

## **IXXX Orewa 4 Precinct**

### **IXXX.1 Precinct Description**

The Orewa 4 Precinct (known as Ara Hills) is 84.5ha of land on the western side of State Highway 1 (SH1). The Orewa SH1 Interchange abuts the eastern boundary of the precinct, and its northern boundary adjoins the Nukumea Scenic Reserve which is owned and managed by the Department of Conservation. The southern and western boundaries adjoin rural land used for pastoral and forestry purposes and is zoned Future Urban. SH1 separates the Orewa 4 Precinct from the Orewa 2 Precinct to the east. The contours are complex and involve dominant ridgelines and rolling hills intersected with natural gullies and watercourses. There are areas of regenerating native bush on the site, mostly in the stream riparian margins, with ecological value.

Ara Hills is an existing residential community with 575 residential and mixed use lots already provided for by an underlying resource consent with stages 1-3A already completed and a number of dwellings occupied.

The primary purpose of the Precinct is to reflect the existing residential community and provide for the future growth of the community of approximately 900 homes that recognises the unique landscape setting and protect and enhance the ecological, landscape and amenity values of the area. Urban residential zones apply, along with a neighbourhood centre and a mix of private and public open space that incorporates riparian corridors, wetlands, walkways and informal recreation and wilderness areas.

The zoning of land within this Precinct is Residential - Mixed Housing Urban Zone, Residential - Terrace Housing and Apartment Zone, Business - Neighbourhood Centre Zone, Open Space - Informal Recreation Zone, and Open Space - Conservation Zone.

Development within the Precinct should be in accordance with the Orewa 4 Precinct Plan 1 and Precinct Plan 2.

The Precinct also incorporates the Medium Density Residential Standards (MDRS) contained in Schedule 3A of the Resource Management Act 1991.

The MDRS is incorporated into parts of the Residential - Mixed Housing Urban Zone and Residential - Terrace Housing and Apartment Zone within the Precinct. The outcomes anticipated in those parts of the Precinct correspond to the Residential – Mixed Housing Urban Zone and Residential – Terrace Housing and Apartment Building Zone with MDRS incorporated. The MDRS apply except to the extent set out in the precinct.

In respect of the requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 the precinct includes the following qualifying matters:

- Local natural features – Nukumea Scenic Reserve Sub-precinct, standards for riparian margins, standards for ecological connections, standards for sites directly adjoining the Nukumea Scenic Reserve (s771 (a) and (j))
- Local landscape – Nukumea Scenic Reserve Sub-precinct (s771 (j))
- Local amenity- yard and fencing standards to Nukumea Reserve (s771 (j))
- Local open space networks – Open Space Sub-precinct (s771 (j))

Sub-precincts are identified to address the interface to the Nukumea Scenic Reserve and to provide flexibility adjacent to the neighbourhood centre.

The Nukumea Reserve Protection Sub-precinct covers the majority of the northern boundary with the Nukumea Reserve. It features additional controls to limit density of dwellings, require minimum revegetation of sites and limit building locations and building coverages. The Sub-precinct responds to the topographical constraints and significant ecological values along this interface, and these attributes are considered to be qualifying matters, so the MDRS is excluded from this part of the Precinct.

The Flexible Commercial Sub-precinct has been provided to provide flexibility for additional ground floor commercial floor space within two discrete super lots adjacent to the Neighbourhood Centre. This flexibility is limited by a number of standards to ensure it is ancillary and supportive of the centre.

Areas of indicative open space are identified across the precinct and include significant ecological areas, gullies, watercourse and areas of revegetation. The extent of this open space is shown on Precinct Plan 2: Revegetation and Open Space Concept. There are standards related to these areas that require an information requirement for an Open Space Development Plan with the final extent of open space to be confirmed at the time of subdivision. It is anticipated that these parts of the Precinct will be staged as development occurs and the areas will be privately owned unless an esplanade reserve requirement is triggered.

Subdivision and development are restricted until the land within the Precinct is able to connect to functioning bulk water supply and bulk wastewater infrastructure with sufficient capacity to service subdivision and development in the Precinct area.

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

## **IXXX.2 Objectives**

- (1) Subdivision and development are in accordance with Precinct Plan 1, and are staged, designed, and delivered to align with the provision and upgrading of open space and transport infrastructure (strategic road corridor, road connections and pedestrian and cycling linkages).
- (2) Subdivision and development is coordinated with the provision of bulk and local water supply and wastewater infrastructure and the Stormwater Management Plan.
- (3) Subdivision and development in the Precinct make efficient use of the land and responds positively to the existing development within Ara Hills, the natural and physical features of the Precinct and the area, ecological enhancement of existing native vegetation and additional restoration planting, and recognising and utilising the visual amenity, ecological connectivity and passive recreation opportunities provided by the adjacent Nukumea Scenic Reserve.

- (4) Native fauna and flora of the Nukumea Scenic Reserve and the Precinct are protected and enhanced through restrictions on the keeping of domestic animals in the Precinct, the provision of fencing along the reserve boundary, limiting access points for people into the reserve, vegetation buffers on sites adjoining the reserve and planted ecological connections.
- (5) A well connected, safe and efficient road network within the Precinct is provided, including connections to the wider roading and pedestrian network and to adjacent land, taking into account topography, watercourses and native vegetation.
- (6) Pedestrian and cycle linkages within the Precinct are provided, including connections to the wider roading and pedestrian network and to adjacent land, taking into account topography, watercourses, riparian yards and native vegetation, to enhance recreation, connectivity and create a green network that links open spaces within the Precinct.
- (7) Recreational needs of the community are met through the provision of open space areas that are zoned appropriately and publicly accessible, provide for both passive and active recreational activities and are privately owned in perpetuity by all landowners in the Precinct.
- (8) Open space recognises and takes advantage of the natural features of the Precinct, including incorporating riparian margins, wetlands and opportunities for revegetating and enhancing native bush and the retention of existing exotic mature trees within these areas. Riparian planting is established at the time of subdivision.
- (9) A neighbourhood centre is provided within the Precinct, close to the motorway off-ramp that provides for a range of retail and commercial opportunities along with a focal point for community activity and events.
- (10) The design of the neighbourhood centre takes account of the future arterial road connection through the Precinct to safeguard this future connection in the wider Orewa West area.
- (11) Natural waterways in the Precinct are maintained, restored and enhanced and high-quality water treatment is achieved.
- (12) 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.
- (13) A relevant residential zone provides for a variety of housing types and sizes that respond to –
  - (a) housing needs and demands
  - (b) the neighbourhood's planned urban built character, including three-storey buildings

- (c) the development potential of the land resource in the Precinct with a range of, housing densities and site sizes while ensuring the natural and environmental values of the precinct are maintained and enhanced.

