

PART 3 - REGIONAL AND DISTRICT RULES»Chapter K: Precinct rules»6 South»

6.31 Hingaia 1 - OPERATIVE

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

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

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

1. Activity Table

The activities in the Auckland-wide rules, Mixed Housing Urban zone, and Mixed Housing Suburban zone apply in the Hingaia 1 precinct unless otherwise specified in the activity table below.

Residential Activity Table 1 – Hingaia 1 Precinct

Activity	Activity Status
Residential	
Integrated Residential Development on front sites	RD
Dwelling(s) on sites that adjoin the coast/and or esplanade reserve and that have a net site area of 600m ² or less	RD

Land Use Controls – All Zones

A. Affordable Housing

Purpose:

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

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

that are not processed under the HASHAA.

B. Relative Affordable

Number of Relative Affordable Dwellings or Sites

Purpose:

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

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

C. Eligibility for Relative Affordable Housing

Purpose:

To ensure relative affordable housing is purchased by appropriate persons

1. Prior to the first transfer of affordable dwellings (including new dwellings that have never been occupied and are built on vacant sites that are identified for affordable dwellings), the consent holder shall provide the Council with a statutory declaration that confirms the sale complies with the following eligibility requirements:
 - a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 percent of the Auckland median household income at the date the sale and purchase agreement was made unconditional.
 - b. the consent holder has sold the dwelling (and any associated parking that is required by resource consent and storage) at a price which is not more than that defined by the 75 percent median price in accordance with rule B.1(a).
 - c. the purchaser is a first home buyer and has never owned any other real property.
 - d. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in the name of any other person or entity.
2. Prior to the transfer of a vacant site identified for affordable dwellings, the purchaser shall be made aware of the consent notice mechanism required to ensure any building built on the site is a dwelling that will meet the relative affordable criteria in clause 1 above or is a building associated with such a dwelling.
3. Prior to the transfer of a vacant site identified for an affordable dwelling, the consent holder shall provide the Council with a statutory declaration executed by the intended purchaser that confirms the sale complies with the following eligibility requirements:
 - a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 percent of the Auckland median household income as set at the date the sale and purchase agreement became unconditional;
 - b. any development of the site shall be such that the combined value of the dwelling and the land on completion, as confirmed by a registered valuation, shall be no more than that defined by the 75

- percent median price in accordance with rule B.1(a);
- c. the purchase is a first home buyer and has never owned any other real property;
 - d. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in the name, or on behalf, of any other person or entity.
4. A consent notice shall be placed on the computer freehold register for the respective affordable dwellings/vacant sites requiring the above eligibility criteria to be met for 3 years from the date of transfer to the first eligible purchaser.

D. Retained Affordable

Eligibility for Retained Affordable Housing

Purpose:

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

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

Number of Retained Affordable Dwellings or Sites

1. For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites (or a mixture of both with the total cumulative number of dwellings and/or vacant sites being 15 or more), at least 5 percent of the total number of dwellings, or vacant sites in any development must be retained affordable and meet the following criteria:
 - a. The price at which a dwelling may be sold would mean that the monthly mortgage payments for a household receiving the Auckland median household income (as published by Statistics New Zealand for the most recent June quarter calculated as an average of 3 calendar months previous to the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later) would not exceed 30 percent of the household's gross monthly income, based on the assumptions that:
 - i. The dwelling is purchased with a 10 percent deposit; and
 - ii. The balance of the purchase price is financed by a 30-year reducing loan, secured by a single mortgage over the property, at a mortgage interest rate equal to the most recent average two-year fixed rate. The interest rate used is to be that published most recently by the Reserve Bank of New Zealand, in relation to the date the application for resource consent is made.
2. As part of the resource consent application evidence shall be provided to demonstrate a community housing provider will purchase the dwellings/sites. Prior to transfer of the retained affordable dwellings/sites a Council approved statutory declaration must be returned to the Council by the consent holder to demonstrate the dwellings/sites are to be sold at the price point outlined in clause 1 above.

