear fences and walls; and~~

~~(ix) — Standard H4.6.15 Minimum dwelling size.~~

~~(4) — for Integrated Residential Development in the Residential — Mixed Housing Urban zone:~~

~~(a) — The matters listed in H5.8.1(3)(a) and H5.8.1(3)(c); and~~

~~(b) — all of the following standards:~~

~~(i) — Standard I4XX.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) — Standard I4XX.6.1.2 Building coverage for higher density development;~~

~~(iii) Standard I4XX.6.1.3 Landscaped area for higher density development;~~

~~(iv) Standard I4XX.6.1.4 Fences and walls adjoining reserves;~~

~~(v) Standard H5.6.12 Outlook space;~~

~~(vi) Standard H5.6.13 Daylight;~~

~~(vii) Standard H5.6.14 Outdoor living space;~~

~~(viii) Standard H5.6.15 Front, side and rear fences and walls; and~~

~~(ix) Standard H5.6.16 Minimum dwelling size;~~

~~(5) for development that does not comply with Standard I4XX.6.1.1 Maximum impervious areas for higher density development; Standard I4XX.6.1.2 Building coverage for higher density development; Standard I4XX.6.1.3 Landscaped area for higher density development; Standard I4XX.6.1.4 Fences and walls adjoining reserves; Standard I4XX.6.1.6 Show homes in the Residential – Mixed Housing Urban zone:~~

~~(a) any precinct or zone policy which is relevant to the standard;~~

~~(b) the purpose of the standard;~~

~~(c) the effects of the infringement of the standard;~~

~~(d) in the Residential – Mixed Housing Suburban zone, the effects on the suburban built character of the zone;~~

~~(e) in the Residential – Mixed Housing Urban zone, the effects on the urban built character of the zone;~~

~~(f) the effects on the amenity of neighbouring sites;~~

~~(g) the effects of any special or unusual characteristic of the site which is relevant to the standard;~~

~~(h) the characteristics of the development;~~

~~(i) any other matters specifically listed for the standard; and~~

~~(j) where more than one standard will be infringed (including standards in the underlying zone), the effects of all infringements.~~

~~(6) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I4XX.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary:~~

~~(a) the matters listed in H5.8.1(5);~~

~~(7) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone that does not comply with Standard I4XX.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone where Standard H5.6.6 Alternative height in relation to boundary is either not applicable or infringed:~~

~~(a) any precinct or zone policy which is relevant to the standard;~~

- ~~(b) the purpose of the standard;~~
- ~~(c) the effects of the infringement of the standard;~~
- ~~(d) the effects on the urban built character of the zone;~~
- ~~(e) the effects on the amenity of neighbouring sites;~~
- ~~(f) the effects of any special or unusual characteristic of the site which is relevant to the standard;~~
- ~~(g) the characteristics of the development;~~
- ~~(h) any other matters specifically listed for the standard; and~~
- ~~(i) where other standards will be infringed (including standards in the underlying zone), the effects of all infringements.~~

~~(1) for construction or use of a vehicle crossing that is listed as a restricted discretionary activity in Table E27.4.1:~~

~~(a) the relevant matters listed in E27.8.1.~~

~~(8) for construction or use of a vehicle crossing that does not comply with Standard I4XX.6.1.7. Vehicle access restrictions – Cycle facilities:~~

~~(a) the matters listed in E27.8.1(12).~~

~~2. Subdivision in accordance with the Hingaia 1 precinct~~

~~The Council will restrict its discretion to those matters listed for subdivision under the Auckland-wide rules and the following matters:~~

~~(9) for subdivision listed as a restricted discretionary activity in Activity Table I4XX.4.2:~~

~~(a) the relevant matters listed in section E38.12.1, except that the matters listed in the following sections should not apply to proposed allotments 4 ha or greater in area:~~

~~(i) E38.12.1(1) subdivision of a site within the one per cent annual exceedance probability floodplain;~~

~~(ii) E38.12.1(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;~~

~~(iii) E38.12.1(3) subdivision of a site in the coastal erosion hazard area;~~

~~(iv) E38.12.1(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment;~~

~~(v) E38.12.1(7) all other restricted discretionary activity subdivisions; and~~

~~(vi) E38.12.1(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.~~

~~(b) the subdivision's consistency with the Figure I4XX.10.1. Hingaia 1 - Precinct Plan~~

~~b.Limitations on access for future lots adjoining a Collector and/or Amenity Connector road~~

~~c.Shape of lots earmarked for Integrated Residential Development~~

~~d.Distribution of lots earmarked for Integrated Residential Development~~

~~e.The matters for discretion outlined in Part 3, Chapter H, Section 5.4, Table 13.~~

~~(c) consistency with Standard I4XX.6.1.7 Vehicle access restrictions – Cycle facilities for any proposed or future vehicle crossings required to access proposed or existing allotments;~~

~~(d) any applicable on-site stormwater management requirements for lots less than 4 ha in area;~~

~~(e) the management of effects of stormwater from any proposed roads; and~~

~~(f) enabling viewshafts out to the coast.~~

~~3.Development Control Infringements~~

~~The Council will restrict its discretion to those matters listed in Part 3, Chapter I, Section 1.11, and Part 3, Chapter G, Section 2.3 for development in the Hingaia 1 precinct~~

~~**I4XX.8.2. 6.2 Assessment Criteria**~~

~~For development that is a restricted discretionary activity in the Hingaia 1 precinct, the following assessment criteria apply in addition to the criteria specified for the relevant restricted discretionary activities in the Mixed Housing Urban zone, Mixed Housing Suburban zone and Auckland Wide Rules:~~

~~The Council will consider the relevant assessment criteria below for restricted discretionary activities from the list below.~~

~~(1) for two or three dwellings per site where the site area per dwelling is less than 400 m² in the Residential – Mixed Housing Suburban zone that do not comply with Standard H4.6.8 Maximum impervious area, Standard H4.6.9 Building coverage or Standard H4.6.10 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m² in the Residential – Mixed Housing Suburban zone;~~

~~(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:~~

~~(i) Standard I4XX.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) Standard I4XX.6.1.2 Building coverage for higher density development;~~

~~(iii) Standard I4XX.6.1.3 Landscaped area for higher density development;~~

~~(iv) Standard H4.6.11 Outlook space;~~

~~(v) Standard H4.6.12 Daylight;~~

~~(vi) Standard H4.6.13 Outdoor living space;~~

~~(vii) Standard H4.6.14 Front, side and rear fences and walls; and~~

~~(viii) Standard H4.6.15 Minimum dwelling size.~~

~~(b) — the criteria listed in H4.8.2(2)(b) to H4.8.2(2)(i).~~

~~(2) — for two or three dwellings per site where the site area per dwelling is less than 400 m² in the Residential — Mixed Housing Urban zone that do not comply with Standard H5.6.9 Maximum impervious area, Standard H5.6.10 Building coverage or Standard H5.6.11 Landscaped area; four or more dwellings per site where the site area per dwelling is less than 400 m² in the Residential — Mixed Housing Urban zone:~~

~~(a) — the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:~~

~~(i) — Standard I4XX.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) — Standard I4XX.6.1.2. Building coverage for higher density development;~~

~~(iii) — Standard I4XX.6.1.3. Landscaped area for higher density development;~~

~~(iv) — Standard H5.6.12. Outlook space;~~

~~(v) — Standard H5.6.13. Daylight;~~

~~(vi) — Standard H5.6.14. Outdoor living space;~~

~~(vii) — Standard H5.6.15. Front, side and rear fences and walls; and~~

~~(viii) — Standard H5.6.16. Minimum dwelling size.~~

~~(b) — the criteria listed in H5.8.2(2)(b) to H5.8.2(2)(h).~~

1. Integrated Residential Development

The Council will consider the assessment criteria applying to four or more dwellings in the underlying Mixed Housing Suburban zone.

~~(3) — for integrated residential development in the Residential — Mixed Housing Suburban zone:~~

~~(a) — the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:~~

~~(i) — Standard I4XX.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) — Standard I4XX.6.1.2 Building coverage for higher density development;~~

~~(iii) — Standard I4XX.6.1.3 Landscaped area for higher density development;~~

~~(iv) — Standard I4XX.6.1.4 Fences and walls adjoining reserves~~

~~(v) — Standard H4.6.11 Outlook space;~~

~~(vi) — Standard H4.6.12 Daylight;~~

~~(vii) — Standard H4.6.13 Outdoor living space;~~

~~(viii) — Standard H4.6.14 Front, side and rear fences and walls; and~~

~~(ix) — Standard H4.6.15 Minimum dwelling size.~~

~~(b) — the criteria listed in H4.8.2(3)(b) to H4.8.2(3)(k).~~

~~(4) — for integrated residential development in the Residential — Mixed Housing Urban zone:~~

~~(a) — the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:~~

~~(i) — Standard I4XX.6.1.1 Maximum impervious areas for higher density development;~~

~~(ii) — Standard I4XX.6.1.2. Building coverage for higher density development;~~

~~(iii) — Standard I4XX.6.1.3. Landscaped area for higher density development;~~

~~(iv) — Standard I4XX.6.1.4 Fences and walls adjoining reserves~~

~~(v) — Standard H5.6.12. Outlook space;~~

~~(vi) — Standard H5.6.13. Daylight;~~

~~(vii) — Standard H5.6.14. Outdoor living space;~~

~~(viii) — Standard H5.6.15. Front, side and rear fences and walls; and~~

~~(ix) — Standard H5.6.16. Minimum dwelling size.~~

~~(b) — the criteria listed in H5.8.2(3)(b) to H3.8.2(3)(k).~~

~~(5) — for development that does not comply with Standard I4XX.6.1.1 Maximum impervious areas for higher density development:~~

~~(a) — refer Policies I4XX.3(3) and I4XX.3(4).~~

~~(b) — in the Residential — Mixed Housing Suburban zone, the criteria listed in H4.8.2(9).~~

~~(c) — in the Residential — Mixed Housing Urban zone, the criteria listed in H5.8.2(10).~~

~~(6) — for buildings that do not comply with Standard I4XX.6.1.2 Building coverage for higher density development:~~

~~(a) — refer Policies I4XX.3(3) and I4XX.3(4).~~

~~(b) — in the Residential — Mixed Housing Suburban zone, the criteria listed in H4.8.2(10).~~

~~(c) — in the Residential — Mixed Housing Urban zone, the criteria listed in H5.8.2(11).~~

~~(7) — for development that does not comply with Standard I4XX.6.1.3 Landscaped area for higher density development:~~

~~(a) — refer Policies I4XX.3(3) and I4XX.3(4).~~

~~(b) — in the Residential — Mixed Housing Suburban zone, the criteria listed in H4.8.2(11).~~

~~(c) — in the Residential — Mixed Housing Urban zone, the criteria listed in H5.8.2(12).~~

~~(8) — for development that does not comply with Standard I4XX.6.1.4 Fences and walls adjoining reserves:~~

~~(a) — refer Policies I4XX.3(5) and I4XX.3(12).~~

~~(9) — for new buildings and additions to buildings in the Residential — Mixed Housing Urban zone which do not comply with Standard I4XX.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone but comply with Standard H5.6.6 Alternative height in relation to boundary:~~

~~(a) — the criteria listed in H5.8.2(5).~~

~~(10) for new buildings and additions to buildings in the Residential — Mixed Housing Urban zone that does not comply with Standard I4XX.6.1.5 Height in relation to boundary in the Residential — Mixed Housing Urban Zone where Standard H5.6.6 Alternative height in relation to boundary is either not applicable or infringed:~~

~~(a) — refer Policies I4XX.3(3) and I4XX.3(4).~~

~~(b) — the criteria listed in H5.8.2(6) and H5.8.2(7).~~

~~(11) for development that does not comply with Standard I4XX.6.1.6 Show homes in the Residential — Mixed Housing Urban zone:~~

~~(a) — refer Policy H5.8.2(8).~~

(1) for construction or use of a vehicle crossing that is listed as a restricted discretionary activity in Table E27.4.1:

(a) the relevant criteria listed in E27.8.2.

(12) for construction or use of a vehicle crossing that does not comply with Standard I4XX.6.1.7. Vehicle access restrictions – Cycle facilities:

(a) the criteria listed in E27.8.2(11).