In addition to the objectives specified above, all relevant overlay, Auckland-wide and zone objectives apply in this precinct with the exception of the following:

- H5.2(2) Objectives

### **IXXX.3 Policies**

- (1) Require subdivision and development to be in general accordance with Precinct Plan 1 and the adopted Stormwater Management Plan.
- (2) Provide flexibility to develop a range of housing sizes, types and designs throughout the Precinct through the use of zoning, Sub-precincts, and development standards.
- (3) Focus commercial and retail opportunities in the Business - Neighbourhood Centre Zone to ensure that it attracts on going investment, promotes small scale commercial activity and reinforces the role of the neighbourhood centre as a commercial and community focal point, whilst providing limited opportunities for small-scale commercial activities on sites in the Residential - Terrace Housing and Apartment Building Zone that adjoin the neighbourhood centre and are defined by the Flexible Commercial Sub-precinct.
- (4) The design and built form of the neighbourhood centre must take account of the futur arterial road corridor and incorporate restricted vehicle access as shown on Precinct Plan 1.
- (5) Land that is adjacent or close to the Nukumea Scenic Reserve, and where it is important to restore and maintain a vegetated buffer, is identified as being within either the Nukumea Scenic Reserve Protection Sub-precinct or requires a ten-metre-wide planting buffer as shown on Precinct Plan 1. Controls to ensure the achievement and maintenance of a vegetated buffer in these areas include:
  - (a) larger site sizes;
  - (b) identified building platforms for each site that are a minimum distance away from the boundary with the reserve;
  - (c) restrictions on minor dwellings;
  - (d) controls on the size and height of fencing;
  - (e) planting and revegetation buffers that are either 10 or 20 metres in width that must be planted with appropriate eco-sourced native plant species at the time of subdivision;

- (f) minimum native planting requirements in relation to the size of the site.
- (6) Prohibit the keeping of mustelids, rodents or cats within the Precinct.
- (7) Recognise the natural, ecological and landscape values of the Nukumea Scenic Reserve and its ownership and management by the Department of Conservation by limiting public access points into the reserve from the precinct through the provision of an adjacent public parking area, the provision of planted ecological connections in consultation with the Department of Conservation and suitable fencing along the boundary with the reserve.
- (8) Locate, construct and vest the indicative road layout and transport upgrades, including pedestrian linkages and cycleways and safeguard the future arterial road corridor, in general accordance with Precinct Plan 1 and the relevant staging provisions. Any required amendments to the existing road network, including pedestrian and cycleways must be designed and undertaken in consultation and with the agreement of Waka Kotahi - NZTA and Auckland Transport.
- (9) Land shown as Open Space – Conservation Zone and Open Space – Informal Recreation, or shown as indicative open space on Precinct Plan 1, must be held as private open space that is owned, managed and maintained in perpetuity by all landowners in the precinct through the use of appropriate legal mechanisms unless accepted for vesting as reserve or esplanade reserve at subdivision stage.
- (10) Except for an area adjoining the Nukumea Scenic Reserve in the north of the precinct shown on Precinct Plan 1, all land identified as open space on the precinct must be accessible by the general public.
- (11) Provide planted ecological connections that enhance the safe movement of native fauna and avifauna between the precinct and Nukumea Scenic Reserve, and the integration of native flora, in accordance with Precinct Plan 1, either as part of the open space network within the Precinct or over private land and protected by way of covenant.
- (12) Allow the retention of some of the existing mature pine and gum trees within open space and the Nukumea Reserve Protection Sub-precinct for landscape, visual amenity, site stability and ecological purposes.
- (13) All planting, habitat restoration and landscaping in the open space areas, including riparian margins and Significant Ecological Areas, must reflect and enhance existing native vegetation in the Precinct and surrounding environment, including the Nukumea Scenic Reserve. All restoration planting and revegetation must be native eco-sourced species.
- (14) Require front boundary fencing and screening on residential sites, that does not obscure or prevent engagement and surveillance opportunities with the street,

except where required for screening of private outdoor living areas on corner sites.

- (15) Enhance visibility and passive surveillance, connectivity and a sense of environmental stewardship in relation to open space in the Precinct by limiting fencing on boundaries with open space in the precinct.
- (16) Mitigate the adverse effects of stormwater runoff from all impervious areas in the precinct through a treatment train approach which assists in maintaining high water quality and improving water quality in accordance with the approved Stormwater Management Plan.
- (17) Avoid subdivision and development in advance of the provision of functioning bulk water supply and bulk wastewater infrastructure with sufficient capacity to service subdivision and development within the Precinct.
- (18) Enable a variety of housing types with a mix of densities within the Residential - Mixed Housing Urban Zone and the Residential – Terrace Housing and Apartment Zone, including three-storey attached and detached dwellings, and low-rise apartments.
- (19) Apply the MDRS across the Residential - Mixed Housing Urban Zone and the Residential – Terrace Housing and Apartment Zone except in circumstances where a qualifying matter is relevant.
- (20) Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
- (21) Enable housing to be designed to meet the day-to-day needs of residents.
- (22) Provide for developments not meeting permitted activity status, while encouraging high-quality developments.
- (23) Require development to achieve a built form that contributes to high-quality built environment outcomes by:
  - (a) maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
  - (b) providing for residents' safety and privacy while enabling passive surveillance on the street;
  - (c) minimising visual dominance effects to adjoining sites;
  - (d) maintaining a level of privacy, and sunlight and daylight access for adjoining sites;
  - (e) minimising visual dominance effects of carparking and garage doors to streets and private accessways;

- (f) minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;
- (g) requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees;
- (h) designing practical, sufficient space for residential waste management; and
- (i) designing practical, sufficient space for internal storage and living areas.

In addition to the policies specified above, all relevant overlay, Auckland-wide and zone policies apply in this precinct with the exception of the following:

- Policies H5.3(1) – (5) Policies
- Policies H6.3(1), (3), (5), (6)

#### **IXXX.4 Activity tables**

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

- (1) H6.4.1(A14) Dairies up to 100m<sup>2</sup> gross floor area per site
- (2) H6.4.1(A14) Restaurants and cafes up to 100m<sup>2</sup> gross floor area per site
- (3) H6.4.1(A25) Healthcare facilities up to 200m<sup>2</sup> gross floor area per site
- (4) Within the Nukumea Scenice Reserve Sub-precinct :
  - (a) H5.4.1(A3) Up to three dwellings per site
  - (b) H5.4.1(A4) Four or more dwellings per site; and
  - (c) H5.4.1(A8) Integrated residential development.