E. Affordable Housing in Retirement Villages

Purpose:

To ensure affordable housing is provided in retirement village complexes

1. For retirement village developments (including any redevelopment creating additional units) containing 15 or more units:
 - a. At least 10 percent of the total number of units must be relative affordable for three years from the date of purchase. If a dwelling is transferred (including by way of lease or licence) during this timeframe it must continue to meet the required price point set out below in clause (i) below.
 - i. The units classed as relative affordable will be valued at no more than 65 percent of the Auckland region median house price published by the Real Estate Institute of New Zealand for the most recent full calendar month preceding the date on which the application for

The Proposed Auckland Unitary Plan (notified 30 September 2013)

resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later.

- ii. The price point required by clause (i) above shall include annual charges for maintenance and refurbishment at the retirement village but exclude entry costs, transfer costs, periodical charges, rates and insurance.

Eligibility for Relative Affordable in a Retirement Village

Purpose:

To ensure relative affordable housing is purchased by qualified persons

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

Neighbourhood Centre Zone Activity Table

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

Activity	Activity Status
Retail	
Individual retail tenancies not exceeding 450m ² (gross floor area)	P
Individual retail tenancies exceeding 450m ² (gross floor area)	NC
Any Retail Activity that results in the total gross floor area of all Commercial and Retail Activities in the Neighbourhood Centre zone exceeding 1,000m ²	NC

2. Notification

1. The notification provisions for sub-precincts A and C outlined in Chapter G.2.4 and Chapter I.1.2 apply.
2. Subdivision and resource consent applications for urban development within 37m of the centerline of a National Grid transmission line, or over underground Counties Power electricity lines, or adjoining the southern motorway in sub-precincts B, C or D will be notified on a limited basis to Transpower, the New Zealand Transport Agency and/or Counties Power if written approval from these parties is not included with the resource consent application.
3. Subdivision and resource consent applications that do not meet the minimum berm width adjacent to the road boundary shown in the figures referenced in Activity Table 4, and/or where planting is proposed on berms accommodating services, will be notified on a limited basis to Counties Power if written approval from this party is not included with the resource consent application.
4. All other restricted discretionary activities will be considered without public or limited notification, or the need to obtain written approval from affected parties, unless otherwise specified in the Unitary Plan or special circumstances exist in accordance with section 95A(4) of the RMA that make notification desirable.

3. Land use controls

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

4. Development controls

The development controls in the Mixed Housing Urban zone, Mixed Housing Suburban and Neighbourhood Centre zone apply to the Hingaia 1 precinct subject to any additional or more permissive rules provided below. For the avoidance of any doubt, where the same development control is provided in the underlying zoning and in this section, the more permissive control will apply.

4.1 Impervious area, building coverage and landscaping

Purpose:

To provide for flexibility of built form for higher density development

1. Integrated residential development
 - a. Maximum impervious area: 70 percent
 - b. Maximum impervious surface within riparian yard: 10 percent
 - c. Building Coverage: 50 percent
 - d. Landscaping: 30 percent
 - e. At least 10 percent of the required landscaped area must be planted including at least one tree that is pB95 or larger at the time of planting.
 - f. At least 40 percent of the front yard must comprise landscaped area.

4.2 Dwellings fronting the street

Purpose:

To provide for flexibility of built form for higher density development

1. Integrated residential development
 - a. The front façade of a dwelling or dwellings on a front site must contain:
 - i. glazing that is cumulatively at least 20 percent of the area of the front façade (excluding the garage door)
 - ii. a main entrance way that is visible from the street.

