

# **REVISED HINGAIA 1 PRECINCT TEXT**

## **Clause 23 Response Version**

### **‘Clean’ Copy**

22 March 2021

## **I444. Hingaia 1**

### **I444.1. 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.

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

### **I444.2. 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.

#### **I444.3. 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, including by enabling greater development potential for higher density residential developments and integrated residential development;
- (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 management 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 reserves 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 to that meets the local convenience needs of 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.
- (15) 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.

#### **I444.4. Activity Tables**

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 I444.4.1 below.

Table I444.4.1 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 I444.4.2 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 I444.4.1 Activity Table – Land use activities**

Activity		Activity Status	Standards to be complied with
<b>Transport</b>			
(A1)	Construction or use of a vehicle crossing		E27.6.4.1. Vehicle access restrictions; E27.6.4.2. Width and number of vehicle crossings; ; Standard I444.6.1.7 Vehicle access restrictions – Cycle facilities
<b>Residential</b>			
(A2)	Residential activities (including dwellings) not provided for below		The underlying zone standards applying to that activity; Standard I444.6.1.4 Fences and walls adjoining reserves
(A3)	Two or three dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> 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	RD	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 I444.6.1.4 Fences and walls adjoining reserves
(A4)	Four or more dwellings per site where the site area per dwelling is less than 400 m <sup>2</sup> in the Residential – Mixed Housing Suburban zone	RD	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 I444.6.1.4 Fences and walls adjoining reserves
(A5)	One dwelling on a front site less than 400 m <sup>2</sup> in area 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 I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2. Building coverage for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 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 m <sup>2</sup> 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 I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 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	RD	Standard H5.6.4 Building height; Standard H5.6.8 Yards; Standard

	400 m <sup>2</sup> in the Residential – Mixed Housing Urban zone		I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 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 I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone
<b>Commerce</b>			
(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 I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2. Building coverage for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone; Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone
<b>Development</b>			
(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 I444.6.1.5 Height in relation to boundary	P	Standard I444.6.1.5 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.

	in the Residential – Mixed Housing Urban Zone		
(A15)	New buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 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 I444.6.1.5 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	
(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 I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 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 I444.6.1.4 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 I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.3. Landscaped area for higher density development; Standard I444.6.1.4 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 I444.6.1.4 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 I444.6.1.4 Fences and walls adjoining reserves

**Table I444.4.2 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 I444.6.2.1 Precinct Plan; I444.6.2.3 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 I444.6.2.1 Precinct Plan; Standard I444.6.2.2 Vacant Sites Subdivision in Residential Zones; Standard I444.6.2.3 Riparian Margins
(A24)	Any subdivision that does not meet any of the standards to be complied with listed in this table	D	

#### **I444.5. Notification**

- (1) Any application for resource consent for an activity listed in Table I444.4.1 or Table I444.4.2 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).

#### **I444.6. Standards**

##### **I444.6.1. Land use standards**

Land use activities listed in Table I444.4.1 Activity Table – Land use activities must comply with the standards listed in the column in Table I444.4.1 called Standards to be complied with, including the relevant overlay, Auckland-wide and zone standards, if listed.

##### **I444.6.1.1. 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.

##### **I444.6.1.2. 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 net site area.

### **I444.6.1.3. 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 net site area.

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

Fences and walls adjoining reserves

Purpose: to enable fences and walls to be constructed on or adjacent to a site boundary adjoining a reserve vested or to be vested in Council to be a sufficient height to:

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

(3) 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.

(4) Where a site has a boundary that adjoins either a site that is vested in Council as a reserve or in lieu of reserves, 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 I444.6.1.4(1) does not apply to, then:



