

Decision following the hearing of concurrent applications for a variation to the Proposed Auckland Unitary Plan and a qualifying development under the Housing Accords and Special Housing Areas Act 2013

SUBJECT: Application for a variation to the Proposed Auckland Unitary Plan under section 61, and an application for a related subdivision consent under section 25, of the Housing Accords and Special Housing Areas Act 2013 by Huapai Triangle Landowners Group and Cabra Developments Limited for the Huapai Triangle Special Housing Area at Station Road and Nobilo Road, Huapai. Hearing held on 24 and 25 June 2015 at Takapuna.

PURSUANT TO SECTION 61 OF THE HOUSING ACCORDS AND SPECIAL HOUSING AREAS ACT 2013 PROPOSED PLAN VARIATION 4 TO THE PROPOSED AUCKLAND UNITARY PLAN IS APPROVED SUBJECT TO MODIFICATIONS.

PURSUANT TO SECTION 25 OF THE HOUSING ACCORDS AND SPECIAL HOUSING AREAS ACT 2013 CONSENT TO THE QUALIFYING DEVELOPMENT APPLICATION IS GRANTED.

THE FULL DECISIONS ARE SET OUT BELOW

Hearing Commissioners:	The applications were heard by the Accord Territorial Authority Panel comprised of the following Hearings Commissioners:
	Philip Brown (Chair) Rebecca Skidmore Brenda Brady
<p><u>Council Officers</u></p> <p>Alina Wimmer (Principal Planner)</p> <p>Evita Key (Lead Project Planner)</p> <p>Elizabeth Wells (SHA Consenting Manager)</p> <p>Scott Macarthur (Senior Transport Planner – Auckland Transport)</p> <p>Mitra Prasad (Principal Consent Specialist – Auckland Transport)</p> <p>Phillip Brown (Consultant Traffic Engineer)</p> <p>Mairi Joyce (Consultant Traffic Engineer)</p> <p>Mark Iszard (Principal Engineer - Stormwater Unit)</p> <p>Katja King-Borrero (Senior Stormwater Specialist)</p> <p>Richard Davison (Urban Designer)</p> <p>Michael Moodie (Legal Counsel HPO)</p> <p>Wendy Stephenson (Democracy Advisor - Hearings)</p> <p><u>For the Applicant</u></p> <p>Maree Baker-Galloway (Legal Counsel)</p> <p>Ashley Rainsford (Developer - Todd Property Huapai Development Limited)</p> <p>Duncan Unsworth (Developer – Cabra Developments Limited)</p> <p>Alistair Ray (Urban Design)</p> <p>Don McKenzie (Traffic)</p> <p>Colin Cranfield (Engineering)</p> <p>Tom Lemon (Engineering)</p> <p>Jeff Brown (Planning)</p>	

Submitters

Todd Property Huapai Development Limited (represented by Ashley Rainsford)

CT Smellie Limited (represented by Chris Smellie)

Soft Technology JR Limited (represented by Vern Warren, planning consultant)