2. Subdivision

(13) for subdivision listed as a restricted discretionary activity in Activity Table I4XX.4.2:

(a) the relevant criteria listed in section E38.12.2, except that the criteria listed in the following sections should not apply to proposed allotments 4 ha or greater in area:

(i) E38.12.2(1) subdivision of a site within the one per cent annual exceedance probability floodplain:

(ii) E38.12.2(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;

(iii) E38.12.2(3) subdivision of a site in the coastal erosion hazard area;

(iv) E38.12.2(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment;

(v) E38.12.2(7) all other restricted discretionary activity subdivisions; and

(vi) E38.12.2(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.

(b) whether a-Tthe structural elements of the shown in Figure I4XX.10.1. Hingaia 1 - pPrecinct pPlan (including roads and stream corridors) are incorporated into the subdivision design (other than where proposed sites are 4 ha or greater in area);including:

- i.Roads; and
- ii.Stream Corridors

(ba) the extent to which any roads are designed in accordance with the road construction guidelines in Appendix 1.

(c) whether the proposed b-Sstaging of development accords with the promotes efficient development of the structural elements shown in Figure I4XX.10.1. Hingaia 1 - pPrecinct pPlan.

(d) whether the subdivision e-Development is consistent with the Hingaia 1 precinct objectives and policies.

d.Vehicle access to lots adjoining that portion of the Amenity Connector which has the wider of the two berms should be provided by way of a rear access, or from an alternative road boundary where possible. Where this is not practical or feasible, the layout should provide alternative solutions for access to individual properties which minimise the frequency with which the berm will be crossed by vehicles entering or exiting the properties and maximise the safety of pedestrians and cyclists.

e.Pedestrian access to an Amenity Connector from all adjoining allotments.

(e) whether lots adjoining an existing or proposed shared path or dedicated cycle way, including where shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan, are provided with access from an alternative road so that infringement of Standard I4XX.6.1.7 Vehicle access restrictions – Cycle facilities (including future infringements by land use activities on the proposed allotments) can be avoided or minimised.

(f) whether on-going f-Ccompliance with the on-site stormwater management solutions requirements contained in the any relevant approved Stormwater Management Plan will be achieved.

(g) whether the management of stormwater runoff from any proposed road is consistent with the requirements of any relevant Stormwater Management Plan.

(h) the extent to which viewshafts from roads and open spaces out to the coast are provided for.

g.The assessment criteria outlined in Part 3, Chapter H, Section 5.4.

h.Vacant front sites which are 800m² (or greater):

i.The shape and dimensions of the lot should be at least 20m wide at the frontage of the site, for at least 80% of the length of site boundaries; and

ii.The location of the lot(s) should be distributed across the proposed subdivision in clusters.

3.Development Control Infringements

The Council will restrict its discretion to those matters listed in Chapter I.1.11, Chapter G.2.3, for development in the Hingaia 1 precinct.

14XX.9. 7. Special Information Requirements

There are no special information requirements in this section.

For Integrated Residential Development, the Special information requirements applying to four or more dwellings in the underlying Mixed Housing Suburban zone apply.

For subdivision, the relevant special information requirements in the Auckland-wide subdivision rules apply.

For subdivision that includes a Collector and/or Amenity Connector road, proposed vehicle crossings to proposed allotments adjoining these roads must be shown on the subdivision scheme plan.

Subdivision and development within 50m of the coast requires a coastal erosion and geotechnical assessment.

8. Definitions

Retained affordable

Housing that is:

1. Built by a registered community housing provider or the Housing New Zealand Corporation; or
2. Sold to a registered community housing provider or the Housing New Zealand Corporation; and
3. Sold at a price defined by the Auckland median household income as published by Statistics New Zealand for the most recent June quarter before the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later.

Relative affordable

Housing that is:

1. Bought by first home buyers, where the purchaser has a gross household income that does not exceed 120 percent of the Auckland median household income as set at the date of signing the sale and purchase agreement.
2. Sold at a price that does not exceed 75 percent of the Auckland region median house price published by the Real Estate Institute of New Zealand and calculated as an average of the 3 calendar months previous to the date of application for resource consent is approved or the date on which all appeals to the resource consent application are finally resolved, whichever is the later.

Community Housing Provider

Means a housing provider (other than the Housing New Zealand Corporation) that has, as one of its objectives, the provision of one or both of the following types of housing:

1. Social rental housing;
2. Affordable rental housing

Household Income

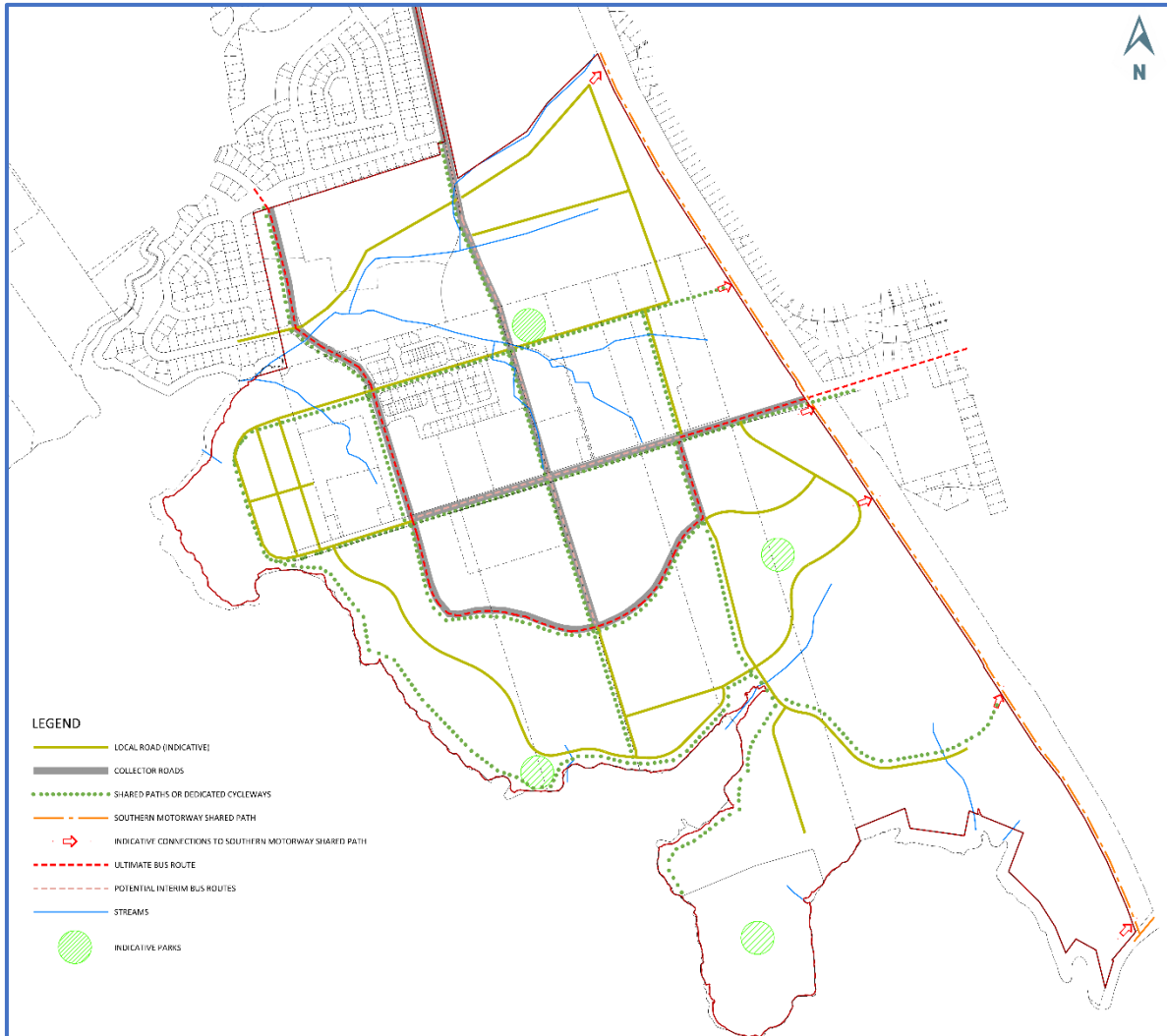
Household income includes all taxable income as defined by the New Zealand Inland Revenue Department.

Minor Residential Street

Means a narrow street which is not anticipated to have high traffic volumes as it serves primarily as access to properties, rather than a through movement function. Such streets can be utilised only as part of a comprehensive development and not for vacant lot subdivision. If widespread use of such a street is proposed, specific traffic calming measures will need to be incorporated in the design