4.3 Maximum building length

Purpose:

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

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

4.4 Fencing

Purpose:

To ensure a safe and inviting streetscape for pedestrians

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

4.5 On-site Stormwater Management – new impervious surfaces

1. In the catchments on Precinct plan 2 (catchments draining to intermittent or permanent streams) all new impervious surfaces of 50m² and over are to be designed to achieve the following:
 - a. Provide retention (volume reduction) of at least 5mm of run-off depth for the impervious area for which hydrology mitigation is required;
 - b. Provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 90th percentile, 24 hour rainfall event minus the 5mm retention volume (11.5mm) or any greater retention volume that is achieved over the impervious area for which hydrology mitigation is required.
2. In all other catchments (catchments draining to the coast) all new impervious surfaces of 50m² and over are to be designed to achieve the following:

The Proposed Auckland Unitary Plan (notified 30 September 2013)

- a. Provide retention (volume reduction) of at least 5mm of runoff depth for the impervious area, alternatively the equivalent of the retention component can be met by filtration devices or a first flush diverter.
3. Stormwater run-off must be directed to an on-site device designed and sized to accommodate stormwater runoff from the areas described in clause 1 and 2 above.
4. Stormwater device/s on private land:
 - a. Must be maintained by the site owner in perpetuity.
 - b. If rainwater tanks are proposed for a dwelling to achieve the retention requirements of (a), the rainwater tank must be dual plumbed to non-potable uses such as the toilet as a minimum.
5. Compliance shall be demonstrated to the Council in conjunction with any application for building consent, or by way of certificate of compliance or at the time of subdivision.

4.6 Garages

Purpose:

To ensure garages are not a dominant feature of the streetscape

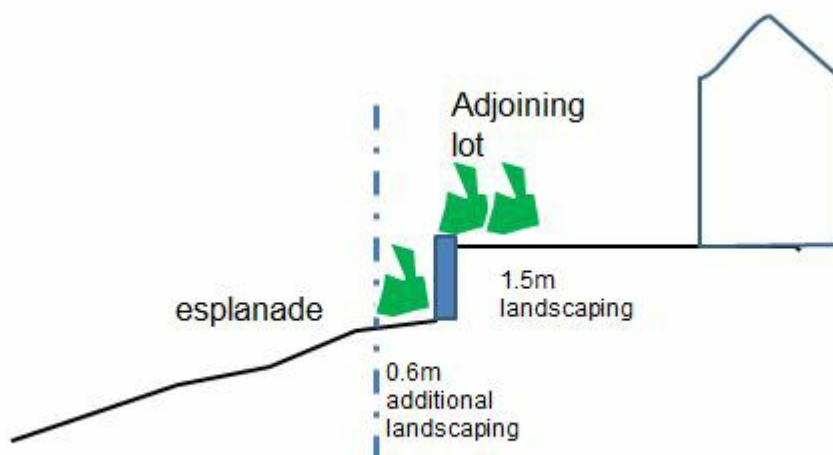
1. A garage door facing a street must be no greater than 45 percent of the width of the front façade of the dwelling to which the garage relates.
2. Garage doors must not project forward of the front façade of a dwelling.
3. The garage door must be set back at least 5m from the site frontage.

4.7 Landscaping for Coastal Retaining Walls

Purpose:

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

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



5. Subdivision controls

5.1 Activity Table

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

Activity Table 3 – Hingaia 1 Precinct

The Proposed Auckland Unitary Plan (notified 30 September 2013)

Subdivision Activity	Activity Status
Vacant lot subdivision in accordance with the Hingaia 1 precinct plan	RD
Vacant lot subdivision not in accordance with the Hingaia 1 precinct plan	D
Vacant lot subdivision adjoining the coast and/or esplanade reserve of 600m ² net site area or more	RD
Vacant lot subdivision adjoining the coast and/or esplanade reserve of less than 600m ² net site area	NC
Subdivision of sites in accordance with an approved (or concurrent) land use consent, resulting in sites less than 600m ² net site area adjoining an existing or proposed esplanade reserve	RD

5.2 Development Controls

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

1. In addition to the controls in table 1 of Chapter H Section 6.2.3, subdivision of a parent site of 1ha or more and where 15 or more vacant sites are proposed, each site that will contain a building must comply with the average net site area for the zone below, provided that the proposed minimum net site area is no less than 20 percent less of the required minimum net site areas for the relevant zone and that the average lot size is not less than:
 - a. 300m² net site area for the Mixed Housing Suburban Zone
2. Any lot which is 800m² or greater (and identified for future development) will be excluded from the calculation of average lot size under clause 1 above.