DECISIONS OF THE COMMISSIONERS

1.0 INTRODUCTION

- 1.1 These decisions follow a public hearing of concurrent applications made on behalf of the Huapai Triangle Landowners' Group ("HTLG") and Cabra Developments Limited ("Cabra") under the Housing Accords and Special Housing Areas Act 2013 ("HASHAA") for a variation to the Proposed Auckland Unitary Plan ("PAUP") and a subsequent subdivision consent to facilitate the first stage of a Special Housing Area ("SHA") at the Huapai Triangle site located between Station Road, Nobilo Road, and the North Island Main Trunk railway line. The development will provide for up to 1200 houses when complete.
- 1.2 The properties that are subject to the application are 25 Station Road, 45 Station Road, 53 Station Road, 65 Station Road, 71 Station Road, 79 Station Road, 81 Station Road, 95 Station Road, 115 Station Road (also known as 1 Nobilo Road), Lot 4 DP 435299 Station Road, 57 Nobilo Road, 69 Nobilo Road, 73 Nobilo Road, 77 Nobilo Road, 81 Nobilo Road and Lot 2 DP 318693 Nobilo Road.
- 1.3 HTLG is an entity comprised of landowners within the Huapai Triangle SHA, formed for the purpose of advancing the required plan variation to enable the comprehensive development of the land within the Huapai Triangle SHA.
- 1.4 The Huapai Triangle SHA was approved as part of the Auckland Council's first tranche of special housing areas and formally established by an Order in Council in October 2013. The applications under consideration in these decisions are confined to the approved SHA site.
- 1.5 The proposed Plan Variation ("PV") seeks to rezone approximately 65 hectares of land in the Huapai Triangle SHA from Future Urban zone to a combination of Mixed Housing Suburban zone, Neighbourhood Centre zone and Green Infrastructure Corridor zone. It is formally known as "Plan Variation 4" to the PAUP.
- 1.6 The PV would establish the Huapai Triangle Precinct within the PAUP. The precinct provisions limit the total number of dwellings to 1200 and require applicants to develop an entire sub-precinct or prepare a sub-precinct spatial plan showing how proposed development will integrate with its immediate neighbours. A limitation is also placed on the maximum number of dwellings within each sub-precinct. The proposed PV also requires certain transport infrastructure upgrades to occur to support growth in this area. The proposed PV changes several development controls from the underlying Mixed Housing Suburban zone.
- 1.7 This decision also relates to a concurrent application for resource consent for a Qualifying Development ("QD") under section 25 of the HASHAA. That application relies on the above proposed PV being accepted and approved, and we understand that our decisions must be made sequentially for this reason. The QD application seeks both land use and subdivision consents in respect of 9.3 hectares of land

located at 81 and 95 Station Road and Lot 2 DP 318693 Nobilo Road, Huapai. These properties fall within Sub-Precinct B of the proposed PV.

- 1.8 The QD would provide 118 vacant residential lots, together with six vacant super lots capable of accommodating multi-unit residential development in the future. Approval is also sought for earthworks, installation of services and civil works that are required in order to develop the land for residential purposes.
- 1.9 We are advised, and accept, that the application for subdivision consent and land use consent meets the requirements of a QD under section 14 of HASHAA. As such HASHAA can be used to make decisions otherwise subject to the Resource Management Act 1991, and the applicant has requested this pursuant to section 20 of HASHAA.
- 1.10 In respect of the proposed PV being sought, pursuant to section 59 of HASHAA only district plan-level provisions can be considered. Proposed regional plans cannot be varied under the Act. The consequence of this is that the regional-level provisions of the PAUP cannot be included in any variation considered under HASHAA. The resource consent for a QD will therefore be assessed against the regional provisions of the PAUP as it was notified on 30 September 2013.
- 1.11 Section 71 of the HASHAA requires that when concurrent PV and resource consent applications are heard together, a decision on the PV must be made before any decision on the resource consent application can be made. This is because the zoning of the land and the classification of some of the proposed activities would likely change if the variation is approved. In this case, subdivision of the nature proposed is a prohibited activity in the Future Urban zone under the PAUP, but such subdivision would be enabled by the new zones that are sought. In this context, the PV decision must be made before the decision on the subdivision application can be considered.
- 1.12 After the introductory and descriptive sections which are common to both applications, this decision document is then divided into two parts. The first part contains the discussion and decision relating to the PV, while the second contains consideration of and a decision on the QD subdivision and land use consent application. As the applications are interconnected, with the QD aspect being wholly reliant on the PV being approved, it is appropriate to issue one comprehensive decision covering both applications. This format will also avoid duplication.
- 1.13 We note that the Council planners' report prepared by Ms Wimmer and Ms Key of the Housing Project Office ("HPO") addressed both applications in this way. A combined commentary and assessment of certain issues was utilised where appropriate. Ms Wimmer was responsible for the PV material in the report and Ms Key for the subdivision and land use consent aspects. For convenience we refer to their combined document as "the Council planners' report".
- 1.14 The applications, along with the reasons for them, were described in considerable detail in the application materials and again in some depth in the Council planners' report. As a result it is not necessary for much of that detail to be repeated except to

the extent that it relates directly to the issues under discussion. We have attempted to streamline this decision through utilising this approach as much as possible.

- 1.15 We have made findings only on those issues that are actively in contention in respect of the PV and the QD. As will be seen, only a handful of issues remained in contention for the PV by the time the hearing was closed. There were no outstanding or unresolved issues between Cabra and the HPO in relation to the QD application.
- 1.16 The statutes do not require us to address each submission on the PV individually. The PV discussion therefore tends to focus on topics rather than on separate submitters, except where a particular submitter has raised issues specific to its particular circumstances.