Activity Tables IXXX.4.1 to 4.4 specify the activity status of land use, development and subdivision activities in the Precinct pursuant to sections 9(2), 9(3) and 11 of the Resource Management Act 1991.

A blank table cell with no activity status specified means that the zone, Auckland-wide and overlay provisions apply.

**Note 1:** All applications for subdivision consent are subject to section 106 of the RMA.

Qualifying  
Matter as per  
s77(l) (j)

**Note 2:** Particular values associated with the precinct that are managed by an overlay or Auckland-wide Plan Chapters that apply in this precinct are a qualifying matter under section 77I of the RMA.

#### **Table IXXX.4.1 All zones**

Activity		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	Keeping of mustelids or rodents or cats anywhere in the Precinct	Pr	
(A2)	Use that does not comply with Standard IXXX.6.2.2 High Contaminant Yielding Materials and IXXX6.2.5 Stormwater, 1XXX.6.2.6 Bulk Water Supply and Wastewater Infrastructure and IXXX6.2.7 Vehicle Access Restriction	NC	
(A3)	Uses that do not comply with Standard IXXX.6.2.1 Front, side and rear fences and walls	D	
<b>Development</b>			
(A3)	New buildings or additions to building which do not meet IXXX.6.2.1 Front, side and rear fences and walls	D	
(A5)	Development that does not comply with Standard IXXX.6.2.2 High Contaminant Yielding Materials and IXXX6.2.5 Stormwater, 1XXX.6.2.6 Bulk Water Supply and Wastewater Infrastructure and IXXX6.2.7 Vehicle Access Restriction	NC	
<b>Subdivision</b>			
(A6)	Subdivision		IXXX.6.2.8.1 - 6.2.8.10.Subdivision Standards
(A7)	Subdivision that is not in accordance with Standards IXXX6.2.5 Stormwater and 1XXX.6.2.6 Bulk Water Supply and Wastewater Infrastructure	NC	
(A8)	Subdivision that is not in accordance with Standard IXXX.6.2.8.6 Nukumea Reserve, IXXX.6.2.8.7 Riparian Margins; IXXX.6.2.8.8 Ecological Connections; IXXX.6.2.8.9 Open Space and IXXX.6.2.8.10 Road and Access.	D	

Qualifying  
Matter as per  
s77(l) (a) and (j)

**Table IXXX.4.2 Mixed Housing Urban - Nukumea Scenic Reserve Protection Sub-precinct**



Activity		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	One dwelling per site	P	IXXX.6.2.3 Recognise the Nukumea Reserve
(A2)	One minor dwelling per site	P	IXXX.6.2.3 Recognise the Nukumea Reserve  H3.6.4 Minor Dwelling
(A3)	Two or more dwellings per site	NC	
(A4)	The conversion of a principal dwelling into a maximum of three dwellings	NC	
(A5)	Integrated residential development	NC	
(A6)	All development that does not meet the standards IXXX.6.2.3 Recognise the Nukumea Reserve	D	
<b>Development</b>			
(A7)	Internal and external alterations to buildings for a development of dwellings		IXXX.6.2.3 Recognise the Nukumea Reserve
(A8)	Accessory buildings associated with a development of dwellings		IXXX.6.2.3 Recognise the Nukumea Reserve
(A9)	Additions to an existing dwelling		IXXX.6.2.3 Recognise the Nukumea Reserve
(A10)	New Buildings and additions to buildings that do not comply with standards IXXX.6.2.3 Recognise the Nukumea Reserve	D	
(A11)	Internal and external alterations to buildings that do not comply with standards IXXX.6.2.3 Recognise the Nukumea Reserve	D	

Activity		Activity status	Standards to be complied with
(A12)	Accessory buildings that do not comply with standard IXXX.6.2.3 Recognise the Nukumea Reserve	D	
(A13)	Additions to an existing dwelling that do not comply with standard IXXX.6.2.3 Recognise the Nukumea Reserve	D	

**Table IXXX.4.3 Flexible Commercial Precinct Sub-precinct**

Activity		Activity status	Standards to be complied with
<b>Use</b>			
<b>Terraced Housing Zone with Flexible Commercial Sub-precinct</b>			
(A1)	Retail, healthcare facilities, veterinary clinic and offices in the Terrace Housing and Apartment Zone	P	IXXX.6.2.4 Flexible Commercial Sub-precinct
(A2)	Any activity listed in this table that does not meet standard IXXX.6.2.4	D	

**Table IXXX.4.4 Activity table – Residential Density Standards - MDRS (Mixed Housing Urban Zone and Residential – Terrace Housing and Apartment Buildings Zone)**

Activity		Activity status	Standards to be complied with
<b>Use</b>			
(A1)	Up to three dwellings per site	P	IXXX.6.1.2 to IXXX.6.1.10
(A2)	The conversion of a principal dwelling into a maximum of three dwellings	P	IXXX.6.1.2 to IXXX.6.1.10
<b>Development</b>			
(A3)	Accessory buildings associated with a development of dwellings	P	IXXX.6.1.2 to IXXX.6.1.10
(A4)	Internal and external alterations to buildings for a development of dwellings	P	IXXX.6.1.2 to IXXX.6.1.10
(A5)	Additions to an existing dwelling	P	IXXX.6.1.2 to IXXX.6.1.10
<b>Subdivision for the purpose of the construction or use of dwellings</b>			
(A6)	Subdivision in accordance with an approved land use consent for the	C	

Activity		Activity status	Standards to be complied with
	<p>purpose of the construction or use of dwellings as:</p> <p>(a) permitted in the Precinct</p> <p>(b) restricted discretionary in the Precinct, or</p> <p>(c) discretionary under Standards  IXXX.6.2.8.6 Nukumea Reserve,  IXXX.6.2.8.7 Riparian Margins;  IXXX.6.2.8.8 Ecological Connections;  IXXX.6.2.8.9 Open Space and  IXXX.6.2.8.10 Road and Access. in the Precinct, and</p> <p>meeting IXXX.6.2.8.2 to IXXX.6.2.8.5 Standards for controlled subdivision activities</p>		
(A7)	<p>Subdivision for up to three sites accompanied by:</p> <p>(a) A land use consent application for up to three dwellings one or more of which does not comply with Standards IXXX.6.1.2 to IXXX.6.1.10 inclusive but does comply with all applicable zonal, Auckland-wide and overlay standards; or</p> <p>(b) A certificate of compliance for up to three dwellings each of which complies with Standards IXXX.6.1.2 to IXXX.6.1.inclusive and as applicable, and applicable zonal, Auckland-wide, and overlay standards</p>	C	
<u>(A8)</u>	Any subdivision listed above not meeting IXXX.6.2.8.2 to IXXX.6.2.8.5 Standards for controlled subdivision activities	D	
(A9)	Any subdivision listed above not meeting General Standards E38.6.2 to E38.6.6 inclusive	D	
(A10)	Any subdivision listed above not meeting Standards for subdivision in residential zones E38.8.1.1(1) and E38.8.1.2	D	