I4XX.10. 9. Precinct Plans

Figure I4XX.10.1. Hingaia 1 - Precinct Plan



Hingaia 1 - Zoning Map

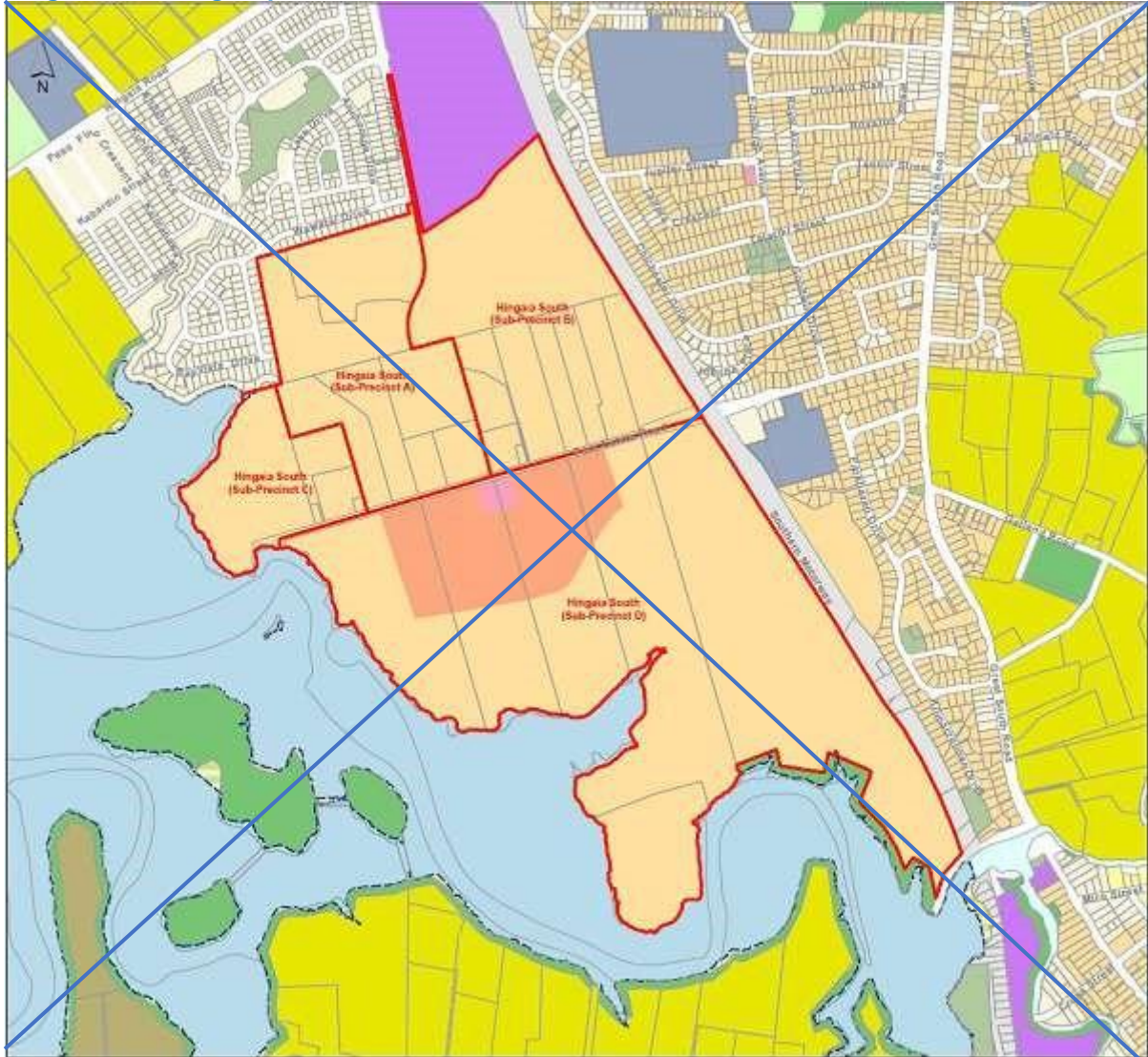


Figure 1 – Collector Road

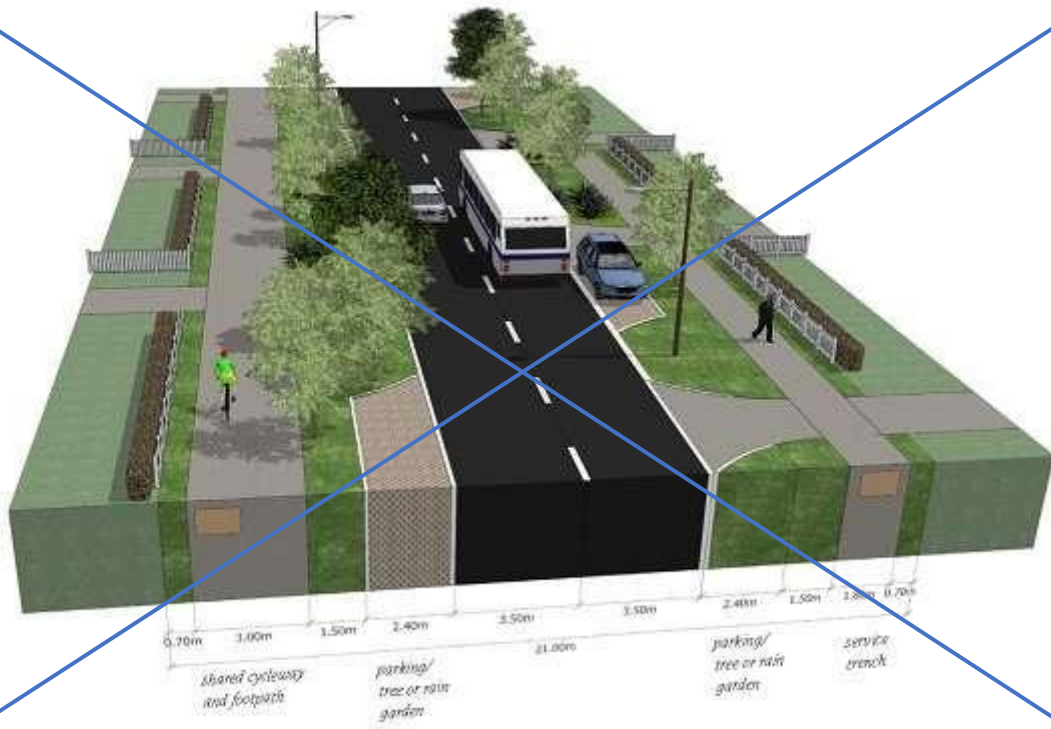


Figure 2 – Amenity Connector Road

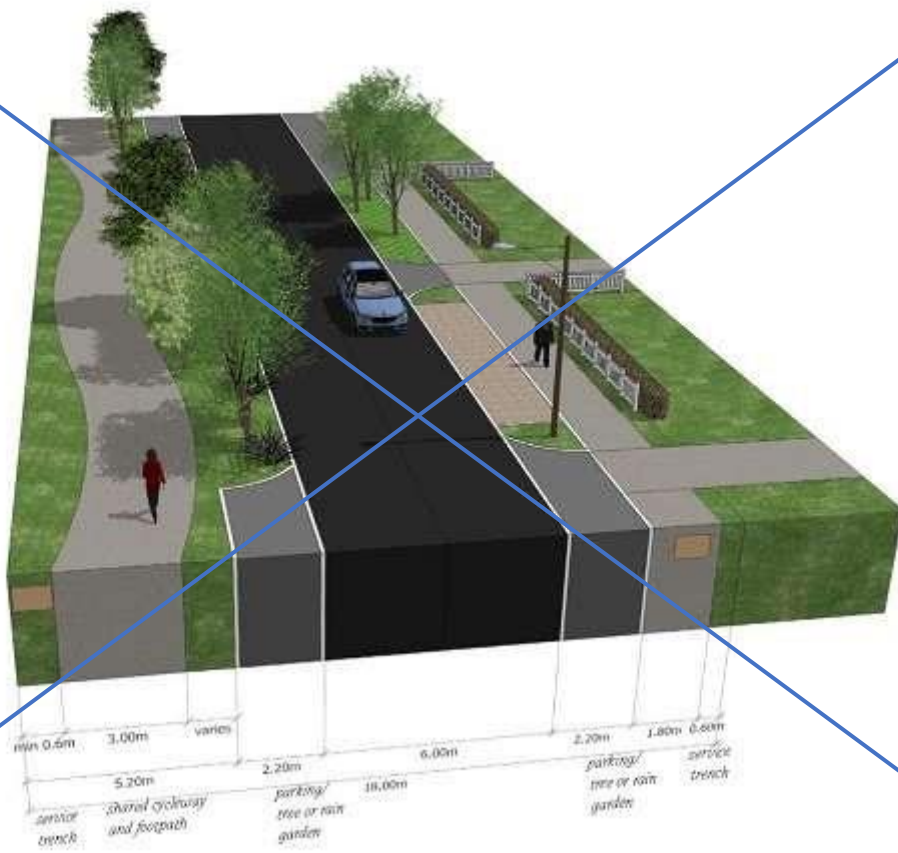


Figure 3 – Local Road

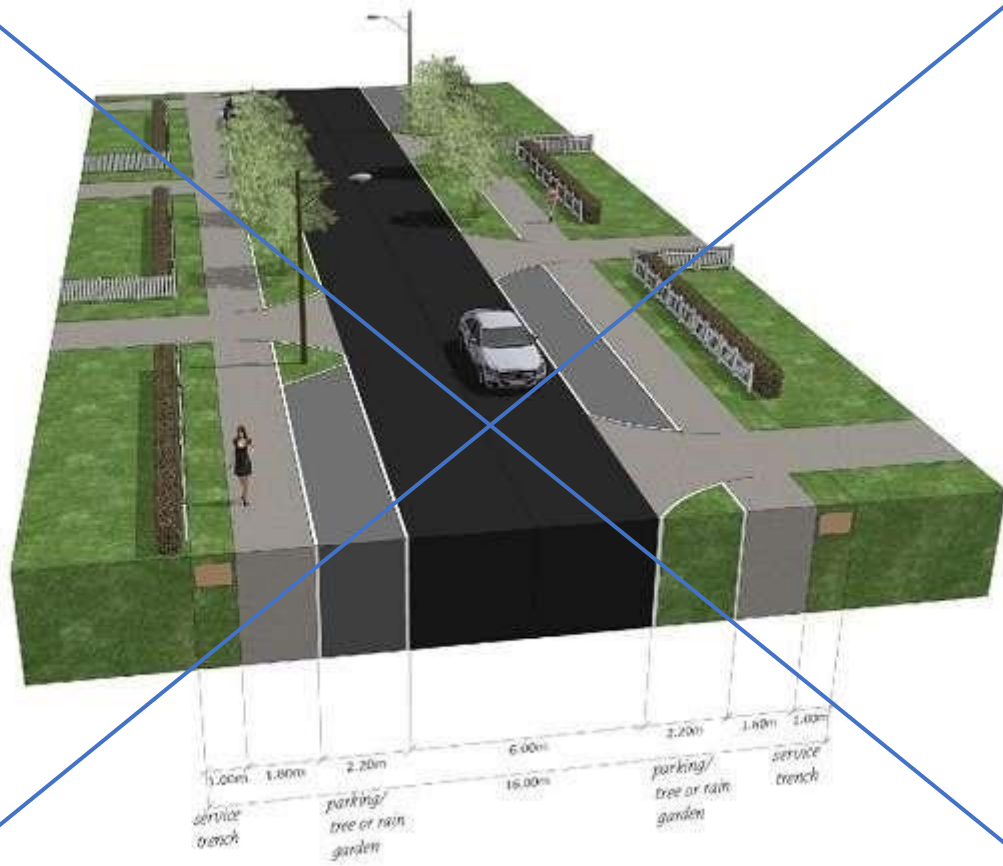


Figure 4 – Minor Residential Road

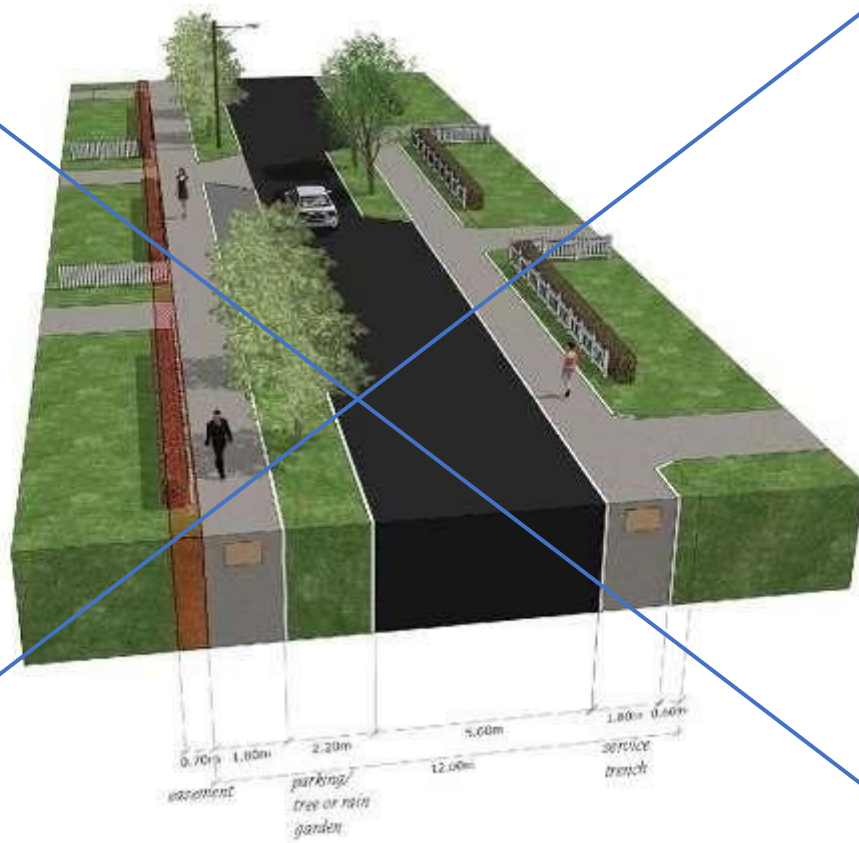


Figure 5 – Reserve Edge Link

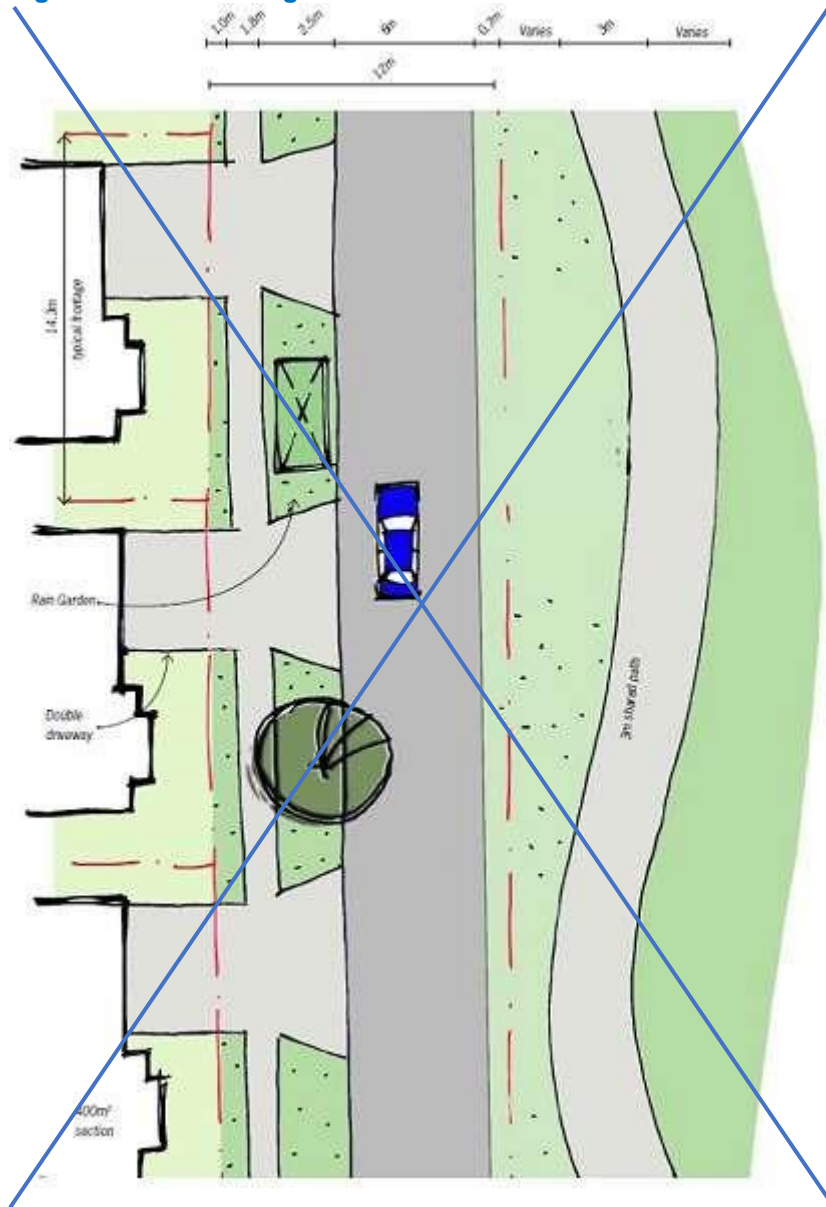
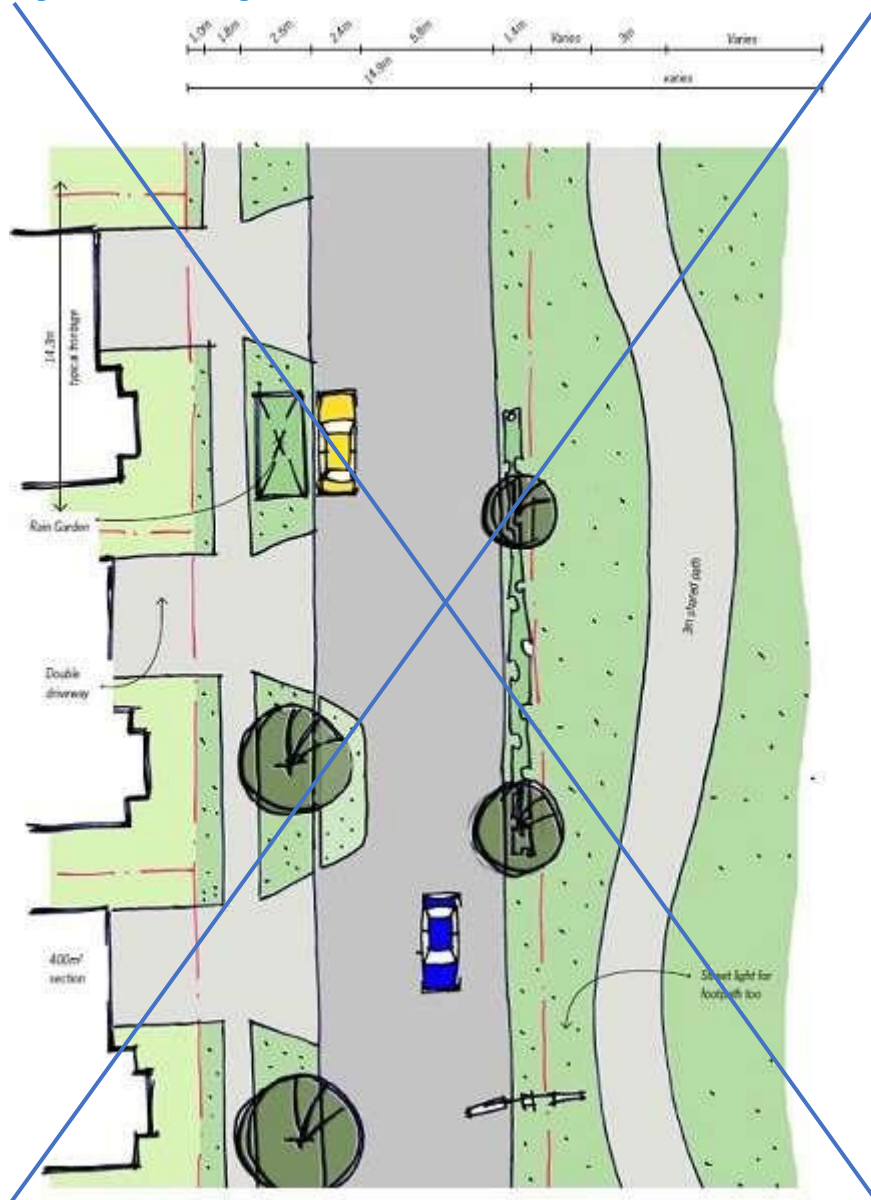


Figure 6 – Park Edge Road



I4XX.11. Hingaia 1 Precinct – Appendix 1

This appendix sets out the guidelines for the construction of roads in the precinct but is not intended to represent the only design solution.

Table I4XX.11.1 Hingaia 1 Precinct road construction guidelines

<u>Road Type/Function</u>	<u>Minimum * Road Reserve Width</u>	<u>Total Number of Lanes</u>	<u>Design Speed</u>	<u>Cycle Provisions</u>	<u>Pedestrian Provision</u>	<u>Access Restrictions</u>	<u>Bus Provision</u>
<u>Park Estate Road, Hinau Road or Ngakoro Road (Collector)</u>	<u>21m</u>	<u>2</u>	<u>50 km/h</u>	<u>Yes</u>	<u>Both sides</u>	<u>Where cycle provision is made, in accordance with Standard</u>	<u>Yes</u>
<u>Other Collector Road</u>	<u>21m</u>	<u>2</u>	<u>30 km/h</u>	<u>Yes</u>	<u>Both sides</u>	<u>I4XX.6.1.7.</u>	<u>Yes</u>
<u>Local Road</u>	<u>16m</u>	<u>2</u>	<u>30 km/h</u>	<u>If shown on Figure</u>	<u>Both sides</u>		<u>No</u>
<u>Park Edge Local Road</u>	<u>12m</u>	<u>2</u>	<u>30 km/h</u>	<u>I4XX.10.1. Hingaia 1 - Precinct Plan</u>	<u>Both sides, but can be provided within park rather than the road</u>		<u>No</u>

* Typical minimum cross section which may need to be varied in specific locations where required to accommodate batters, structures, intersection design, significant constraints or other localised design requirements.

I4XX.12. Hingaia 1 Precinct – Appendix 2

I4XX.12.1 Appendix purpose

This appendix sets out the provisions of the Hingaia 1 Precinct that incorporate the Medium Density Residential Standards.

These provisions apply until the final provisions of Auckland Council's intensification planning instrument are incorporated into the Auckland Unitary Plan, at which time Appendix 2 will cease to have effect.

I4XX.12.2 Objectives

The following objectives apply in addition to those specified in I4XX.2.

- (1) 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.
- (2) The Hingaia 1 Precinct provides for a variety of housing types and sizes that respond to:
 - (a) housing need and demand; and
 - (b) the neighbourhood's planned urban built character, including three-storey buildings.

I4XX.12.3 Policies

The following objectives apply in addition to those specified in I4XX.3.

- (1) Enable a variety of housing typologies with a mix of densities within the Hingaia 1 Precinct, including three-storey attached and detached dwellings, and low-rise apartments.
- (2) Apply the MDRS across all of Hingaia 1 Precinct 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).

Note: Within the Hingaia 1 Precinct, qualifying matters are provided for by Auckland-wide and overlay provisions.

- (3) Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
- (4) Enable housing to be designed to meet the day-to-day needs of residents.
- (5) Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

I4XX.12.4 Activity Table

The following activity tables apply in addition to those provided in I4XX.4.