2.0 THE SITE AND SURROUNDING AREA

- 2.1 The Commissioners undertook a comprehensive site visit on 22 June 2015, which was earlier in the week of the hearing. Our site visit included viewing the land within the Huapai Triangle SHA, together with adjacent land and the general vicinity.
- 2.2 The Huapai Triangle SHA comprises approximately 65 hectares of land. As the name implies, it is roughly triangular in shape and is bounded to the north by the North Island Main Trunk railway line, to the west by Station Road, to the south by Nobilo Road and the Huapai Stream forms its eastern boundary. The land is characterised by farmland and rural lifestyle properties. The contour is gentle, sloping down from south-west to north-east and draining via a series of shallow gullies to the Huapai Stream and related wetlands at the eastern end of the Triangle. This lower area of land is identified in Council records as a floodplain.
- 2.3 The former Nobilo Winery is the most notable built feature within the SHA due to its large buildings and distinctive steel vats. It is located in the north-western corner of the land, close to State Highway 16. The winery's bottling and administration facilities, now operated by Constellation Brands, are located adjacent to Station Road.
- 2.4 The land contains no scheduled heritage items or place, or indigenous habitat or vegetation of significance. There is no Council wastewater or stormwater reticulation serving the land at the present time. The Commissioners are aware that there are unimplemented consents (in the form of certificates of compliance issued by the former Rodney District Council) to demolish various dwellings on Station Road.
- 2.5 To the west of the Triangle, on the opposite side of Station Road, is Huapai School and the residential area of Station Road and Trigg Road. To the north-west of the Triangle, on the opposite side of the Station Road and SH16 intersection, is Huapai Domain. North of the Triangle is the Main Trunk railway line and further north from that is the Huapai Town Centre, SH16 and residential properties between SH16 and the railway line. Huapai Station, which does not have a passenger train service, is at the northern boundary of the Triangle, opposite the southern end of the Matua Road

extension. East of the Triangle, on the opposite side of the Huapai Stream, is the light industrial area of Wookey Lane and Access Road, and to the south-east is the former particle board factory which is now used for light manufacturing.

- 2.6 There is no direct access to SH16 from land within the Huapai Triangle. The most convenient vehicle access is via Station Road.
- 2.7 The concurrent QD application by Cabra for land use and subdivision consent at 81 and 95 Station Road, and Lot 2 DP 318693 Nobilo Road, relates to land in the south-western corner of the SHA. The land subject to the QD application is approximately 9.3 hectares in area. The property at 81 Station Road is a rear site accessed off Station Road and currently accommodates a dwelling with accessory outbuildings and garden/pasture areas. Stormwater runoff is discharged via a private pipe through the neighbouring properties to the north. The property at 95 Station Road has frontages to Station Road and Nobilo Road and currently accommodates a dwelling with accessory outbuildings, garden/pasture areas, as well as some grape vines. Lot 2 has a frontage to Nobilo Road, is vacant of buildings, and accommodates pasture and an apple orchard. Stormwater runoff is discharged via a private pipe through the neighbouring properties to the east.
- 2.8 The property directly adjoining the QD site to the north and east is proposed to be developed by Todd Property Huapai Development Limited ("Todd"), with anticipated timeframes similar to those associated with the QD site. Shared site works are to be undertaken along the common boundaries, involving the creation of a road along the northern boundary of the QD site and earthworks along the eastern boundary to align the post development overland flow paths with the roading network. Cabra and Todd have the largest landholdings within the Huapai Triangle SHA.

3.0 THE PROPOSAL

The Proposed Plan Variation

- 3.1 The land within the Huapai Triangle SHA is zoned Future Urban zone (Business/Commercial) under the Operative Auckland District Plan (Rodney Section) and is zoned Future Urban zone under the PAUP.
- 3.2 Chapter 13 of the Operative Plan contains the provisions relating to this zone. The Future Urban zone policies under the Operative Plan recognise existing uses and limit the amount of subdivision that can occur so as to enable the land to be efficiently utilised when it is urbanised. The intent of the zone is to provide a "holding pattern" until infrastructure, open space and roading has been comprehensively addressed at the time of full urbanisation. The Operative Plan anticipates that the land will be developed for non-residential urban uses in the future, and allows for subdivision creating sites of 4ha or more in the interim.