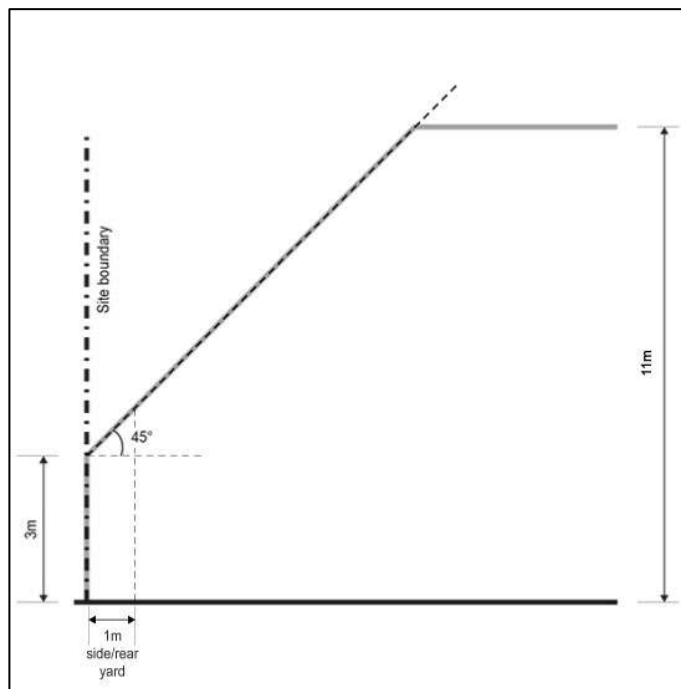
- (a) on or within 1.0 m of that boundary, fences or walls or any combination of these structures (whether separate or joined together) must not exceed a height, measured from the ground level at the boundary, of either:
- (i) 1.4 m;
  - (ii) 1.8 m for no more than 50 per cent of the length of the boundary 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.

#### **I444.6.1.4. 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 I444.6.1.5.1 Height in relation to boundary below.

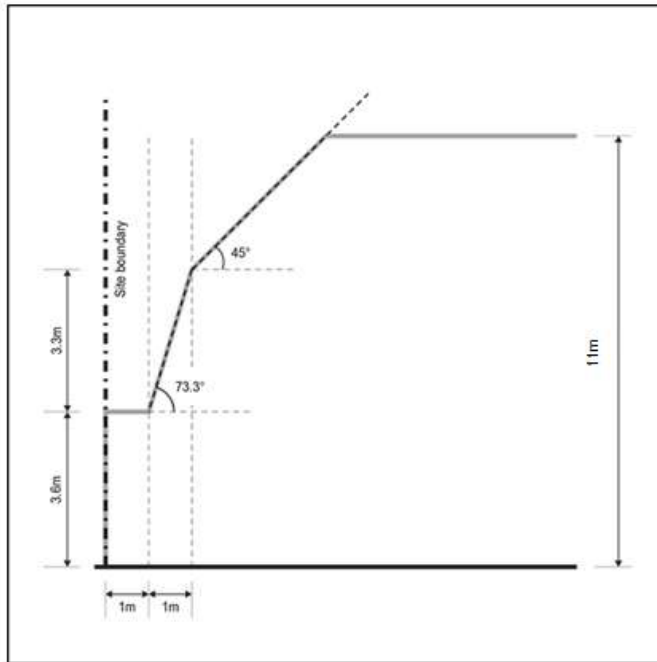
**Figure I444.6.1.5.1 Height in relation to boundary**



- (2) Standard I444.6.1.5(1) does not apply to any buildings or parts of buildings that comply with Standards I444.6.1.5(3) and I444.6.1.5(5) 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 I444.6.1.5.2 Alternative Height in relation to boundary, below.