5.3 Rooding Standards

1. Roads must be provided in accordance with the Hingaia 1 precinct plan.
2. New roads are to be constructed to the standards contained in Table 4 for Additional Road Types.
3. New roads in sub-precinct A must be constructed in accordance with the road construction standards in figures 1 – 4 in Table 4 and the corresponding figure in the precinct diagrams.
4. New roads in sub-precincts B - C must be constructed in accordance with figures 1 – 3 in Table 4 and the corresponding figure in the precinct diagrams.
5. New roads in sub-precinct D must be constructed in accordance with figures 1, 2, 3, 5 and 6 in Table 4 and the corresponding figure in the precinct diagrams.
6. On Collector, Amenity Connector and Local Roads an unsealed strip of land with a minimum width of 600mm must be provided immediately adjacent to the road boundary of all lots for electricity supply infrastructure installation and maintenance.
7. In the Minor Residential Street, an easement in favour of Counties Power Limited must be provided over a strip of land with a minimum width of 700mm in all residential allotments immediately adjacent to the road boundary as outlined in Figure 4 in Table 4 and the corresponding figure in the precinct diagrams.
8. The unsealed strip of land required by standards 5 and 6 must be kept free of planting, fencing, buildings and structures.
9. No vehicle access to allotments adjoining a Collector or Amenity Connector road is to be provided over the combined cycle / footpath.
10. For the avoidance of doubt:
 - a. Construction of a Minor Residential Street will require resource consent as a restricted discretionary activity;
 - b. Private vehicle access over a combined cycle/footpath to allotments adjoining a Collector and/or

Amenity Connector road will require consent as a restricted discretionary activity.

Activity Table 4 – Minimum Road Construction Standards

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

5.4 Riparian Margins

- Riparian margins shall be established either side of the banks of a perennial stream (shown on sub-precincts A-D as Indicative Intermittent Stream and Stream Buffer) 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 vest in the Council as local purpose drainage reserves.

6. Assessment of Restricted Discretionary Activities

6.1 Matters for Discretion

- Integrated Residential Development
The Council will restrict its discretion to those matters listed under “four or more dwellings” in the Mixed Housing Suburban zone.
- Subdivision in accordance with the Hingaia 1 precinct
The Council will restrict its discretion to those matters listed for subdivision under the Auckland-wide rules and the following matters:
 - Consistency with the Hingaia 1 precinct plan
 - Limitations on access for future lots adjoining a Collector and/or Amenity Connector road
 - Shape of lots earmarked for Integrated Residential Development
 - Distribution of lots earmarked for Integrated Residential Development
 - The matters for discretion outlined in Part 3, Chapter H, Section 5.4, Table 13.
- Development Control Infringements
The Council will restrict its discretion to those matters listed in Part 3, Chapter I, Section 1.11, and Part 3, Chapter G, Section 2.3 for development in the Hingaia 1 precinct

6.2 Assessment Criteria

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

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

The Proposed Auckland Unitary Plan (notified 30 September 2013)