Table I4XX.12.4.1 specifies the activity status of land use activities in the Hingaia 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I4XX.12.4.2 specifies the activity status of subdivision activities in the Hingaia 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I4XX.12.4.1 Activity Table – Medium Density Residential Standards – Land use activities

<u>Activity</u>		<u>Activity Status</u>
<u>Residential</u>		
(AX)	<u>Up to three dwellings in a residential zone</u>	<u>P</u>
(AX)	<u>Four or more dwellings in a residential zone</u>	<u>RD</u>
(AX)	<u>Integrated residential development in a residential zone</u>	<u>RD</u>
<u>Development</u>		
(AX)	<u>Internal and external alterations to buildings designed to accommodate a land use activity listed in Table I4XX.12.4.1</u>	<u>The same activity status as applies to the land use activity</u>
(AX)	<u>Accessory buildings that are accessory to a land use activity listed in Table I4XX.12.4.1</u>	<u>The same activity status as applies to the land use activity</u>
(AX)	<u>New buildings and additions to buildings designed to accommodate a land use activity listed in Table I4XX.12.4.1</u>	<u>The same activity status as applies to the land use activity</u>

Table I4XX.12.4.2 Activity Table – Medium Density Residential Standards – Subdivision activities

<u>Subdivision Activity</u>		<u>Activity Status</u>
(AX)	<u>Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1 in one or more residential zones</u>	<u>C</u>
(AX)	<u>Subdivision around existing buildings and development complying with Standard E38.8.2.2 in one or more residential zones</u>	<u>C</u>
(AX)	<u>Any subdivision listed in this activity table not meeting the standards in E38.6 General standards for subdivision</u>	<u>D</u>
(AX)	<u>Any subdivision listed in this activity table not meeting the standards in E38.8 Standards for subdivision in residential zones</u>	<u>D</u>

I4XX.12.5. Notification

- (1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties:
- (a) four or more dwellings per site in a residential zone that comply with all of the following standards:
 - (i) Standard I4XX.12.6.1 Building height (MDRS);
 - (ii) Standard I4XX.12.6.2 Height in relation to boundary (MDRS);
 - (iii) Standard I4XX.12.6.3 Setbacks (MDRS);
 - (iv) Standard I4XX.12.6.4 Building coverage (MDRS);
 - (v) Standard I4XX.12.6.5 Outdoor living space (per unit) (MDRS);
 - (vi) Standard I4XX.12.6.6 Outlook space (per unit) (MDRS);
 - (vii) Standard I4XX.12.6.7 Windows to street (MDRS); and

(viii) Standard I4XX.12.6.8 Landscaped area (MDRS).

(b) subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1 in a residential zone.

(2) Any application for resource consent for the following activities will be considered without public notification:

(a) up to three dwellings per site in a residential zone that does not comply with any of the following standards:

(i) Standard I4XX.12.6.1 Building height (MDRS);

(ii) Standard I4XX.12.6.2 Height in relation to boundary (MDRS);

(iii) Standard I4XX.12.6.3 Setbacks (MDRS);

(iv) Standard I4XX.12.6.4 Building coverage (MDRS);

(v) Standard I4XX.12.6.5 Outdoor living space (per unit) (MDRS);

(vi) Standard I4XX.12.6.6 Outlook space (per unit) (MDRS);

(vii) Standard I4XX.12.6.7 Windows to street (MDRS); and

(viii) Standard I4XX.12.6.8 Landscaped area (MDRS).

(3) Any application for resource consent for an activity listed in Table I4XX.12.4.1 and which is not listed in I4XX.12.5(1) or I4XX.12.5(2) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(4) 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).

I4XX.12.6. Standards

(1) Unless specified in Standard I4XX.12.6(1) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in Tables I4XX.12.4.1 and I4XX.12.4.2 above.