**Figure I444.6.1.5.2 Alternative Height in relation to boundary**

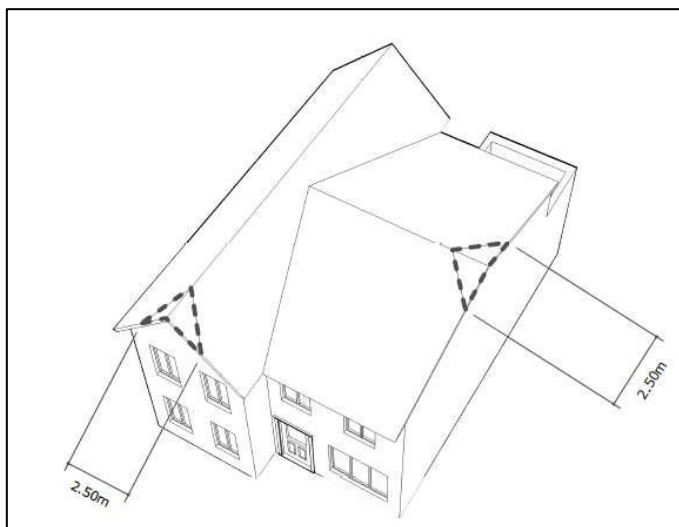


- (4) Standard I444.6.1.5(3) above only applies to buildings that comply with the following:
- (a) Where the site that adjoins the side boundary that the recession plane under Standard I444.6.1.5(3) is taken from contains an existing dwelling (or a dwelling that has obtained building consent), then shading caused by those parts of the building that would not comply with Standard I444.6.1.5(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 m<sup>2</sup> 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 m<sup>2</sup>.
  - (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 I444.6.1.5(1).
- (h) Those parts of the building that would not comply with Standard I444.6.1.5(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 I444.6.1.5(1) and I444.6.1.5(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 m<sup>2</sup> 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 m<sup>2</sup> 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 m<sup>2</sup> 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 I444.6.1.5(5)(b) above.
- (7) Standards I444.6.1.5(1), I444.6.1.5(3) and I444.6.1.5(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 I444.6.1.5(1), I444.6.1.5(3) or I444.6.1.5(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 I444.6.1.5(1), I444.6.1.5(3) or I444.6.1.5(7) where that portion beyond the recession plane is:
- (a) no greater than 1.5 m<sup>2</sup> 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 Figure I444.6.1.5.3 Exceptions for gable ends, dormers and roof projections and dormers below

**Figure I444.6.1.5.3 Exceptions for gable ends, dormers and roof projections and dormers**



- (10) No more than two gable end, dormer or roof projections enabled under I444.6.1.5(10) above are allowed for every 6 m length of site boundary.
- (11) The recession planes in Standards I444.6.1.5(1), I444.6.1.5(3) and I444.6.1.5(7) do not apply to existing or proposed internal boundaries within a site.

#### **I444.6.1.5. 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 a dwelling for the purpose of compliance with all other standards listed in the column in Table I444.4.1 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.

#### **I444.6.1.6. 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 I444.10.1. 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 I444.6.1.7(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.

#### **I444.6.2. Subdivision standards**

Subdivision activities listed in Table I444.4.2 Activity Table – Subdivision must comply with the standards listed in the column in Table I444.4.2 called Standards to be complied with, including the relevant overlay and Auckland-wide standards, if listed, except that the following standards do not apply to any proposed allotment 4 ha or greater in area:

- (1) E38.6.1. Site size and shape;
- (2) E38.6.6. Existing vegetation on the site;
- (3) E38.7.3.1. Subdivision of a site with two or more zones or subdivision along an undefined zone boundary;
- (4) E38.7.3.3. Subdivision of a site within the one per cent annual exceedance probability floodplain;
- (5) 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;

- (6) E38.8.1.1. Site shape factor in residential zones;
- (7) E38.8.2.5. Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay.

#### **I444.6.2.1. Precinct Plan**

- (1) Vacant sites subdivision shall provide for the following structural elements shown on Figure I444.10.1. 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 I444.10.1. 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.

#### **I444.6.2.2. 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 m<sup>2</sup>.
- (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 I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater above.

**Table I444.6.2.2.1 Minimum and average net site areas for vacant sites subdivisions involving parent sites of 1 hectare or greater**

<b>Zone</b>	<b>Minimum Net Site Area</b>	<b>Minimum Average Net Site Area</b>	<b>Maximum Average Net Site Area</b>
Residential – Mixed Housing Suburban Zone	240m <sup>2</sup>	300m <sup>2</sup>	480m <sup>2</sup>
Residential – Mixed Housing Urban Zone	240m <sup>2</sup>	300m <sup>2</sup>	360m <sup>2</sup>

- (b) The minimum average net site area calculated over the total of all sites created must comply with Table I444.6.2.2.1 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 I444.6.2.2.1 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.

#### **I444.6.2.3. Riparian Margins**

- (1) Where a permanent or intermittent stream is shown on Figure I444.10.1. 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 where not required by Standard E38.7.3.2 Subdivision establishing an esplanade reserve to be vested as local purpose (esplanade) reserve.