- a. The structural elements of the Hingaia 1 precinct plan are incorporated into the subdivision design including:
 - i. Roads; and
 - ii. Stream Corridors
 - b. Staging of development accords with the Hingaia 1 precinct plan.
 - c. Development is consistent with the Hingaia 1 precinct objectives and policies.
 - d. Vehicle access to lots adjoining that portion of the Amenity Connector which has the wider of the two berms should be provided by way of a rear access, or from an alternative road boundary where possible. Where this is not practical or feasible, the layout should provide alternative solutions for access to individual properties which minimise the frequency with which the berm will be crossed by vehicles entering or exiting the properties and maximise the safety of pedestrians and cyclists.
 - e. Pedestrian access to an Amenity Connector from all adjoining allotments.
 - f. Compliance with the on-site stormwater management solutions contained in the relevant approved Stormwater Management Plan.
 - g. The assessment criteria outlined in Part 3, Chapter H, Section 5.4.
 - h. Vacant front sites which are 800m² (or greater):
 - i. The shape and dimensions of the lot should be at least 20m wide at the frontage of the site, for at least 80% of the length of site boundaries; and
 - ii. The location of the lot(s) should be distributed across the proposed subdivision in clusters.
3. Development Control Infringements
The Council will restrict its discretion to those matters listed in Chapter I.1.11, Chapter G.2.3, for development in the Hingaia 1 precinct.

7. Special Information Requirements

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

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

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

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

8. Definitions

Retained affordable

Housing that is:

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

Relative affordable

Housing that is:

1. Bought by first home buyers, where the purchaser has a gross household income that does not exceed 120 percent of the Auckland median household income as set at the date of signing the sale and purchase agreement.
2. Sold at a price that does not exceed 75 percent of the Auckland region median house price published by the Real Estate Institute of New Zealand and calculated as an average of the 3 calendar months previous to the date of

application for resource consent is approved or the date on which all appeals to the resource consent application are finally resolved, whichever is the later.

Community Housing Provider

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

1. Social rental housing;
2. Affordable rental housing

Household Income

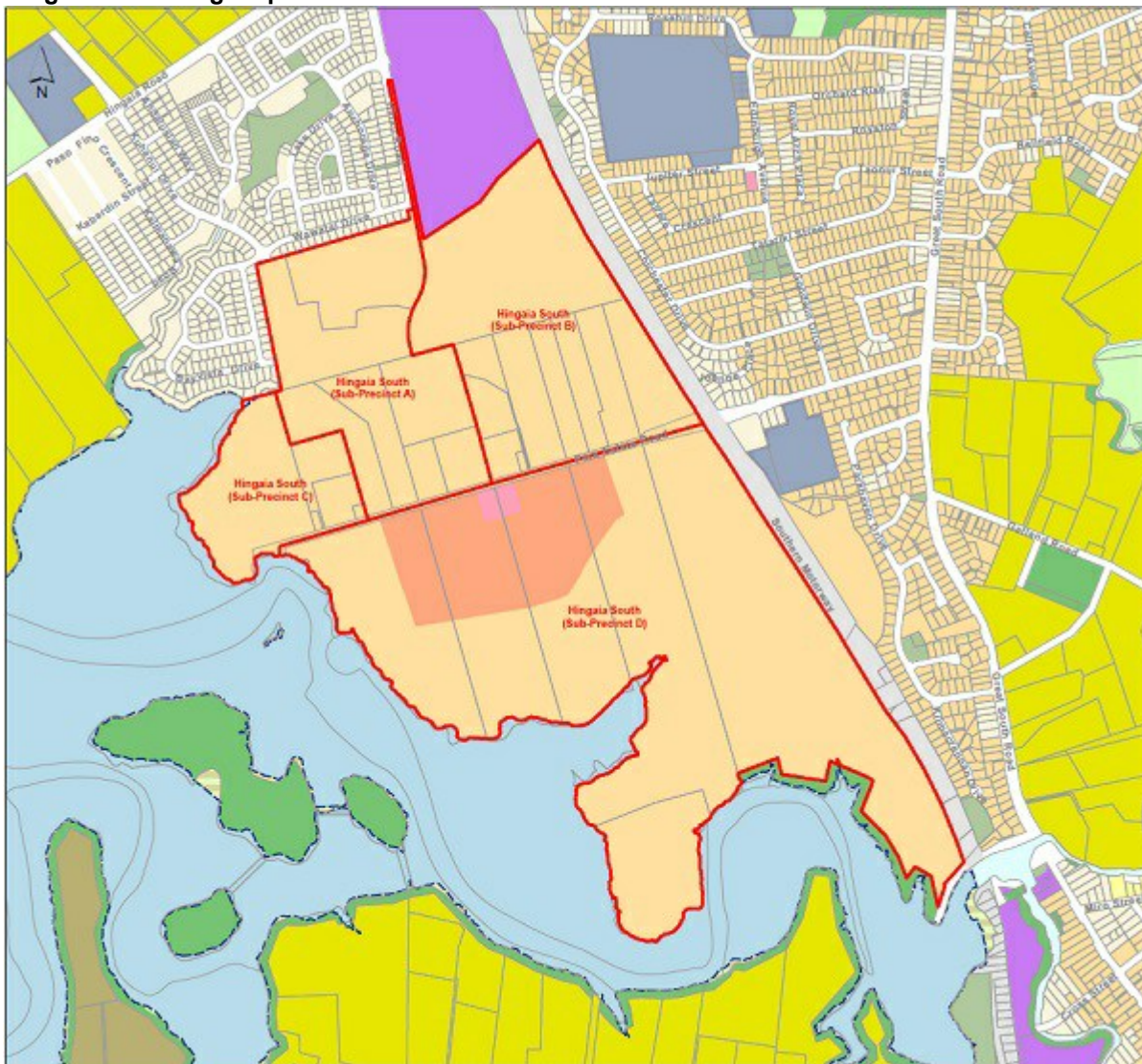
Household income includes all taxable income as defined by the New Zealand Inland Revenue Department.