3.3 The PAUP Future Urban zone is more restrictive in terms of subdivision. It only provides for minor boundary adjustments, subdivision for network utilities, and amendments to cross-lease plans. All other subdivision is a prohibited activity.

3.4 The PV applicant has proposed to re-zone the majority of the land within the SHA to Mixed Housing Suburban with an overall development cap of 1200 dwellings that are allocated between sub-precincts A-F. Some amendments to the standard Mixed Housing Suburban zone activity table, land use controls and development controls are proposed through the Huapai Triangle Precinct provisions. A summary of the differences (and similarities) between the standard Mixed Housing Suburban zone provisions and those proposed in the precinct are as follows:

- Dairies, restaurants and cafes up to 100m² GFA are a restricted discretionary activity in the Mixed Housing Suburban zone and are a discretionary activity in the proposed PV.
- Dairies, cafes and restaurants that are more than 100m² GFA are a non-complying activity which is the same in both the precinct and underlying zone.
- The land use controls differ from the underlying zone insofar as there is a maximum site area of 700m² and a minimum vacant lot subdivision size of 400m². The PAUP subdivision rules state that for parent sites of 1ha or more with 15 or more proposed vacant sites, each site that will contain a building must not be more or less than 20% of the average net site area of 400m².
- The PV sets a maximum number of dwellings within the Huapai Triangle, allocated per sub-precinct as follows:

Sub-precinct	Maximum number of total dwellings
A	452
B	185
C	152
D	171
E	116
F	124
TOTAL	1200

- The proposed PV provides specific qualifying criteria for dwellings where the density control does not apply. To qualify, a site must be a front site with a 1200m² net site area, 20m wide frontage, and located adjoining or opposite any required open space or Green Infrastructure Corridor zone or within a 400m walking distance of the intersection of Matua Road and SH16, or within 200m

walking distance of the Neighbourhood Centre or adjoining or opposite any other public or private open space area with an area of at least 500m².

- The home occupation provisions mirror those in the PAUP.
- The maximum building height for the precinct is 10m with the ability to build to a maximum height of 12m for four or more dwellings. This is different from the standard height in the Mixed Housing Suburban zone, which specifies a maximum height of 8m.
- The standard height in relation to boundary control is 2.5m plus 45 degrees and the alternative height in relation to boundary control is 7.2m on the boundary plus 45 degrees. This would enable a building of two storey height to be constructed on the boundary on sites with a density greater than 1:400m². This is a departure from the PAUP alternative height in relation to boundary control for smaller sites, which allows for 3.6m plus 72 degrees up to 6.89m and then one metre for every additional metre in height (a 45 degree recession plane).
- The minimum front yard depth is 3m compared to 4m in the PAUP. The yards applying to side and rear boundaries are the same as those under the PAUP (i.e. 1m).
- The maximum impervious area is the same as in the PAUP.
- The landscaping control mirrors that of the Mixed Housing Suburban zone.
- The outlook control is similar to the PAUP.
- The separation between buildings within a site and outdoor living space rules are the same as under the PAUP.
- The dwellings fronting the street control provides for front façade glazing of 20% compared to 30% in the PAUP.
- A new vehicle access restrictions and cycleway rule for Station Road that limits the number of driveways that can access directly off Station Road onto adjacent sites, and encourages vehicular access via side roads or rear lanes.
- A new rule regarding the upgrade of road frontages on Station Road and Nobilo Road, including an illustration of the required road cross-section within the PV.
- The fencing rule provides for the same front yard fence height of 1.2m but varies the underlying PAUP rule by providing for fences of up to 1.5m in height adjacent to the Green Infrastructure Corridor zone that abuts the railway line and a 1.5m high fence and planting adjacent to the Green Finger Open Space connection shown in the precinct diagram.
- The minimum dwelling size, minimum dimension of principal living rooms and principal bedrooms, servicing and waste and storage remains the same as under the PAUP.