### IXXX.5 Notification

- (1) Except as specified below any application for resource consent for an activity listed in Activity Table IXXX.4.1 to 4.4 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 the Council will give specific consideration to those persons listed in Rule C1.,13(4).
- (3) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public notification of an application for resource consent is precluded if the application is for the construction and use of one, two or three dwellings that do not comply with Standards IXXX.6.1.1 to IXXX6.1.10.
- (4) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public and limited notification of an application for a controlled subdivision resource consent is precluded if the subdivision is associated with an application: for the construction and use of:
  - (a) for the construction and use of one, two or three dwellings that do not comply with one or more of the Standards listed in IXXX.6.1.1 to IXXX6.1.10; or
  - (b) four or more dwellings for which a land use consent has been approved for the purpose of the construction, or use of dwellings as a restricted discretionary activity in the precinct.
- (5) Any application for resource consent that infringes the following standard will be considered without public or limited notification to any person other than Watercare or the need to obtain the written approval from any other affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:
  - (a) Standard IXXX.6.2.6 Bulk Water Supply and Wastewater Infrastructure
- (6) Any application for a resource consent which is listed above which also requires resource consent under other rules in the Plan will be subject to the normal tests for notification under the relevant sections of the RMA.

## **IXXX.6 Standards**

- (1) Unless specified in IXXX.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in the Activity Tables IXXX.4.1 to 4.4.
- (2) The following Auckland-wide and zone standards do not apply to the activities listed in the activity tables above:
  - (a) Activity Table IXXX.4.1 All Zones:

- Front, side and rear fences and walls in H5.6.15 and H6.6.16.

(b) Activity Table IXXX.4.2 Nukumea Scenic Reserve Protection Sub-precinct:

- H5.6.8.(1) Rear yard only, H5.6.9.(1) Maximum Impervious, H5.6.10 Building coverage, H5.6.11 Landscaped area and E38.8.2.3 Vacant Lot Sizes.

(3) The following Auckland wide and zone standards do not apply to the activities (A1) to (A5) listed in Activity Table IXXX.4.4 above:

(a) Residential – Mixed Housing Urban Zone:

- (i) H5.6.3 The Conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.
- (ii) H5.6.4 Building Height
- (iii) H5.6.5 Height in relation to boundary;
- (iv) H5.6.6 Alternative Height in relation to boundary;
- (v) H5.6.5 Height in relation to boundary adjoining lower intensity zones
- (vi) H5.6.8 Yards
- (vii) H5.6.10 Building coverage;
- (viii) H5.6.11 Landscaped area;
- (ix) H5.6.12 Outlook space; ~~and~~
- (x) H5.6.14 Outdoor living space;

(b) Residential – Terrace Housing and Apartment Buildings Zone:

- (i) H6.6.3 The Conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.
- (ii) H6.6.6 Height in relation to boundary;
- (iii) H6.6.7 Alternative Height in relation to boundary;
- (iv) H6.6.8 Height in relation to boundary adjoining lower intensity zones
- (v) H6.6.9 Yards
- (vi) H6.6.11 Building coverage;
- (vii) H6.6.12 Landscaped area;

- (viii) H6.6.13 Outlook space; and
- (ix) H6.6.15 Outdoor living space.

- (4) In relation to Activities (A1) to (A5) listed in Activity Table IXXX.4.2 above the MDRS standards within IXX6.1 do not apply.
- (5) In relation to Activities listed in Activity Table IXXX.4.4 above all standards within IXX6.2 do apply.

### **IXXX.6.1 Residential Density Standards**

#### **IXXX.6.1.1 General Standards**

- (1) Permitted activities and buildings containing activities listed in Tables IXXX.4.4 must comply with the standards listed in the column in Tables IXXX.4.1 to IXXX.4.4 called Standards to be complied with.
- (2) Subdivision activities listed as a controlled activity in Activity Table IXXX.4.4 must comply with IXXX.6.2.8.2 Standards for controlled subdivision activities and the E38 subdivision standards listed in Activity Table IXXX.4.4.
- (3) Subdivision activity (A6) in Activity Table IXXX.4.4 must comply with IXXX.6.2.8.2 to IXXX.6.2.8.5 Subdivision standards.

#### **IXXX.6.1.2 Number of dwellings per site**

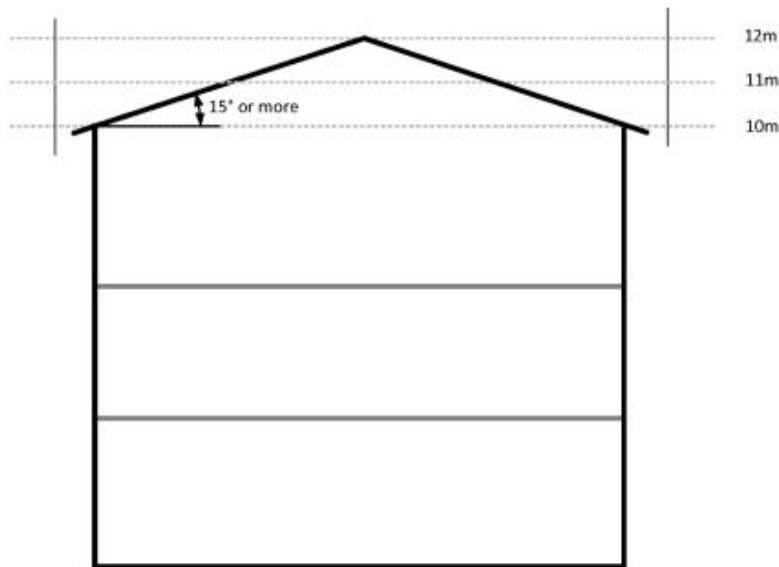
- (1) There must be no more than three dwellings per site.

#### **IXXX.6.1.3 Building height**

Purpose: To manage the height of buildings to:

- achieve the planned urban built character of predominantly three storeys;
  - minimise visual dominance effects;
  - maintain a reasonable standard of residential amenity for adjoining sites; and
  - provide some flexibility to enable variety in roof forms.
- (1) Buildings must not exceed 11m 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 1m, where the entire roof slopes 15° or more, as shown in Figure IXXX.6.1.3 below.