Minor Residential Street

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

9. Precinct Plans

Hingaia 1 - Zoning Map



Hingaia 1 - Precinct Map

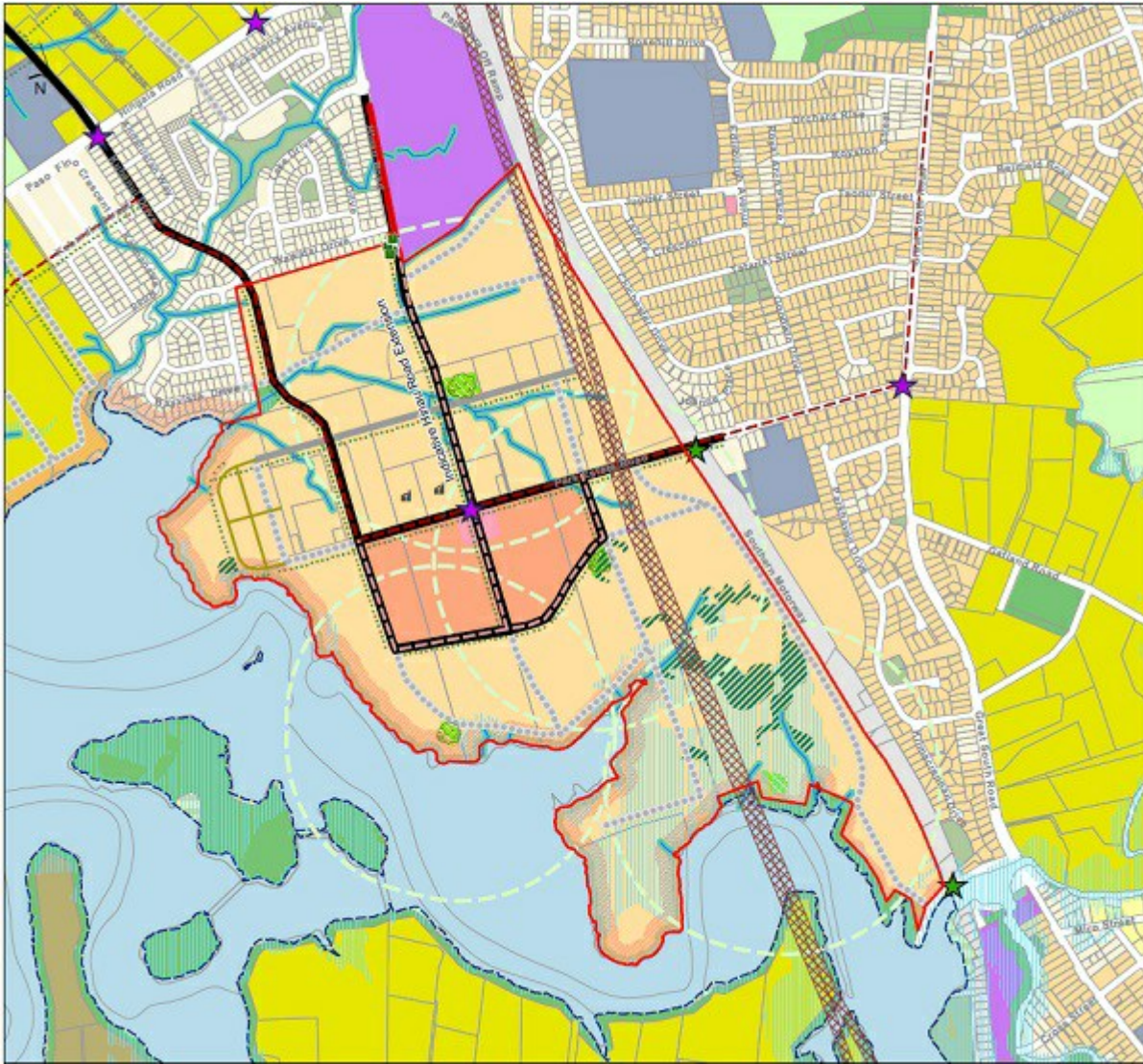


Figure 1 - Collector Road



Figure 2 - Amenity Connector Road



Figure 3 - Local Road

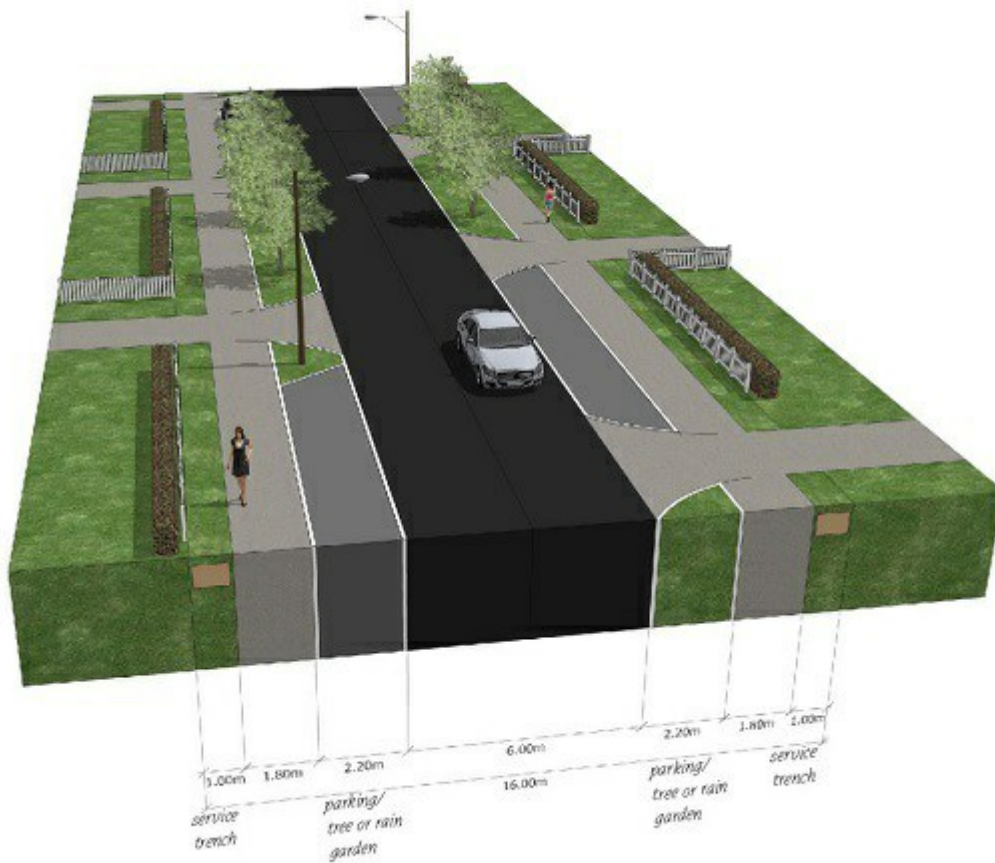