- The proposed PV allows for a garage door width of 45% of the front façade, whereas the rule in the PAUP restricts the width of the garage door to no more than 40 per cent of the front façade.
- A new rule on stormwater hydrology mitigation is proposed that addresses on-site retention and detention of stormwater run-off from the roofs of dwellings. This new rule is an addition to rather than replacing SMAF 1, which is a regional rule covering Stormwater Management Area Flow 1 (greenfields sites).
- A new Neighbourhood Centre zone rule that limits the total combined GFA of retail premises to 2000m² and a maximum GFA of any single retail premise to no more than 200m².
- A new rule clarifying that precincts adjoining the rail corridor are subject to the High Land Transport Noise Overlay.
- A new rule relating to infrastructure upgrades and timing of development requiring certain road and intersection upgrades to occur when specified numbers of dwellings are completed.
- New subdivision rules are introduced that make subdivision in accordance with the precinct plan a restricted discretionary activity. Discretionary activity status applies to all other subdivision, other than subdivision without a sub-precinct spatial plan which is a non-complying activity.
- A new rule on sub-precinct spatial plans requiring applications for subdivision to show a roading pattern, parks, open spaces, walkways and cycleways, infrastructure for the sub-precinct including how it will connect into adjacent sub-precincts.
- The subdivision rules in the sub-precinct reference the precinct plan diagrams and road cross sections.
- Table 7 for access to rear sites in the subdivision provisions mirror those in the Auckland-wide subdivision rules.

3.5 A requirement for the upgrading of Station Road is proposed under the PV. These works will include realignment of the vehicle carriageway and formation of a footpath, a separated cycle lane with buffer and 13 vehicle crossings. The cross section of Station Road has been amended following completion of the Integrated Transport Assessment for the PV, which prompted Auckland Transport to seek on-street separated cycle lanes on both sides of the road in view of anticipated future traffic volumes. The amended Station Road cross section now includes 3.3m wide traffic lanes, 0.6m buffers, 1.8m cycle lanes, 2.1m wide street tree berms and 1.8m footpaths (which will also accommodate underground services).

3.6 A requirement for upgrading of Nobilo Road is also proposed, including formation of a footpath, on-street parking, street trees, and street lighting.

The Qualifying Development

- 3.7 The SHA was established by way of Order in Council ("OIC"). The OIC limits development on the land to a height of no more than six storeys and requires that the QD provide for the construction of at least 50 houses. Where more than 15 houses are to be constructed through a QD, 7% of the houses must be affordable.
- 3.8 The proposed QD is consistent with the provisions of HASHAA and the OIC that declared the SHA, given that development of 1-3 storeys is anticipated on the lots to be created. More than 50 dwellings are proposed through the QD and the applicant stated that at least 7% of the houses will be affordable.
- 3.9 The QD subdivision and land use consent applications seek approval for:
- Creation of 118 vacant residential lots ranging in size from 400m² to 700m², together with six vacant super-lots ranging in size from 1,200m² to 1,865m². The residential super lots are expected to yield approximately 33 dwellings with 11 of these being "affordable";
 - A 3,001m² lot to accommodate a neighbourhood park (subject to separate political approval). In the event that the Council does not accept vesting of the land as a park, consent is sought to create six vacant residential lots from the land ranging in size from 447m² to 545m²;
 - Bulk earthworks, and contamination remediation where required, of approximately 130,000m³ of cut to fill over an area of up to 105,000m² (10.5ha). Some retaining wall structures up to 1.5m in height are proposed;
 - Internal roading network in accordance with the plan variation cross sections, and upgrades to Station Road and Nobilo Road;
 - Two jointly owned access lots (JOALs) serving seven lots;
 - A "green finger" stormwater swale and a temporary stormwater attenuation basin; and
 - Extensions to the existing wastewater pressure network and water supply reticulations.
- 3.10 It is also intended to undertake earthworks and form a road along the northern common boundary between the application site and Lot 4 DP 435299 Station Road which is located in Sub-Precinct A of the proposed PV.
- 3.11 The application was put forward on the basis that the temporary stormwater attenuation basin would be located on either the north-eastern corner of Lot 2 DP 318693, Nobilo Road (Option A) or the northern end of 57 Nobilo Road (Option B). The temporary basin would remain until such time as a larger catchment wide device is constructed downstream. Since making the QD application, Cabra purchased the

property at 57 Nobilo Road that is located in Sub-Precinct D. New stormwater management plans were submitted at the hearing to indicate that Option B would now be implemented as part of the QD application in preference to Option A. Option B has the advantage that it would service both the QD application site as well as the land within Sub-Precinct A (owned by Todd).