(2) The following zone standards do not apply to all activities listed in Table I4XX.12.4.1 above:

(a) Standard H4.6.4 Building height;

(b) Standard H4.6.5 Height in relation to boundary;

(c) Standard H4.6.6 Alternative height in relation to boundary;

(d) Standard H4.6.7 Yards, to the extent that this standard relates to front, side and rear yards (the riparian, lakeside and coastal protection yard requirements continue to apply);

(e) Standard H4.6.9 Building coverage;

(f) Standard H4.6.10 Landscaped area;

(g) Standard H4.6.11 Outlook space;

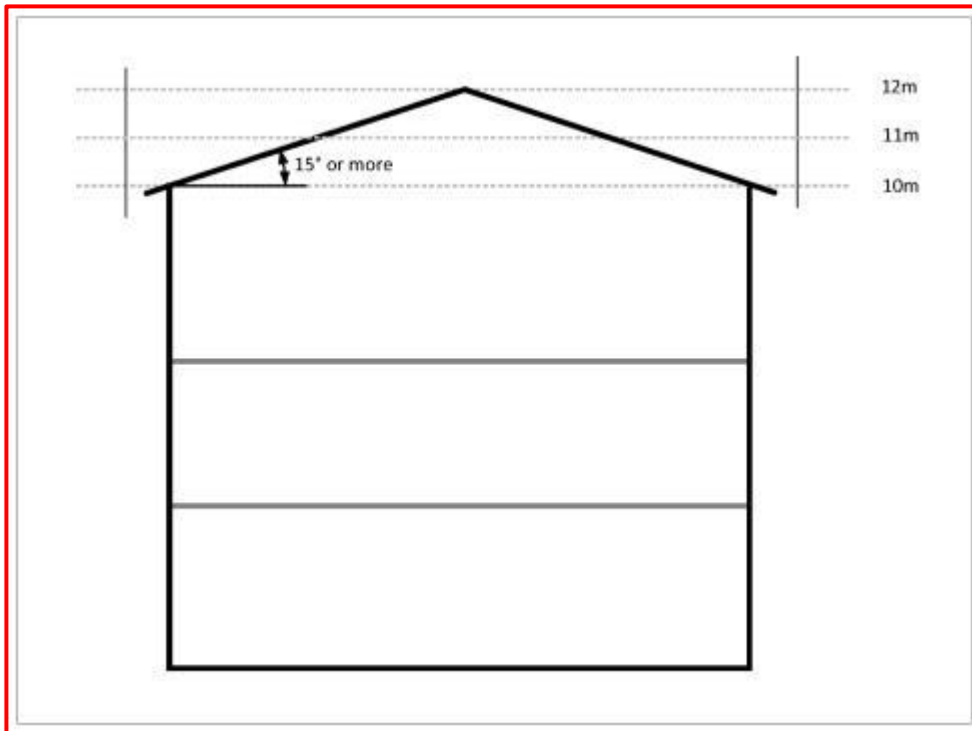
- (h) Standard H4.6.12 Daylight;
- (i) Standard H4.6.13 Outdoor living space;
- (j) Standard H5.6.4 Building height;
- (k) Standard H5.6.5 Height in relation to boundary;
- (l) Standard H5.6.6 Alternative height in relation to boundary;
- (l) Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones;
- (m) Standard H5.6.8 Yards, to the extent that this standard relates to front, side and rear yards (the riparian, lakeside and coastal protection yard requirements continue to apply);
- (n) Standard H5.6.10 Building coverage;
- (o) Standard H5.6.11 Landscaped area;
- (p) Standard H5.6.12 Outlook space;
- (q) Standard H5.6.13 Daylight;
- (r) Standard H5.6.14 Outdoor living space; and
- (s) Standard H5.6.15 Front, side and rear fences and walls.

(3) Activities listed in Table I4XX.12.4.1 must comply with standards I4XX.12.6.1 to I4XX.12.6.8.

(4) Terms used in standards I4XX.12.6.1 to I4XX.12.6.8 that are defined in the national planning standards have the same meaning as they do in those standards, rather than Chapter J.

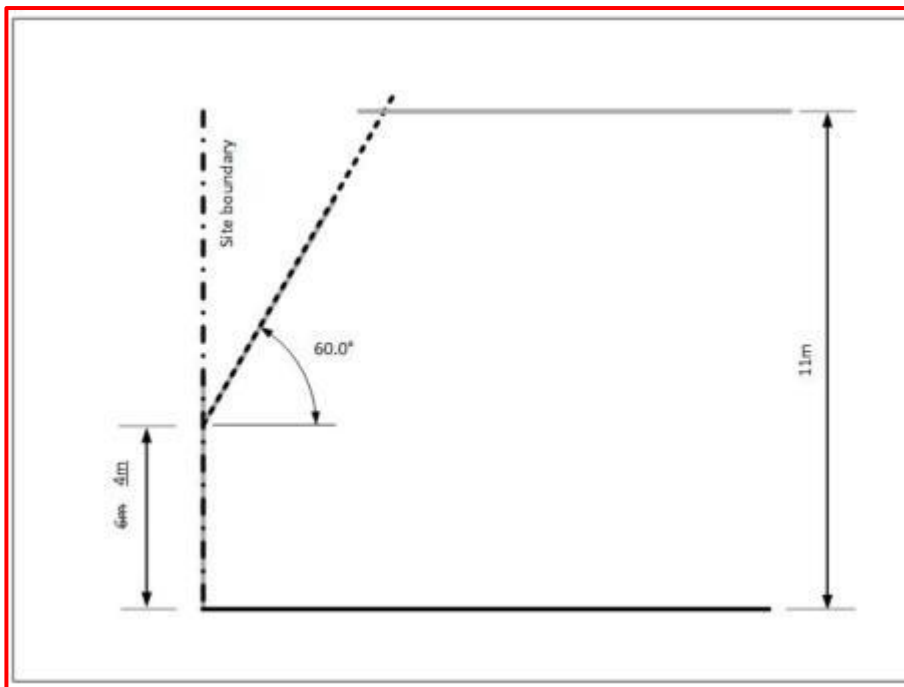
I4XX.12.6.1. Building height (MDRS)

(1) 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.



I4XX.12.6.2. Height in relation to boundary (MDRS)

- (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.
- (d) a boundary with any site in the Business – Neighbourhood Centre Zone;
- (e) a boundary with any site within the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Sports and Active Recreation Zone, Open Space – Civic Spaces Zone or the Open Space – Community Zone that are greater than 2,000 m² in area, subject to the following:
 - (i) the site is greater than 20 m in width when measured perpendicular to the shared boundary; and
 - (ii) where an open space comprises multiple sites but has a common open space zoning, the entire zone may be treated as a single site for the purpose of applying this standard.

I4XX.12.6.3. Setbacks (MDRS)

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

Table I4XX.12.6.3.1 Setbacks

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

I4XX.12.6.4. Building coverage (MDRS)

- (1) The maximum building coverage must not exceed 50% of the net site area.

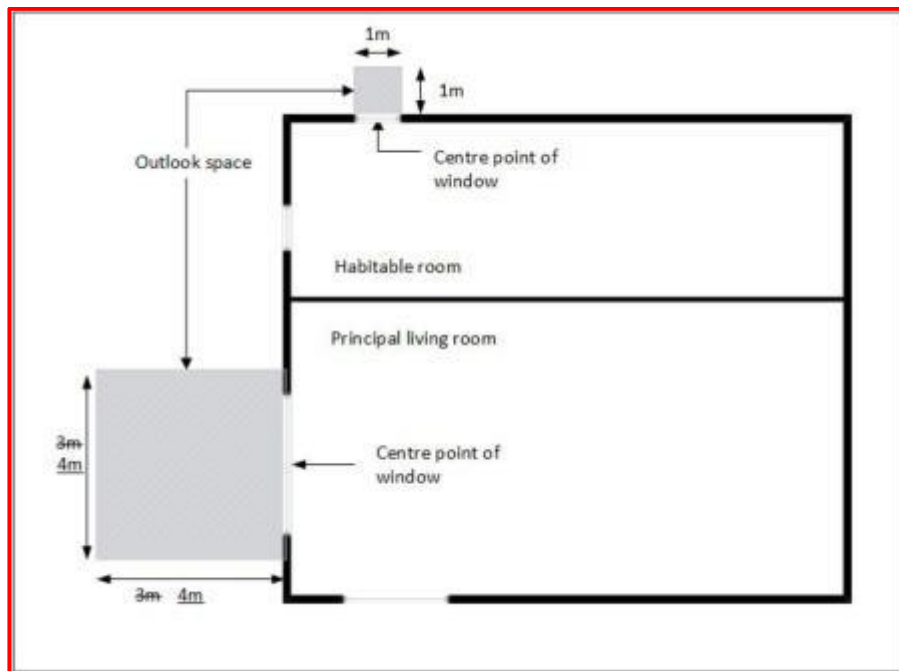
I4XX.12.6.5. Outdoor living space (per unit) (MDRS)

- (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, patiom 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.

I4XX.12.6.6. Outlook space (per unit) (MDRS)

- (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.

I4XX.12.6.7. Windows to street (MDRS)

(1) 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.

I4XX.12.6.7. Landscaped area (MDRS)

(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.

I4XX.12.7. Assessment – controlled activities

I4XX.7.1. Matters of control

The Council will reserve its control to all the following matters when assessing a controlled activity resource consent application.

(1) for subdivision in accordance with an approved land use resource consent; subdivision around existing buildings and development:

(a) the matters listed in section E38.12.1(6).

I4XX.7.2. Assessment criteria

The Council will restrict its control to all the following matters when assessing a controlled activity resource consent application.

(1) for subdivision in accordance with an approved land use resource consent; subdivision around existing buildings and development:

(a) the matters listed in section E38.12.2(6).

I4XX.12.8. Assessment – Restricted Discretionary Activities

I4XX.12.8.1. Matters of discretion

The Council will restrict its discretion to all 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 overlay or Auckland-wide provisions.

(1) for four or more dwellings in a residential zone:

(a) the matters listed in H5.8.1(2)(a) and H5.8.1(2)(c).

(2) for integrated residential development in a residential zone:

(a) the matters listed in H5.8.1(3)(a) and H5.8.1(3)(c).

I4XX.12.8.2. Assessment criteria

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

(1) for four or more dwellings in a residential zone:

(a) the criteria listed in H5.8.2(2)(b) to H5.8.2(2)(h).

(2) for integrated residential development in a residential zone:

(a) the criteria listed in H5.8.2(3)(b) to H3.8.2(3)(k).

Appendix B

I4XX. Hingaia 1

I4XX.1. Precinct Description

The Hingaia 1 precinct is located approximately 2.4km west of Papakura and is located in the southern part of the Hingaia Peninsula, to the south of the existing 'Karaka Lakes' residential subdivision.

The whole of the Hingaia Peninsula was structure planned for growth in 2000-2002. However, only Stage 1A was re-zoned at that time. This precinct is to be developed to provide for a logical extension of the existing Hingaia urban area, and development in the precinct will be guided by the Hingaia 1 precinct plan.

The purpose of the Hingaia 1 precinct is to provide for comprehensive and integrated residential development on the Hingaia Peninsula, to increase the supply of housing, to facilitate the efficient use of land, and to co-ordinate the provision of infrastructure.

It is envisaged that future land use, development and subdivision consents will give effect to the key elements of the precinct plan and provide opportunities for pedestrian and roading connections into future development areas.

The zoning of land within this precinct is Residential – Mixed Housing Suburban, Residential – Mixed Housing Urban and Business – Neighbourhood Centre.

The following overlays apply to parts of the land within this precinct:

- D9 Significant Ecological Areas Overlay
- D13 Notable Trees Overlay
- D17 Historic Heritage Overlay
- D26 National Grid Corridor Overlay

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

I4XX.2. Objectives

- (1) Subdivision and development occurs in a co-ordinated way that implements the Hingaia 1 precinct plan, provides a logical extension to the existing urban environment, and provides for connections to future development on adjoining land.
- (2) Development achieves a high standard of amenity while ensuring there is a choice of living environments and affordability options.
- (3) The existing stream network as illustrated on the Hingaia 1 precinct plan is retained and enhanced.
- (4) Subdivision and development occurs in a manner that achieves the co-ordinated delivery of infrastructure, including transport, wastewater, and water services.
- (5) The safety of users of shared paths and dedicated cycleways is prioritised over vehicle access.