Figure 4 - Minor Residential Road



Figure 5 - Reserve Edge Link

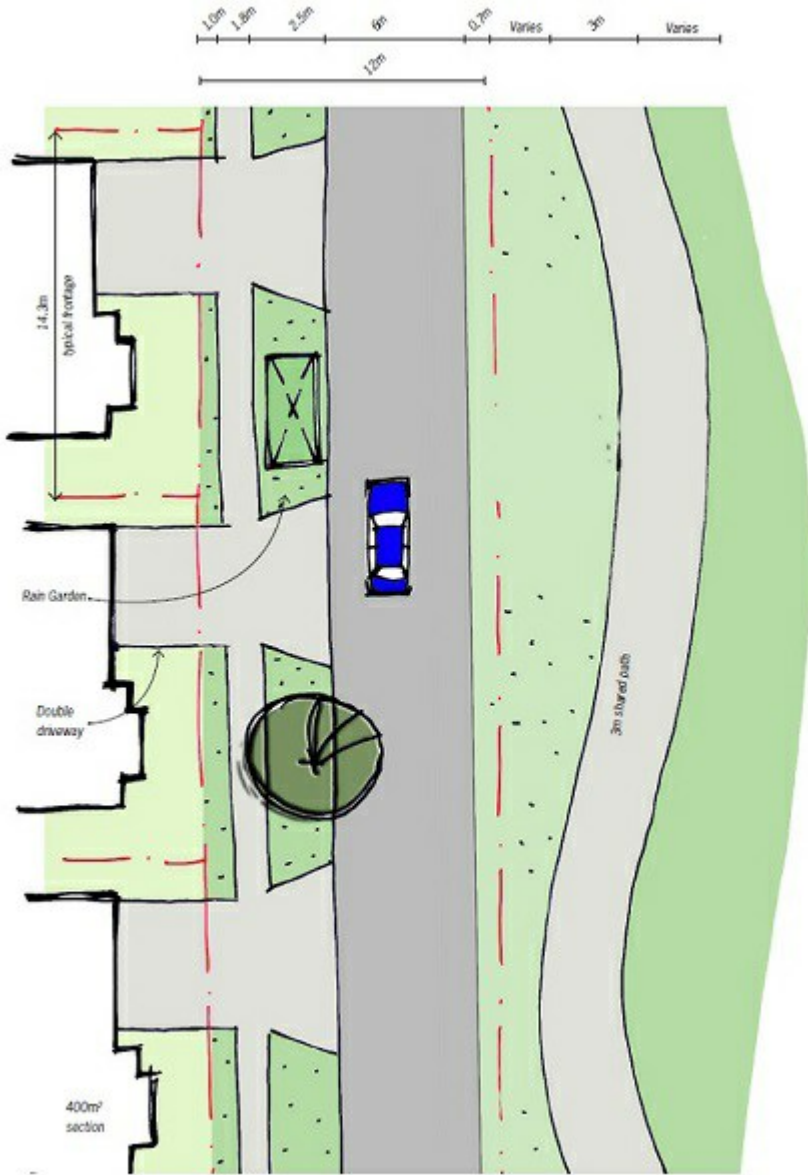


Figure 6 - Park Edge Road