#### **Figure IXXX.6.1.3 Building height**

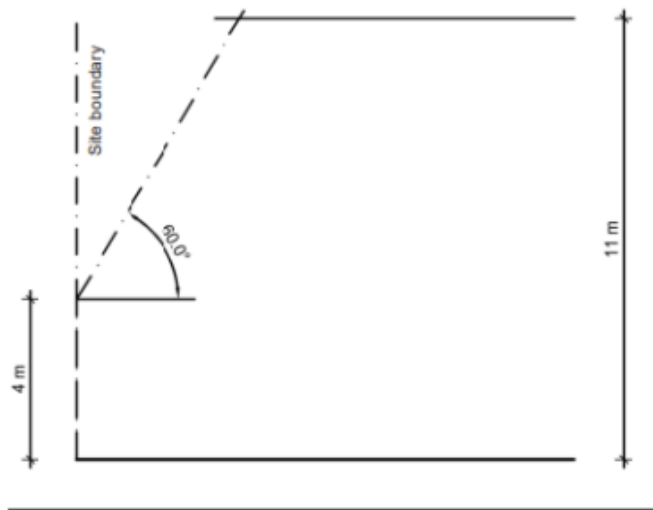


#### **IXXX.6.1.4 Height in relation to boundary**

Purpose: To manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access, privacy and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 60-degree recession plane measured from a point 4m vertically above ground level along side and rear boundaries as shown in Figure IXXX.6.1.4.1 Height in relation to boundary below.
- (2) Standard IXXX.6.1.4(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:
  - (a) Business – Neighbourhood Centre Zone;
- (3) Standard IXXX.6.1.4.(1) above does 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.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard IXXX.6.1.4(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

**Figure IXXX.6.1.4.1 Height in relation to boundary**



### IXXX.6.1.5 Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to ensure buildings are adequately set back from streams to maintain water quality and provide protection from natural hazards; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed by Table IXXX.6.1.5.1 Yards below.

**Table IXXX.6.1.5.1 Yards**

Yard	Minimum depth
Front	1.5m
Side	1m
Rear	1m
Riparian	10m from the edge of all permanent and intermittent streams

- (2) The standard does not apply to site boundaries where there is an existing common wall between two building or adjacent sites or where a common wall is proposed.

### IXXX.6.1.6 Building coverage

Purpose: To manage the extent of buildings on a site to achieve the planned character of buildings surrounded by open space.



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

#### **IXXX.6.1.7 Landscaped area**

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by vegetation; and
- to create a vegetated urban streetscape character.

- (1) A dwelling at ground floor level must have a landscaped area of a minimum of 20 per cent 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 dwelling.

#### **IXXX.6.1.8 Outlook space**

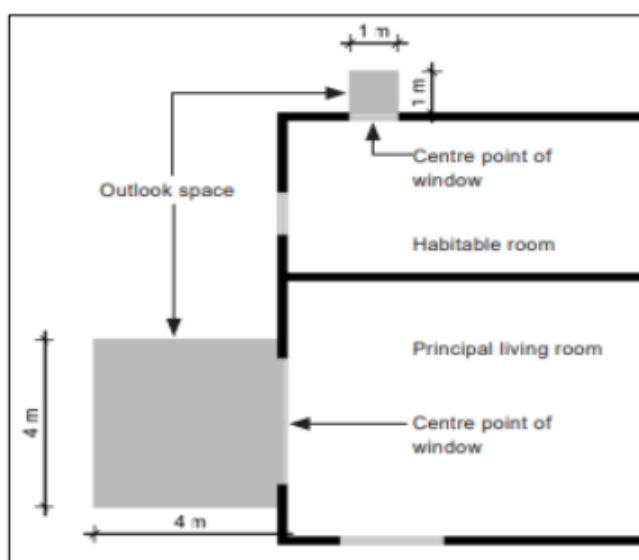
Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
- in combination with H5.6.13. Daylight Standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

- (1) An outlook space must be provided for each development containing up to three dwellings as specified in this standard.
- (2) An outlook space must be provided from habitable room windows as shown in Figure IXXX.6.1.8.1 Outlook space requirements for development containing up to three dwellings below.
- (3) The minimum dimensions for a required outlook space are as follows and as shown in Figure IXXX. 6.1.8.1 Outlook space requirements for development containing up to three dwellings below:
  - (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.

**Figure IXXX. 6.1.8.1 Outlook space for development containing up to three dwellings below.**



#### **IXXX.6.1.10 Outdoor living space**

Purpose: To provide dwellings with outdoor living space that is of a functional size and dimension, has access to sunlight, is separated from vehicle access and manoeuvring areas, and ensure

- private outdoor living spaces are directly accessible from the principal living room, dining room or kitchen;
- communal outdoor living spaces are conveniently accessible for all occupants.

- (1) A dwelling at ground floor level must have an outdoor living space that is at least 20m<sup>2</sup> 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 8m<sup>2</sup> and has a minimum dimension of 1.8 metres; and

(c) is accessible from the dwelling; and

(d) may be;

- (i) grouped cumulatively by area in one 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 dwelling 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 8m<sup>2</sup> and has a minimum dimension of 1.8 metres; and

(b) is accessible from the dwelling; and

(c) may be—

- (i) grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or
- (ii) located directly adjacent to the unit.

#### **IXXX.6.1.10 Windows facing the street**

Purpose: To provide for passive surveillance while maintaining privacy for residents and users.

(1) Any dwelling facing the street must have a minimum of 20 per cent of the street-facing façade in glazing. This can be in the form of windows or doors.

#### **IXXX.6.2 Precinct Standards**

##### **IXXX.6.2.1 Front, side and rear fences and walls**

Purpose: To ensure that fences and walls do not obstruct visual, landscape and ecological integration with open space in the Precinct, and if constructed on a front, side or rear boundary, or within a front, side or rear yard are of a height and design that:

- Enables privacy for dwellings and outdoor living spaces, whilst maximising opportunities for passive surveillance of the street, rear lane or adjoining public place;
- Minimises visual dominance effects to immediate neighbours and the street or adjoining public places;

- Integrates with the landscape and protects the ecological qualities of the adjoining Nukumea Scenic Reserve.
- (1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below measured from the ground level at the boundary:
    - (a) Within front yards
      - (i) 0.9m in height but where a dwelling is erected within 1.5m of the front boundary, a fence must not be erected in the front yard;
    - (b) Within the side and rear yards:
      - (i) 1.8m in height on a site that does not adjoin Nukumea Scenic Reserve, provided that any fence that faces onto a rear lane must be at least 50 per cent visually open, as viewed perpendicular to the boundary; or
      - (ii) 2m in height on a site that adjoins Nukumea Scenic Reserve, where the fence must be a visually open, being constructed with rural post and wire or deer- type fencing.
    - (c) 1.2m on any site adjoining land zoned Open Space or identified as indicative Open Space on Precinct Plan 1, except where IXXX.6.2.1(1)(b)(ii) applies.