- (6) Significant adverse effects of stormwater run-off on communities, the marine receiving environment and freshwater systems are avoided to the extent practical, or otherwise mitigated using water sensitive design principles.
- (7) Subdivision and development adjoining the coast provides for enhanced amenity and avoids risks of adverse effects arising from coastal erosion.
- (8) A neighbourhood centre is developed that provides for small scale convenience retail, service and commercial activities that meet the day-to-day needs of the area, and which does not undermine the viability and role of either the Hingaia Mixed Use Town Centre or the Papakura Metropolitan Centre.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

Further objectives identified in I4XX.12.1 (Appendix 2) may also apply.

I4XX.3. Policies

- (1) Require the structural elements of the Hingaia 1 precinct plan to be incorporated into all subdivision and development that results in urbanisation of the land.
- (2) Require the construction of new roads, as generally indicated on the Hingaia 1 precinct plan, to achieve integration with the existing urban area and to enable future connections to link into adjoining sites to ensure that an interconnected movement network can be achieved on the Hingaia Peninsula.
- (3) Ensure that a range of lot sizes, housing typologies and densities is enabled throughout the precinct to reflect a choice of living environments and affordability, by applying the Medium Density Residential Standards introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
- (4) Enable a range of residential living opportunities (including a range of lot sizes) with more intensive housing encouraged in locations with close proximity to the neighbourhood centre, public transport routes or areas with high amenity (e.g. locations close to public open space).
- (5) Ensure subdivision and development, including road design, achieves a high standard of amenity, pedestrian safety and convenience, and contributes to a positive sense of place and identity.
- (6) Require subdivision and development to be staged to align with the co-ordinated provision of infrastructure, including transport, water and wastewater.
- (7) Require subdivision and development to use water sensitive design principles as the core development approach to manage stormwater run-off, water quality, and flooding and mimic the natural hydrological regime and provide baseflow to streams.
- (8) Require subdivision and development to restore and to enhance the stream network, as illustrated on the Hingaia 1 precinct plan, to achieve a natural appearance with appropriate native species and encourage restoration and enhancement of wetland areas.
- (9) Encourage walkways along stream corridors and within and around wetland areas. Where possible, walkways should integrate with existing open space areas and enable future connections to adjoining undeveloped sites.

- (10) Require the design of stormwater retention devices in public areas to be integrated with the surrounding area and to contribute to multi-use benefits for public areas. Where appropriate, the devices should be natural in appearance.
- (11) Enhance the natural character of the coast and avoid adverse effects from further coastal erosion by encouraging restoration planting with eco-sourced plants where subdivision vests esplanade reserve in Council.
- (12) Promote the development and enhancement of a high amenity urban coastal character by:
 - (a) managing the interface between open space and private allotments to minimise visual dominance effects from buildings, fences and retaining walls; and
 - (b) providing for viewshafts out to the coast along roads and open space (and from the esplanade reserve back into the development).
- (13) Restrict or manage vehicle access to and from sites adjacent to shared paths or dedicated cycleways so that:
 - (a) the location, number, and design of vehicle crossings and associated access provides for the efficient movement of users of the shared path or dedicated cycleway; and
 - (b) any adverse effect on the effective, efficient and safe operation of the shared paths or dedicated cycleways arising from vehicle access across these facilities is avoided or mitigated.
- (14) Provide for a neighbourhood centre as a community meeting point that meets the convenience needs of local residents in a manner that protects and safeguards the viability and roles of the Hingaia Local Centre (and adjacent Mixed Use zone) and the Papakura Metropolitan Centre.
- (14) Encourage subdivision and development to contribute to a positive sense of place and identity through in-street landscape elements, including retaining existing landscape features, and maximising coastal vistas.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

Further objectives identified in I4XX.12.2 (Appendix 2) may also apply.

I4XX.4. Activity Table

All relevant overlay activity tables apply unless otherwise specified below.

All other relevant Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table I4XX.4.1 below, Activity Table I4XX.4.2 below, Activity Table I4XX.12.4.1 (Appendix 2) or Activity Table I4XX.12.4.2 (Appendix 2).

Table I4XX.4.1 specifies the activity status of land use and development activities in the Hingaia 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I4XX.4.2 specifies the activity status of subdivision activities in the Hingaia 1 Precinct pursuant to section 11 of the Resource Management Act 1991.

Table I4XX.4.1 Activity Table – Land use activities

Activity		Activity Status
Transport		
(A1)	Construction or use of a vehicle crossing that is listed as a permitted activity in Table E27.4.1	P
(A2)	Construction or use of a vehicle crossing that is listed as a restricted discretionary activity in Table E27.4.1	RD
Commerce		
(A10)	Show homes	P
Development		
(A11)	Fences and walls	P
(A12)	Structures not defined as buildings under Chapter J not otherwise provided for	P

Table I4XX.4.2 Activity Table – Subdivision activities

Subdivision Activity		Activity Status
(A22)	Subdivision that is listed as a restricted discretionary activity in Table E38.4.1, E38.4.2, E38.4.3 or E38.4.4 and not otherwise provided for below	RD
(A23)	Vacant sites subdivision in a residential zone	RD
(A24)	Any subdivision listed in this activity table that does not comply with any of the relevant standards in I4XX.6.2 Subdivision standards	D

I4XX.5. Notification

- (1) Any application for resource consent for an activity listed in Table I4XX.4.1 or Table I4XX.4.2 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).

I4XX.6. Standards**I4XX.6.1. Land use standards**

- (1) All relevant overlay, Auckland-wide and zone standards apply to the activities listed in Table I4XX.4.1.
- (2) Activity (A11) listed in Table I4XX.4.1 must comply with Standard I4XX.6.1.4.
- (3) Activity (A10) listed in Table I4XX.4.1 must comply with Standard I4XX.6.1.6.
- (4) Activities (A1) and (A2) listed in Table I4XX.4.1 must comply with Standard I4XX.6.1.7.

I4XX.6.1.4. Fences and walls adjoining public places other than roads

Purpose: to enable fences and walls to be constructed on or adjacent to a site boundary adjoining public places other than roads, including land to be vested in Council as reserve, to be a sufficient height to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the adjoining public place; and
 - minimise visual dominance effects to the adjoining public places;
- (1) Where a site has a boundary that adjoins either a site that is vested in Council as a local purpose (esplanade) reserve or part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as a local purpose (esplanade) reserve, then:
- (a) no fences or walls shall be constructed on or within 1.0 m of that boundary;
 - (b) no retaining walls shall be constructed within 1.5 m of that boundary;
 - (c) within 1.5 m of that boundary, any fences must not exceed a height, measured from the ground level at the boundary, of either:
 - (i) 1.2 m; or
 - (ii) 1.6 m, if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary;
 - (d) within 1.5 m of that boundary, any fences must be a dark, recessive colour; and
 - (e) if any fence is constructed within 1.5 m of that boundary, then the area between the fence and that boundary shall be fully planted with shrubs that are maintained at a height of at least 1.0 m, except that:
 - (i) where a fence contains a gate, no planting is required between that gate and the boundary for a maximum width of 2 m.
- (2) Where a site has a boundary that adjoins either a public place other than a road or part of a site that is shown on an approved subdivision consent scheme plan as to be vested in Council as a reserve or in lieu of reserves or a site that Standard I4XX.6.1.4(1) does not apply to, then:
- (a) on or within 1.0 m of that boundary, fences or walls or any combination of these structures (whether separate or joined together) must not exceed a height, measured from the ground level at the boundary, of either:
 - (i) 1.4 m;
 - (ii) 1.8 m for no more than 50 per cent of the length of the boundary and 1.4 m for the remainder; or
 - (iii) 1.8 m if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary.

I4XX.6.1.6. Show homes

Purpose: to avoid, remedy and mitigate adverse effects on residential amenity resulting from show homes, including in relation to noise and traffic.

- (1) The show home shall comply with all standards that are applicable to a dwelling.
- (2) The show home shall not operate outside the hours of 9:00 am and 5:00 pm on any day.
- (3) The show home shall cease to operate five years after approval of code compliance certificate for that show home. From that date, the show home shall be deemed to be a dwelling.

I4XX.6.1.7. Vehicle access restrictions – Cycle facilities

- (1) In addition to the requirements of Standard E27.6.4.1, new vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which has frontage to an existing or proposed shared path or dedicated cycle way, including where shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan. For the avoidance of doubt, this relates only to allotments fronting that side of the road where the shared path or dedicated cycle way exists or is proposed.
- (2) Standard I4XX.6.1.7(1) above applies in any of the following circumstances:
 - (a) a new vehicle crossing is proposed;
 - (b) a new activity is established on a site;
 - (c) there is a change of type of activity; or
 - (d) a building(s) is constructed, or additions to buildings that are not permitted activities in Table H12.4.1 Activity table, except that this does not apply in the case of a dwelling where the reconstruction, alteration or addition does not increase the number of dwellings on a site.
- (3) Standards I4XX.6.1.7(1) and I4XX.6.1.7(2) above do not apply to:
 - (a) the use of a vehicle crossing that exists on *[legal effect date]* that serves no more than one dwelling per site; and
 - (b) the construction or use of a vehicle crossing that has been shown on the plans of an approved subdivision consent that will serve no more than one dwelling per existing or approved site.

I4XX.6.2. Subdivision standards

- (1) Unless specified in Standard I4XX.6.2(2), all relevant overlay, Auckland-wide and zone standards apply to the activities listed in Table I4XX.4.1.
- (2) The following Auckland-wide standards do not apply to any proposed allotment 4 ha or greater in area:
 - (a) E38.6.1. Site size and shape;
 - (b) E38.6.6. Existing vegetation on the site;

- (c) E38.7.3.1. Subdivision of a site with two or more zones or subdivision along an undefined zone boundary;
 - (d) E38.7.3.3. Subdivision of a site within the one per cent annual exceedance probability floodplain;
 - (e) E38.7.3.4. Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area;
 - (f) E38.8.1.1. Site shape factor in residential zones;
 - (g) E38.8.2.5. Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.
- (3) Activities listed in Table I4XX.4.1 must comply with the Standards I4XX.6.2.1 to I4XX.6.2.3.

I4XX.6.2.1. Precinct Plan

- (1) Vacant sites subdivision shall provide for the following structural elements shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan, unless they are shown on the precinct plan to be within any proposed allotment 4 ha or greater in area:
- (a) Collector roads;
 - (b) Shared paths or dedicated cycle ways (excluding the shared path along the Southern Motorway);
 - (c) Parks, in the locations shown on the precinct plan.
- (2) Where the structural elements shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan are required within any proposed allotment that is 4 ha or greater in area, it shall be demonstrated that the proposed subdivision does not preclude the provision of these elements under future subdivisions of that allotment.

I4XX.6.2.2. Vacant Sites Subdivision in Residential Zones

- (1) Where subdivision is of a parent site less than 1 ha, each vacant site must comply with the minimum net site area of 300 m².
- (2) Where subdivision is of a parent site 1 ha or greater in area:
- (a) Each vacant site within residential zones must comply with the minimum net site area in Table I4XX.6.2.3.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.

Table I4XX.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater

Zone	Minimum Net Site Area	Minimum Average Net Site Area	Maximum Average Net Site Area
Residential – Mixed Housing Suburban Zone	240m ²	300m ²	480m ²
Residential – Mixed Housing Urban Zone	240m ²	300m ²	360m ²

- (b) The minimum average net site area calculated over the total of all sites created must comply with Table I4XX.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.

When calculating the minimum average net site area for the purpose of this standard, any proposed site with a net site area greater than the maximum average net site area specified for the applicable zone in Table I4XX.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater must be included in the averaging calculation at the figure specified as the maximum average net site area for the applicable zone.

- (3) Where 30 or more vacant sites are proposed, the total number of rear sites must not exceed five per cent of the total number of proposed sites.

I4XX.6.2.3. Riparian Margins

- (1) Where a permanent or intermittent stream is shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan within or adjoining a road or an allotment less than 4 ha in area riparian margins shall be established either side of the banks of the stream (or on one side where the opposite side adjoins an allotment 4 ha or more in area) to a minimum width of 10m measured from the bank of the stream, where the location of the bank can be physically identified by ground survey, or from the centreline of the stream where the bank cannot be physically identified by ground survey. Those margins shall be planted in native vegetation and shall be offered to Council for vesting as local purpose (drainage) reserves.