4.0 NOTIFICATION AND SUBMISSIONS

- 4.1 Limited notification of proposals under the HASHAA is required by each of section 67 (in respect of the PV) and section 29 (for the QD). Both applications were notified on this basis to the same persons and parties on 25 February 2015 with the submission period for each closing on 27 March 2015. The notification correspondence from the Council requested that prospective submitters separate their submissions on the PV and QD.
- 4.2 We note that a submission was received from the Kumeu-Huapai Residents and Ratepayers Association, despite that organisation not being served with notice of the concurrent application for the proposed plan variation and resource consent.
- 4.3 Section 29(3) of HASHAA identifies those persons who may be limited notified as being owners of land adjacent to that which is subject to the application, local authorities, infrastructure providers or requiring authorities. Section 67(3) expressly provides that a person may only make a submission on a concurrent application if that person has been notified. The Kumeu-Huapai Residents and Ratepayers Association is not an adjacent landowner or one of the other identified persons and, as a consequence, were not notified of the applications.
- 4.4 The organisation does not have standing or an ability to submit, and this position was confirmed to us at the hearing by Council's legal advisor Mr Moodie. We have not had any regard to the Kumeu-Huapai Residents and Ratepayers Association's submission as we consider it to be invalid.
- 4.5 Fifteen valid submissions were lodged in respect of the PV, and received within the statutory timeframe. Of these, 12 supported the PV in full or with some amendments and three opposed the PV. A late submission was received in respect of the PV from CT Smellie Ltd. The Commissioners are aware that we have powers to extend the closing date for receipt of submissions under section 76 of HASHAA and sections 37 and 37A of the RMA. In this instance we have decided to extend the closing date in respect of this late submission, and note that Ms Baker-Galloway indicated that the applicants did not oppose our decision in this regard. The reasons for that determination are set out in the later formal parts of this decision.
- 4.6 A total of nine valid submissions were received in relation to the QD application, within the statutory time period. Seven of these submissions supported the QD proposal while two were opposed to it (although one of those was withdrawn prior to the commencement of the hearing). One submission was received after the closing

date. We understand that we have discretion to accept a late submission on a QD application that is notified and heard concurrently with the PV request.

- 4.7 There were no written approvals obtained in relation to the PV. However, six written approvals were obtained and provided to Council in respect of the QD resource consent applications. In accordance with section 34(1)(d) of HASHAA and section 104(3)(a)(ii) of the RMA, we have disregarded any potential effects on the persons from whom written approval was obtained.
- 4.8 The names and addresses of all the submitters are recorded in the Council planners' report. We have not repeated the list in this decision but do note the names of certain submitters where relevant to a discussion of the issues that they have raised.

5.0 ISSUES RAISED BY THE SUBMISSIONS LODGED

- 5.1 The submissions received raised a number of issues, not all of which were finally required to be addressed at the hearing as they had either been resolved in the meantime or they had already been addressed in the application materials and/or the Council planners' report. The principal issues that remained in contention for the hearing are covered later, although we note that there are few outstanding issues where disagreement exists.
- 5.2 In terms of the PV application, in summary the key matters raised by the submissions when lodged were:
- General support for the PV / complete as notified;
 - Provide for the realignment and signalisation of Station Road with Tapu Road;
 - Houses should not be occupied until the Station Road / SH16 realignment to Tapu Road is completed;
 - Neighbourhood Centre zone should be removed, given its proximity to Huapai and Kumeu and due to competition with Huapai for tenants and customers;
 - Mixed Housing Suburban zone should be replaced with Single House zone (600m² sites);
 - Location of the local roads within the Precinct Plan should not be fixed, and some flexibility should exist for subdivision design within a sub-precinct;
 - Remove the north-south primary road through to Nobilo Road from the property at 77 Nobilo Road (Lot 7 DP 116044);
 - Remove 77 Nobilo Road from the Plan variation application;
 - Clarification is sought on the status of the indicative road through 116 Access Road and the extension of Nobilo Road and Wookey Lane;