#### **IXXX.6.2.2 New Buildings and additions – High Contaminant Yielding Materials**

Purpose: To protect water quality in streams, and the Orewa catchment, by limiting the release of contaminants from building materials.

- (1) New buildings, and additions to buildings must be constructed using inert cladding, roofing and spouting building materials.

#### **IXXX.6.2.3 Standards relating to sites within the Nukumea Scenic Reserve Sub-precinct**

Purpose: To ensure development of the precinct protects the flora and fauna and the ecological, amenity and landscape values of the Nukumea Scenic Reserve and development on sites adjacent or close to the Nukumea Scenic Reserve is visually and ecologically integrated with the reserve.

- (1) All buildings on a site within the Nukumea Reserve Protection Sub-precinct must be located greater than 20m from the shared Nukumea Reserve boundary as shown on Precinct Plan 1.
- (2) All buildings on a site that are not within the Nukumea Reserve Sub-precinct but share a boundary with the Nukumea Reserve must be located greater than 10m from the shared Nukumea Reserve boundary as shown on Precinct Plan 1. The 10m buffer area must be planted in native eco- sourced vegetation.(3) A

minimum of 60 per cent of the net site area of a site within the Nukumea Scenic Reserve Protection Sub-precinct must be planted in native eco- sourced vegetation and must include the 20 metre wide planted buffer area shown on Precinct Plan 1 and Precinct Plan 2. The planting, weed management and plant maintenance must be undertaken in accordance with a Native Revegetation Planting Plan required under IXXX.9.1.

- (3) A minor dwellings on a sites in the Nukumea Scenic Reserve Protection Sub-precinct must:
  - (a) Comply with Standard H3.6.4 (Minor Dwellings);
  - (b) be physically connected to the main dwelling and
  - (c) comply with IXXX.6.2.3(1).
- (4) The maximum building coverage on a site within the Nukumea Scenic Reserve Protection Sub-precinct must not exceed 20 per cent of the net site area or 400m<sup>2</sup> whichever is the lesser.

#### **IXXX.6.2.4 Flexible Commercial Sub-precinct**

Purpose: To provide flexibility for additional commercial activity without compromising the integrity of the neighbourhood centre and to support the servicing needs of the existing and future residential community. Any activity under Table IXXX4.3 must be located on the ground floor of a building within the Flexible Commercial Sub-precinct as shown on Precinct Plan 1 and achieve the below:

- (1) The floor to ceiling height of the ground floor for the building must be a minimum of 3.0 metres;
- (2) The building to be used for any activity must front Grand Drive; and
- (3) The maximum gross floor area per tenancy for any activity under (A1) within Table IXXX4.3 activity must be no greater than 150m<sup>2</sup>.

#### **IXXX 6.2.5 Stormwater Management**

Purpose: To ensure that stormwater is managed and treated to maintain and enhance the health and ecological values of streams and to avoid exacerbating flood hazards.

- (1) All land use, development and subdivision must be designed and implemented to be consistent with the adopted Stormwater Management Plan for the precinct.

#### **IXXX.6.2.6 Bulk Water Supply and Wastewater Infrastructure**

Purpose: To ensure subdivision and development within the Precinct is adequately serviced with bulk water and wastewater infrastructure.

- (1) Bulk water supply and wastewater infrastructure with sufficient capacity for servicing the proposed development or subdivision must be completed, commissioned and functioning prior to construction of any buildings or creation of any lots.

#### **IXXX.6.2.7 Vehicle Access Restriction**

Purpose: To safeguard the future arterial status of Grand Drive and ensure vehicle and pedestrian safety.

- (1) Standard E27.6.4.1(3) applies to all the site boundaries along the frontage of Grand Drive. No vehicle crossings are allowed off Grand Drive.

#### **IXXX.6.3 Precinct Subdivision Standards**

The subdivision controls in E38, Subdivision Urban apply in this precinct, with the following additional standards specified below:

##### **IXXX.6.3.1 Subdivision standards for the precinct**

###### **Purpose:**

- To ensure that subdivision is consistent with Precinct Plan 1 and 2.
  - To ensure development of the precinct protects the flora and fauna and the ecological, amenity and landscape values of the Nukumea Scenic Reserve.
  - To ensure subdivision and development within the Precinct is adequately serviced with bulk water, wastewater and stormwater infrastructure.
- (1) The layout of subdivision in the Precinct including the provision of vehicle and pedestrian and ecological connections and infrastructure and the zoning, roading and open space layout must be in general accordance with Precinct Plan 1.
  - (2) Revegetation and replanting within the precinct must be in general accordance with Precinct Plan 1, Precinct Plan 2 and the Planting Plan required by IXXX.9.1 Special information requirements and the following standards.
  - (3) Subdivision must be designed and implemented to be consistent with the adopted Stormwater Management Plan.

##### **IXXX.6.3.2 Standards for controlled subdivision activities**

Purpose: To provide for subdivision of land for the purpose of construction and use of dwellings in accordance with MDRS permitted and restricted discretionary land use activities.

Qualifying  
Matter as per  
s77(l) (a) and (j)

**IXXX.6.3.2.1 Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct**

- (1) Any subdivision relating to an approved land use consent must comply with that land use consent.
- (2) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.2 to IXXX.6.1.10 except that Standard IXXX.6.1.4(1) does not apply along the length of any proposed boundary where dwellings share a common wall.
- (3) No vacant sites are created.

**IXXX.6.2.2.2 Subdivision around existing buildings and development**

- (1) Prior to subdivision occurring, all development must meet the following:
  - (a) Comply with the relevant overlay, Auckland-wide, zone and precinct rules; or
  - (b) Be in accordance with an approved land use consent.
- (2) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.2 to IXXX.6.1.10 except that Standard IXXX.6.1.4(1) does not apply along the length of any proposed boundary where dwellings share a common wall.
- (3) No vacant sites are created.

**IXXX.6.2.2.3 Subdivision for up to three sites accompanied by a land use consent application or certificate of compliance for up to three dwellings**

- (1) The subdivision application and land use consent application or certificate of compliance relate to a site on which there are no dwellings;
- (2) The subdivision application and land use consent application or certificate of compliance must be determined concurrently;
- (3) Each dwelling, relative to its proposed boundaries, complies with Standards IXXX.6.1.2 to IXXX.6.1.10;
- (4) A maximum of three sites and three dwellings are created; and
- (5) No vacant sites are created.