I4XX.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I4XX.8. Assessment of Restricted Discretionary Activities

I4XX.8.1. Matters of Discretion

The Council will consider the relevant assessment criteria below for controlled activities.

- (1) for construction or use of a vehicle crossing that is listed as a restricted discretionary activity in Table E27.4.1:
- (a) the relevant matters listed in E27.8.1.
- (8) for construction or use of a vehicle crossing that does not comply with Standard I4XX.6.1.7. Vehicle access restrictions – Cycle facilities:
- (a) the matters listed in E27.8.1(12).
- (9) for subdivision listed as a restricted discretionary activity in Activity Table I4XX.4.2:
- (a) the relevant matters listed in section E38.12.1, except that the matters listed in the following sections should not apply to proposed allotments 4 ha or greater in area:
 - (i) E38.12.1(1) subdivision of a site within the one per cent annual exceedance probability floodplain:
 - (ii) E38.12.1(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;

- (iii) E38.12.1(3) subdivision of a site in the coastal erosion hazard area;
 - (iv) E38.12.1(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment;
 - (v) E38.12.1(7) all other restricted discretionary activity subdivisions; and
 - (vi) E38.12.1(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.
- (b) the subdivision’s consistency with Figure I4XX.10.1. Hingaia 1 - Precinct Plan
 - (c) consistency with Standard I4XX.6.1.7 Vehicle access restrictions – Cycle facilities for any proposed or future vehicle crossings required to access proposed or existing allotments;
 - (d) any applicable on-site stormwater management requirements for lots less than 4 ha in area;
 - (e) the management of effects of stormwater from any proposed roads; and
 - (f) enabling viewshafts out to the coast.

I4XX.8.2. Assessment Criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities from the list below.

- (1) for construction or use of a vehicle crossing that is listed as a restricted discretionary activity in Table E27.4.1:
 - (a) the relevant criteria listed in E27.8.2.
- (12) for construction or use of a vehicle crossing that does not comply with Standard I4XX.6.1.7. Vehicle access restrictions – Cycle facilities:
 - (a) the criteria listed in E27.8.2(11).
- (13) for subdivision listed as a restricted discretionary activity in Activity Table I4XX.4.2:
 - (a) the relevant criteria listed in section E38.12.2, except that the criteria listed in the following sections should not apply to proposed allotments 4 ha or greater in area:
 - (i) E38.12.2(1) subdivision of a site within the one per cent annual exceedance probability floodplain:
 - (ii) E38.12.2(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;
 - (iii) E38.12.2(3) subdivision of a site in the coastal erosion hazard area;
 - (iv) E38.12.2(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment;

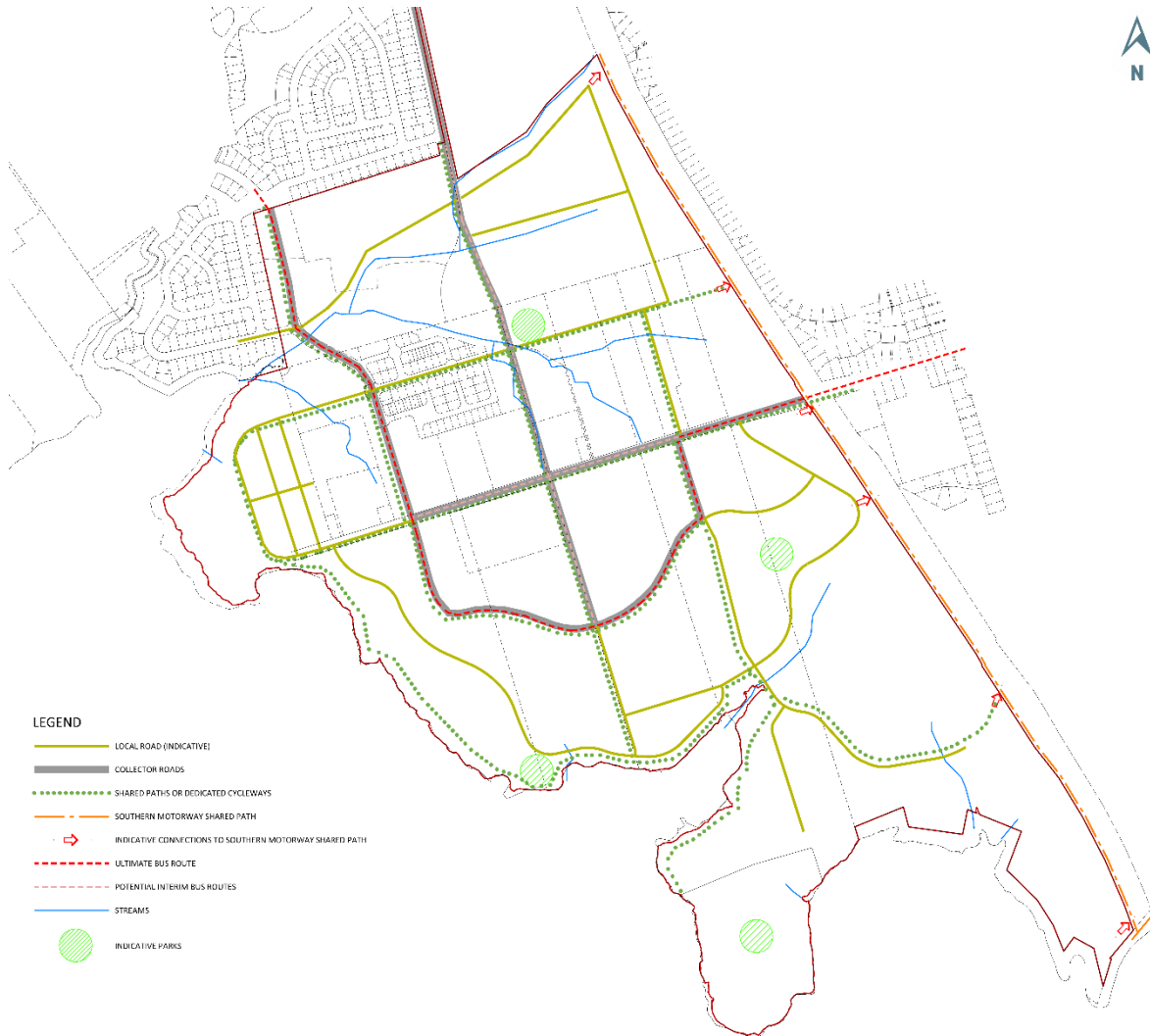
- (v) E38.12.2(7) all other restricted discretionary activity subdivisions; and
 - (vi) E38.12.2(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.
- (b) whether the structural elements shown in Figure I4XX.10.1. Hingaia 1 - Precinct Plan (including roads and stream corridors) are incorporated into the subdivision design (other than where proposed sites are 4 ha or greater in area);
 - (ba) the extent to which any roads are designed in accordance with the road construction guidelines in Appendix 1.
 - (c) whether the proposed staging of development promotes efficient development of the structural elements shown in Figure I4XX.10.1. Hingaia 1 - Precinct Plan.
 - (d) whether the subdivision is consistent with the Hingaia 1 precinct objectives and policies.
 - (e) whether lots adjoining an existing or proposed shared path or dedicated cycle way, including where shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan, are provided with access from an alternative road so that infringement of Standard I4XX.6.1.7 Vehicle access restrictions – Cycle facilities (including future infringements by land use activities on the proposed allotments) can be avoided or minimised.
 - (f) whether on-going compliance with the on-site stormwater management requirements contained in any relevant approved Stormwater Management Plan will be achieved.
 - (g) whether the management of stormwater runoff from any proposed road is consistent with the requirements of any relevant Stormwater Management Plan.
 - (h) the extent to which viewshafts from roads and open spaces out to the coast are provided for.

I4XX.9. Special Information Requirements

There are no special information requirements in this section.

I4XX.10. Precinct Plan

Figure I4XX.10.1. Hingaia 1 - Precinct Plan



I4XX.11. Hingaia 1 Precinct – Appendix 1

This appendix sets out the guidelines for the construction of roads in the precinct but is not intended to represent the only design solution.

Table I4XX.11.1 Hingaia 1 Precinct road construction guidelines

Road Type/Function	Minimum* Road Reserve Width	Total Number of Lanes	Design Speed	Cycle Provisions	Pedestrian Provision	Access Restrictions	Bus Provision
Park Estate Road, Hinau Road or Ngakoro Road (Collector)	21m	2	50 km/h	Yes	Both sides	Where cycle provision is made, in accordance with Standard I4XX.6.1.7.	Yes
Other Collector Road	21m	2	30 km/h	Yes	Both sides	Where cycle provision is made, in accordance with Standard I4XX.6.1.7.	Yes
Local Road	16m	2	30 km/h	If shown on Figure I4XX.10.1. Hingaia 1 - Precinct Plan	Both sides		No
Park Edge Local Road	12m	2	30 km/h		Both sides, but can be provided within park rather than the road		No

* Typical minimum cross section which may need to be varied in specific locations where required to accommodate batters, structures, intersection design, significant constraints or other localised design requirements.

I4XX.12. Hingaia 1 Precinct – Appendix 2

I4XX.12.1 Appendix purpose

This appendix sets out the provisions of the Hingaia 1 Precinct that incorporate the Medium Density Residential Standards.

These provisions apply until the final provisions of Auckland Council's intensification planning instrument are incorporated into the Auckland Unitary Plan, at which time Appendix 2 will cease to have effect.

I4XX.12.2 Objectives

The following objectives apply in addition to those specified in I4XX.2.

- (1) 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.
- (2) The Hingaia 1 Precinct provides for a variety of housing types and sizes that respond to:
 - (a) housing need and demand; and
 - (b) the neighbourhood's planned urban built character, including three-storey buildings.

I4XX.12.3 Policies

The following objectives apply in addition to those specified in I4XX.3.

- (1) Enable a variety of housing typologies with a mix of densities within the Hingaia 1 Precinct, including three-storey attached and detached dwellings, and low-rise apartments.
- (2) Apply the MDRS across all of Hingaia 1 Precinct 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).

Note: Within the Hingaia 1 Precinct, qualifying matters are provided for by Auckland-wide and overlay provisions.

- (3) Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
- (4) Enable housing to be designed to meet the day-to-day needs of residents.
- (5) Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

I4XX.12.4 Activity Table

The following activity tables apply in addition to those provided in I4XX.4.