#### **I444.7. Assessment – controlled activities**

There are no controlled activities in this precinct

#### **I444.8. Assessment – Restricted Discretionary Activities**

##### **I444.8.1. Matters of discretion**

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

- (1) for two or three dwellings per site where the site area per dwelling is less than 400 m<sup>2</sup> 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 m<sup>2</sup> 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 I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 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 m<sup>2</sup> 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 m<sup>2</sup> 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 I444.6.1.1 Maximum impervious areas for higher density development;
- (ii) Standard I444.6.1.2 Building coverage for higher density development;
- (iii) Standard I444.6.1.3 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.

(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 I444.6.1.1 Maximum impervious areas for higher density development;
- (ii) Standard I444.6.1.2 Building coverage for higher density development;
- (iii) Standard I444.6.1.3 Landscaped area for higher density development;
- (iv) Standard I444.6.1.4 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 I444.6.1.1 Maximum impervious areas for higher density development;



- (ii) Standard I444.6.1.2 Building coverage for higher density development;
  - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
  - (iv) Standard I444.6.1.4 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 I444.6.1.1 Maximum impervious areas for higher density development; Standard I444.6.1.2 Building coverage for higher density development; Standard I444.6.1.3 Landscaped area for higher density development; Standard I444.6.1.4 Fences and walls adjoining reserves; Standard I444.6.1.6 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 I444.6.1.5 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 I444.6.1.5 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.
- (8) for construction or use of a vehicle crossing that does not comply with Standard I444.6.1.7. 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 I444.4.2: :
- (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 I444.10.1. Hingaia 1 - Precinct Plan;
  - (c) consistency with Standard I444.6.1.7 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; and

- (e) the management of effects of stormwater from any proposed roads; and
- (f) enabling viewshafts out to the coast.

#### **I444.8.2. Assessment Criteria**

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 m<sup>2</sup> 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 m<sup>2</sup> 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 I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 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 m<sup>2</sup> 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 m<sup>2</sup> 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 I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2. Building coverage for higher density development;
    - (iii) Standard I444.6.1.3. 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).
- (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 I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2 Building coverage for higher density development;
    - (iii) Standard I444.6.1.3 Landscaped area for higher density development;
    - (iv) Standard I444.6.1.4 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 I444.6.1.1 Maximum impervious areas for higher density development;
    - (ii) Standard I444.6.1.2. Building coverage for higher density development;
    - (iii) Standard I444.6.1.3. Landscaped area for higher density development;
    - (iv) Standard I444.6.1.4 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 I444.6.1.1 Maximum impervious areas for higher density development:
  - (a) refer Policies I444.3(3) and I444.3(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 I444.6.1.2 Building coverage for higher density development:
  - (a) refer Policies I444.3(3) and I444.3(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 I444.6.1.3 Landscaped area for higher density development:
  - (a) refer Policies I444.3(3) and I444.3(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 I444.6.1.4 Fences and walls adjoining reserves:
  - (a) refer Policies I444.3(5) and I444.3(12).
- (9) for new buildings and additions to buildings in the Residential – Mixed Housing Urban zone which do not comply with Standard I444.6.1.5 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 I444.6.1.5 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 I444.3(3) and I444.3(4).
  - (b) the criteria listed in H5.8.2(6) and H5.8.2(7).
- (11) for development that does not comply with Standard I444.6.1.6 Show homes in the Residential – Mixed Housing Urban zone:
  - (a) refer Policy H5.8.2(8).
- (12) for construction or use of a vehicle crossing that does not comply with Standard I444.6.1.7. 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 I444.4.2:

- (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 I444.10.1. 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);
- (c) whether the proposed staging of development promotes efficient development of the structural elements shown in Figure I444.10.1. 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 I444.10.1. Hingaia 1 - Precinct Plan, are provided with access from an alternative road so that infringement of Standard I444.6.1.7 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 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.

#### **I444.9. Special Information Requirements**

There are no special information requirements in this section.

## I444.10. Precinct Plan

Figure I444.10.1. Hingaia 1 - Precinct Plan