**IXXX.6.3.3 Subdivision standards for sites within the Nukumea Reserve Protection Sub-precinct**

**Purpose:** Achieve development that is visually and ecologically integrated with its surroundings and retains or enhances its sense of place adjacent or close to the Nukumea Scenic Reserve.

Qualifying  
Matter as per  
s77(l) (a) and (j)

- (1) Sites located in the Nukumea Reserve Protection Sub-precinct identified on Precinct Plan 1:
  - (a) All vacant sites must have a minimum net site area of 900m<sup>2</sup> and a minimum average net site area of 1,500m<sup>2</sup>.
  - (b) All vacant sites must be able to contain a building platform that is in accordance with E38.8.1 of the Plan and is located outside of the 20m wide planted buffer area shown on Precinct Plan 1. A consent notice identifying the suitable building platform must be placed on the title of all sites in the Nukumea Reserve Protection Sub-precinct.
  - (c) A 20m-wide planted buffer strip that adjoins the boundary with Nukumea Scenic Reserve (as shown on Precinct Plan 1) must be planted/revegetated with appropriate eco sourced native species and any existing native vegetation must be restored in accordance with Precinct Plan 2, and the Planting Plan and Appendix 16 of the Plan prior to the issue of s224(c) certificate for the relevant subdivision or stage.
  - (d) A consent notice must be placed on the title of each site in the Nukumea Reserve Protection Sub-precinct, stating that a Planting Plan showing further areas for revegetation and/or restoration planting, weed management and planting maintenance, prepared in accordance with Appendix 16 of the Plan, must accompany any application to develop the site.
- (2) Sites outside the Nukumea Reserve Protection Sub-precinct that contain the 10m-wide planted buffer as shown on Precinct Plan 1.
  - (a) A 10m wide buffer strip that adjoins the boundary with Nukumea Scenic Reserve (as shown on Precinct Plan 1) must be planted/revegetated with appropriate eco sourced native species and any existing native vegetation must be restored in accordance with the Planting Plan and Appendix 16 of the Plan prior to the issue of s224(c) certificate for the relevant subdivision or stage.
  - (b) A consent notice must be placed on the title of each site that contains a 10m wide buffer as shown on Precinct Plan 1, stating that a Planting Plan, showing areas for revegetation and/or restoration planting, weed management and planting maintenance, prepared in accordance with Appendix 16 of the Plan, must accompany any application to develop the site.

Qualifying  
Matter as per  
s77(l) (a) and (j)

#### **IXXX.6.3.4 Subdivision standards for riparian margins**

Purpose: To ensure that the amenity, water quality and ecology of the stream network within the precinct is enhanced through riparian planting.

- (1) Riparian margins identified on the Precinct Plan 1 must be planted either side of the banks of a permanent or intermittent stream to a minimum width of 10m measured from the channel edge of the stream, or from the centreline of the



stream where the channel edge cannot be physically identified by ground survey. This standard does not apply to road crossings over streams.

- (2) Riparian margins identified on the Precinct Plan 1 must be planted in accordance with the approved Planting Plan, use eco-sourced native vegetation, and be consistent with local biodiversity and habitat and in accordance with Appendix 16 of the Plan.
- (3) All riparian margins within a subdivision application area must be planted in accordance with the approved Planting Plan prior to the issue of s224 certificate for the relevant subdivision or stage.

Qualifying  
Matter as per  
s77(l) (a) and (j)

#### **IXXX.6.3.5 Subdivision standards for ecological connections**

Purpose: To ensure that ecological connections identified within Precinct Plan 1 through to the Nukumea Reserve maintain and increase on-site biodiversity and allow integration of the flora and the movement of native fauna between the precinct and the reserve.

- (1) A minimum 20m wide strip of land must be provided in the general locations shown on the Precinct Plan 1 as part of the subdivision consent for the relevant subdivision stage. These connections can be provided either wholly or partly within individual residential lots, provided the contiguous width of each strip is 20m and a suitable legal mechanism is placed on the titles of the relevant lots to secure the strip and maintenance in perpetuity.
- (2) The ecological connections identified on the Precinct Plan 1 must be planted in accordance with the approved Planting Plan, use eco-sourced native vegetation, and be consistent with local biodiversity and habitat and in accordance with Appendix 16 of the Plan.
- (3) All ecological connections within a subdivision application area must be planted in accordance with the approved Planting Plan prior to the issue of S224(c) certificate for the relevant subdivision or stage.

#### **IXXX.6.3.6 Subdivision standards for indicative open space areas**

Purpose: To ensure that sufficient and well- designed open space for residents is provided, developed, managed and maintained appropriately.

- (1) All land shown on Precinct Plan 1 as indicative open space, or as a green pedestrian corridor, must be accessible to the public at all times but held as private open space that is owned by a legal entity that shall be formed for the eventual owners to hold responsibility in perpetuity for the on- going maintenance and management of private infrastructure and planted areas. All Precinct landowners must be members of this legal entity and obliged to contribute to its outgoings on a perpetual basis and this shall be registered by way of consent notice on each title as part of any future subdivision consent.

- (2) Each subdivision application within a stage must include an Open Space Development Plan for all areas of open space to be created in that stage that is in accordance with and generally reflects the specific area of open space shown Precinct Plan 1 and Precinct Plan 2 – Revegetation and Open Space Concept. All retained and restored native vegetation shown on the Open Space Development Plan must be protected in perpetuity by a covenant that is registered on the relevant Certificates of Title.

*Note: If an esplanade requirement is triggered this must be identified and either vested or a waiver sought under Chapter E38.*

### **IXXX.6.3.8 Subdivision standards for Roading and Access**

Purpose – To ensure the precinct is supported by a safe, efficient and legible movement and transport network.

- (2) Roads and pedestrian accessways within the Precinct must be located in general accordance and alignment with Precinct Plan 1, including the provision for future road connections with land outside the precinct.
- (3) All roads must be constructed in accordance with the relevant road controlling authority standards and must be vested in Council. The location of the road types must be in general accordance with Precinct Plan 1.

Note: The precinct plan does not require the physical formation of the indicative future arterial or Grand Drive to the western boundary. However, an arterial width road corridor paper road has been vested as part of the underlying Infrastructure Funding Agreement with Auckland Transport.

#### ***Vehicle Crossings Restrictions***

- (4) Standard E27.6.4.1(3) applies to the site boundaries along the Indicative Future Arterial shown on Precinct Plan 1. No vehicle crossings are allowed off the Indicative Future Arterial.