Table I4XX.12.4.1 specifies the activity status of land use activities in the Hingaia 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I4XX.12.4.2 specifies the activity status of subdivision activities in the Hingaia 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I4XX.12.4.1 Activity Table – Medium Density Residential Standards – Land use activities

Activity		Activity Status
Residential		
(AX)	Up to three dwellings in a residential zone	P
(AX)	Four or more dwellings in a residential zone	RD
(AX)	Integrated residential development in a residential zone	RD
Development		
(AX)	Internal and external alterations to buildings designed to accommodate a land use activity listed in Table I4XX.12.4.1	The same activity status as applies to the land use activity
(AX)	Accessory buildings that are accessory to a land use activity listed in Table I4XX.12.4.1	The same activity status as applies to the land use activity
(AX)	New buildings and additions to buildings designed to accommodate a land use activity listed in Table I4XX.12.4.1	The same activity status as applies to the land use activity

Table I4XX.12.4.2 Activity Table – Medium Density Residential Standards – Subdivision activities

Subdivision Activity		Activity Status
(AX)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1 in one or more residential zones	C
(AX)	Subdivision around existing buildings and development complying with Standard E38.8.2.2 in one or more residential zones	C
(AX)	Any subdivision listed in this activity table not meeting the standards in E38.6 General standards for subdivision	D
(AX)	Any subdivision listed in this activity table not meeting the standards in E38.8 Standards for subdivision in residential zones	D

I4XX.12.5. Notification

- (1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties:
 - (a) four or more dwellings per site in a residential zone that comply with all of the following standards:
 - (i) Standard I4XX.12.6.1 Building height (MDRS);
 - (ii) Standard I4XX.12.6.2 Height in relation to boundary (MDRS);
 - (iii) Standard I4XX.12.6.3 Setbacks (MDRS);
 - (iv) Standard I4XX.12.6.4 Building coverage (MDRS);
 - (v) Standard I4XX.12.6.5 Outdoor living space (per unit) (MDRS);
 - (vi) Standard I4XX.12.6.6 Outlook space (per unit) (MDRS);
 - (vii) Standard I4XX.12.6.7 Windows to street (MDRS); and

- (viii) Standard I4XX.12.6.8 Landscaped area (MDRS).
- (b) subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1 in a residential zone.
- (2) Any application for resource consent for the following activities will be considered without public notification:
 - (a) up to three dwellings per site in a residential zone that does not comply with any of the following standards:
 - (i) Standard I4XX.12.6.1 Building height (MDRS);
 - (ii) Standard I4XX.12.6.2 Height in relation to boundary (MDRS);
 - (iii) Standard I4XX.12.6.3 Setbacks (MDRS);
 - (iv) Standard I4XX.12.6.4 Building coverage (MDRS);
 - (v) Standard I4XX.12.6.5 Outdoor living space (per unit) (MDRS);
 - (vi) Standard I4XX.12.6.6 Outlook space (per unit) (MDRS);
 - (vii) Standard I4XX.12.6.7 Windows to street (MDRS); and
 - (viii) Standard I4XX.12.6.8 Landscaped area (MDRS).
- (3) Any application for resource consent for an activity listed in Table I4XX.12.4.1 and which is not listed in I4XX.12.5(1) or I4XX.12.5(2) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (4) 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).

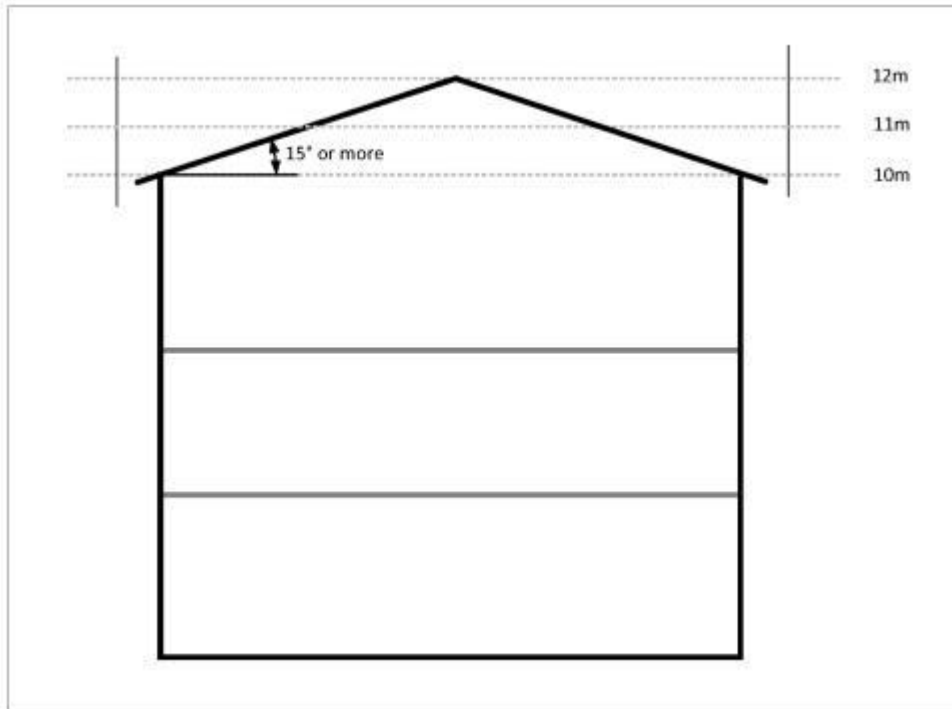
I4XX.12.6. Standards

- (1) Unless specified in Standard I4XX.12.6(1) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in Tables I4XX.12.4.1 and I4XX.12.4.2 above.
- (2) The following zone standards do not apply to all activities listed in Table I4XX.12.4.1 above:
 - (a) Standard H4.6.4 Building height;
 - (b) Standard H4.6.5 Height in relation to boundary;
 - (c) Standard H4.6.6 Alternative height in relation to boundary;
 - (d) Standard H4.6.7 Yards, to the extent that this standard relates to front, side and rear yards (the riparian, lakeside and coastal protection yard requirements continue to apply);
 - (e) Standard H4.6.9 Building coverage;
 - (f) Standard H4.6.10 Landscaped area;
 - (g) Standard H4.6.11 Outlook space;

- (h) Standard H4.6.12 Daylight;
 - (i) Standard H4.6.13 Outdoor living space;
 - (j) Standard H5.6.4 Building height;
 - (k) Standard H5.6.5 Height in relation to boundary;
 - (l) Standard H5.6.6 Alternative height in relation to boundary;
 - (l) Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones;
 - (m) Standard H5.6.8 Yards, to the extent that this standard relates to front, side and rear yards (the riparian, lakeside and coastal protection yard requirements continue to apply);
 - (n) Standard H5.6.10 Building coverage;
 - (o) Standard H5.6.11 Landscaped area;
 - (p) Standard H5.6.12 Outlook space;
 - (q) Standard H5.6.13 Daylight;
 - (r) Standard H5.6.14 Outdoor living space; and
 - (s) Standard H5.6.15 Front, side and rear fences and walls.
- (3) Activities listed in Table I4XX.12.4.1 must comply with standards I4XX.12.6.1 to I4XX.12.6.8.
- (4) Terms used in standards I4XX.12.6.1 to I4XX.12.6.8 that are defined in the national planning standards have the same meaning as they do in those standards, rather than Chapter J.

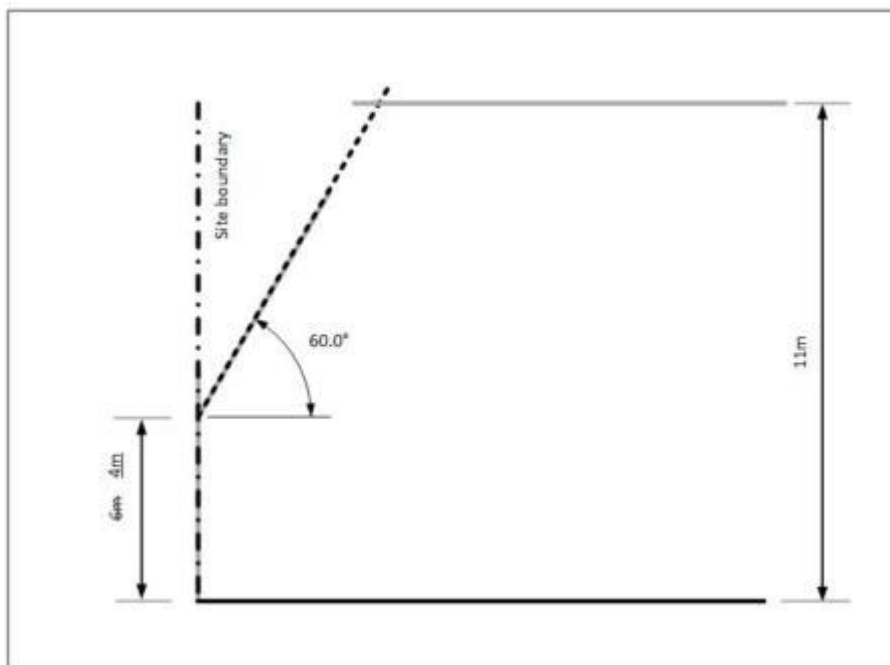
I4XX.12.6.1. Building height (MDRS)

- (1) 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.



I4XX.12.6.2. Height in relation to boundary (MDRS)

- (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.
- (d) a boundary with any site in the Business – Neighbourhood Centre Zone;
- (e) a boundary with any site within the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Sports and Active Recreation Zone, Open Space – Civic Spaces Zone or the Open Space – Community Zone that are greater than 2,000 m² in area, subject to the following:
 - (i) the site is greater than 20 m in width when measured perpendicular to the shared boundary; and
 - (ii) where an open space comprises multiple sites but has a common open space zoning, the entire zone may be treated as a single site for the purpose of applying this standard.

I4XX.12.6.3. Setbacks (MDRS)

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

Table I4XX.12.6.3.1 Setbacks

Yard	Minimum depth
Front	1.5 metres
Side	1 metre
Rear	1 metre (excluded on corner sites)

I4XX.12.6.4. Building coverage (MDRS)

- (1) The maximum building coverage must not exceed 50% of the net site area.

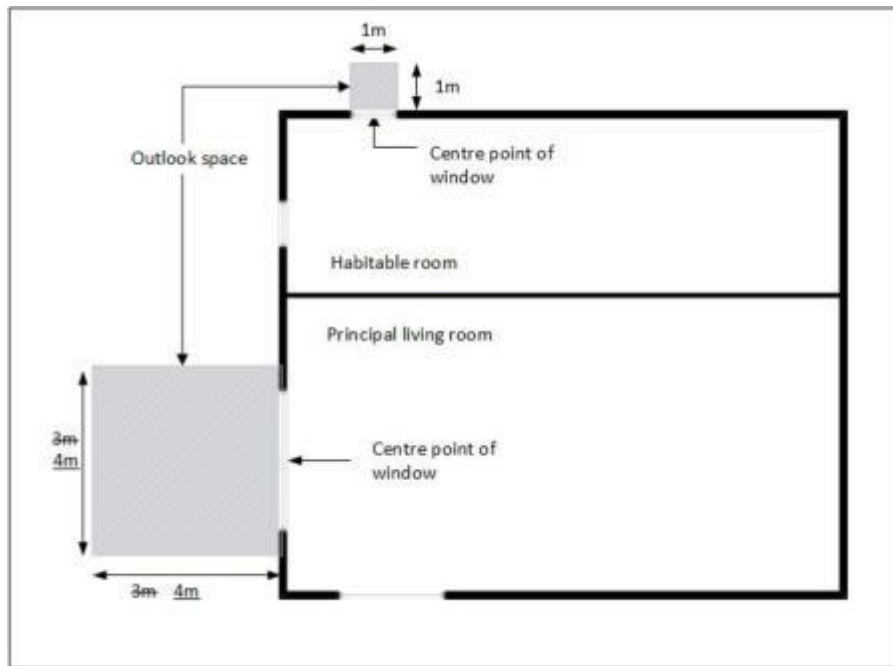
I4XX.12.6.5. Outdoor living space (per unit) (MDRS)

- (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.

14XX.12.6.6. Outlook space (per unit) (MDRS)

- (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.

I4XX.12.6.7. Windows to street (MDRS)

- (1) 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.

I4XX.12.6.7. Landscaped area (MDRS)

- (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.

I4XX.12.7. Assessment – controlled activities

I4XX.7.1. Matters of control

The Council will reserve its control to all the following matters when assessing a controlled activity resource consent application.

- (1) for subdivision in accordance with an approved land use resource consent; subdivision around existing buildings and development:
 - (a) the matters listed in section E38.12.1(6).

I4XX.7.2. Assessment criteria

The Council will restrict its control to all the following matters when assessing a controlled activity resource consent application.

- (1) for subdivision in accordance with an approved land use resource consent; subdivision around existing buildings and development:
 - (a) the matters listed in section E38.12.2(6).

I4XX.12.8. Assessment – Restricted Discretionary Activities

I4XX.12.8.1. Matters of discretion

The Council will restrict its discretion to all 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 overlay or Auckland-wide provisions.

- (1) for four or more dwellings in a residential zone:
 - (a) the matters listed in H5.8.1(2)(a) and H5.8.1(2)(c).
- (2) for integrated residential development in a residential zone:
 - (a) the matters listed in H5.8.1(3)(a) and H5.8.1(3)(c).

I4XX.12.8.2. Assessment criteria

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

- (1) for four or more dwellings in a residential zone:
 - (a) the criteria listed in H5.8.2(2)(b) to H5.8.2(2)(h).
- (2) for integrated residential development in a residential zone:
 - (a) the criteria listed in H5.8.2(3)(b) to H3.8.2(3)(k).