#### ***Pedestrian Shared Path Connection to Grand Drive/Arran Drive***

- (5) A shared cycle/footpath must be provided to join the existing shared cycle/footpath on the northern side of Grand Drive at the Grand Drive/Arran Drive intersection as shown on Precinct Plan 1 prior to the completion of 300 dwellings within the Precinct. The facility must provide a 3.5 m usable width across the motorway, with the shared path in a location agreed to by the Waka Kotahi NZ Transport Agency (NZTA).

Note: “Completion” is defined as Certificate Compliance being issued by the Building Consent Authority or Council.

## **IXXX. 7 Assessment – controlled activities**

### **IXXX.7.1 Matters of control**

The Council will reserve control over all of the following matters when assessing a controlled activity resource consent application:

- (1) All controlled subdivision activities in Table IXXX.4.4:
  - (a) compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance;
  - (b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules;
  - (c) the effects of infrastructure provision.

## **IXXX.7.2 Assessment criteria**

- (1) The Council will consider the relevant assessment criteria for controlled subdivision from the list below:
  - (a) compliance with an approved resource consent or consistency with a concurrent land use consent application or certificate of compliance:
    - (i) refer to Policy E38.3(6);
  - (b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules;
    - (i) refer to Policy E38.3(1) and (6);
  - (c) whether there is appropriate provision made for infrastructure including:
    - (i) whether provision is made for infrastructure including the creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and
    - (ii) whether appropriate management of effects of stormwater has been provided;
    - (iii) refer to Policies E38.8(1), (6), (19) to (23).

## **IXXX.8 Assessment – restricted discretionary activities**

### **IXXX.8.1 Matters of discretion**

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

- (1) For buildings that do not comply with one or more Standards IXXX.6.1.2 to IXXX.6.1.10:
  - (a) any precinct and zone policies 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 precinct;

- (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 more than one standard will be infringed, the effects of all infringements.

### **IXXX.8.2 Assessment Criteria**

The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal:

- (1) For buildings that do not comply with one or more of Standards IXXX.6.1.2 to IXXX.6.1.2.10:
  - (a) for infringement to standards:
    - (i) refer to Policy IXXX.3(24)
    - (ii) refer to Policy IXXX.3(25)
  - (b) for building height:
    - (i) refer to Policy IXXX.3(20)
    - (ii) refer to Policy IXXX.3(24)

#### Visual dominance

- (iii) the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, taking into account:
  - the planned urban built character of the precinct; and
  - the location, orientation and design of development,
  - the effect of the proposed height on the surrounding and neighbouring development.

#### Character and Visual Amenity

- (iv) the extent to which the form and design of the building and any additional height responds to the planned form of the surrounding area, including natural landforms and features.
- (v) how buildings as viewed from the street or public places are designed to appear against the skyline, taking into account:
  - whether roof plan, services and equipment are hidden from views; and
  - whether the expression of the top of the building provides visual interest and variation.

- (c) for height in relation to boundary:
- (i) refer to Policy IXXX.3(20)
  - (ii) refer to Policy IXXX.3(24)

Sunlight access

- (iii) whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:  
Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):
- over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard IXXX.6.1.10: or
  - over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard IXXX.6.1.10.
- (iv) in circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in IXXX.6.1.10(1)(b)(v):
- the extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H5.6.5 Height in relation to boundary control; and
  - the extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

Visual dominance

- (v) the extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account:
- the planned urban built character of the zone;
  - the location, orientation and design of development;
  - the physical characteristics of the site and the neighbouring site;
  - the design of side and rear walls, including appearance and dominance; and
  - providing adequate visual and/or physical break up of long continuous building forms.

Overlooking and privacy

- (vi) the extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.
- (d) for yards:

- (i) refer to Policy IXXX.3(20)
- (ii) refer to Policy IXXX.3(22)
- (iii) the extent to which buildings set back from water bodies maintain and protect environmental, open space, amenity values of riparian margins of lakes, streams and water quality and provide protection from natural hazards.

(e) for building coverage:

- (i) refer to Policy IXXX.3(20)
- (ii) refer to Policy IXXX.3(22)
- (iii) whether the non-compliance is appropriate to the context, taking into account:
  - whether the balance of private open space and buildings is consistent with the existing and planned urban character anticipated for the precinct;
  - the degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas;
  - the proportion of the building scale in relation to the proportion of the site.

(f) for landscaped area:

- (i) refer to Policy IXXX.3(20)
- (ii) refer to Policy IXXX.3(22)
- (iii) refer to Policy H5.3(10) and
- (iv) the extent to which existing trees are retained.

(g) for outlook space:

- (i) refer to Policy IXXX.3(20)
- (ii) refer to Policy IXXX.3(22)
- (iii) refer to Policy IXXX.3(23)
- (iv) The extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.

(h) for outdoor living space:

- (i) refer to Policy IXXX.3(20);
- (ii) refer to Policy IXXX.3(23); and
- (iii) the extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.

(i) for windows facing the street:

- (i) refer to Policy IXXX.3(22)

- (ii) the extent to which the glazing:
  - allows views to the street and/or accessways to ensure passive surveillance; and
  - provides a good standard of privacy for occupants.

## **IXXX.9 Special information requirements**

### **IXXX.9.1- Native Revegetation Planting Plan**

An application for development on lots in the Nukumea Reserve Protection Sub-precinct or that contain an ecological corridor, or that contain the ten or 20 metre planting buffer (as shown on the Precinct Plan 1), must be accompanied by a native revegetation planting plan (Planting Plan) for the site and a planting and maintenance plan that has been prepared by a suitability qualified person. All plants must be eco sourced and contain a diverse range of appropriate indigenous species that are consistent with existing native vegetation in the area and Appendix 16 of the AUP. Reference should be made to the precinct revegetation plan which shows areas of existing vegetation (Precinct Plan 2 – Revegetation and Open Space Concept) in preparation of the Planting Plan.

### **IXXX.9.2 – Open Space Development Plan**

The first subdivision application within a stage must include an open space development plan for all areas of open space to be created in that stage which details the existing and proposed development the existing exotic/ native trees to be retained, new revegetation planting and landscaping and infrastructure for the open space and any pedestrian walkways, that is in accordance with and generally reflects specific area of open space shown on Precinct Plan 1, and includes an on-going management and maintenance plan as well as mechanisms for making changes to the plan when required.

### **IXXX.9.3 – Subdivision Consent Notices**

Any subdivision within the Precinct must provide details of the relevant standards that will need to be secured in perpetuity via a consent notices to achieve compliance with any Precinct Subdivision Standards in IXXX.6.3.

## **IXXX.10 Precinct plans**

IXXX.10.1: Precinct Plan 1 – Precinct Plan

IXXX.10.2: Precinct Plan 2 - Revegetation and Open Space Concept