- Auckland Transport and NZTA need to address traffic issues and lack of public transport in Kumeu-Huapai;
- Additional provisions requiring an integrated approach to stormwater management are required within the Huapai Triangle;
- Additional policies and rules should be included to address potential reverse sensitivity issues between the PV area and adjoining light industrial zone land;
- Design and staging of the intersection upgrades to Access Rd/SH16 be subject to ALCAM modelling and local safety audits;
- The threshold for the upgrade of Access Rd/SH16 be 400 dwellings;
- The threshold for the upgrade of Access Rd/SH16 be 300 dwellings;
- Agreements need to be prepared to establish responsibility and timing of intersection improvements and timing;
- Consent should not be granted until roading infrastructure is upgraded;
- That NZTA be consulted regarding any proposed changes of the level crossing facility on Access Road, and on any matters associated with the walking/cycling connection between the site and SH16;
- Table 4, Section 6.27, should be amended to reflect the full stage upgrade of the Access Rd/SH16 intersection as being required in the ITA;
- Activity status of development that does not comply with Table 4 should be discretionary rather than restricted discretionary;
- Reference to rail safety and transport network be added to matters of discretion and assessment criteria;
- Fencing adjoining rail corridor boundary should be no less than 1.8m high;
- A greater overlay width of 100m should apply for assessment of noise for habitable spaces in relation to the rail corridor;
- Seeks a requirement that any dwelling on a site within 100m of the nearest line of the state highway achieve a design noise level of 40 dB LAeq(14hr) inside all habitable spaces;
- The High Land Transport Noise ("HLTN") and Air Quality Transport Corridor Separation ("AQTCS") overlays should be extended onto the Huapai Triangle Plan Variation for the length of SH16 and rail corridors;
- Liquor or legal drug outlets should not be allowed in the neighbourhood centre;
- Allow foot access to the supermarket and Kumeu shops, allow for future railway, public transport and roads;

- Seek provisions to promote the creation of an “urban forest” to complement the surrounding landscape;
- A structure plan for the area and township should be given urgent priority. Other roading, access and transport issues should be addressed concurrently with the development.

5.3 In respect of the QD application, the following sets out a summary of the issues / matters raised in the submissions:

- Supports the QD application and seeks that it be approved;
- Development will be car dependent due to no public transport or pedestrian access to Huapai/Kumeu town centres, and will exacerbate existing traffic congestion in the area;
- Seeks Single House zone with minimum 600m² sites;
- Lack of provision for railway double tracking and slip lane adjacent to railway;
- Concerned about safety of school children;
- Have not provided affected landowners’ approval, with particular regard to the stormwater management plan proposed;
- Realign Station Road to Tapu Road prior to occupation of dwellings;
- Provide pedestrian access to Huapai/Kumeu town centres;
- Restrict right hand vehicular turns out of Nobilo Road;
- Existing trees at 100 Station Road to be retained and trees on application site to be retained as long as possible to reduce dust nuisance;
- Working hours to be specified with no work on Sundays;
- Remove any obligations from 77 Nobilo Road, with particular regard to the stormwater management plan proposed.

5.4 We return to the QD application and the issues it raised after considering and deciding the proposed PV. It is noted that some of the issues recorded above were no longer live at the commencement of the hearing due to the withdrawal of the submission from the owners of 77 Nobilo Road.

6.0 THE PROPOSED VARIATION TO THE PAUP

6.1 Section 61 provides a framework for consideration of a plan variation in the context of the HASHAA. Under sub-section (4) these considerations, in order of priority, are:

- (a) the purpose of the Housing Accords and Special Housing Areas Act 2013;
 - (b) Part 2 of the Resource Management Act;
 - (c) the matters in section 74(2)(a) of the RMA (namely: any proposed regional policy statement ("RPS"), any proposed regional plan with respect to any matter of national significance, any management plans and strategies prepared under other statutes, any relevant entry in the Historic Places register, and the extent to which the district plan needs to be consistent with plans or proposed plans of adjacent territorial authorities);
 - (d) other matters set out in sections 74 to 77D of the RMA (with some exceptions);
 - (e) any other relevant provision or relevant statute.
- 6.2 The purpose of the HASHAA is stated in section 4 to be to enhance housing affordability by facilitating an increase in land and housing supply in certain regions or districts, listed in Schedule 1, identified as having housing supply and affordability issues.
- 6.3 That provision can be taken to have been satisfied by the fact that the Huapai Triangle SHA has been approved and the application for the variation has been made. Approval of the PV will increase the supply of housing in Auckland because more land will be zoned for housing and capable of being developed for that purpose. The Huapai Triangle will contribute up to 1200 additional dwellings to the housing supply within the region.
- 6.4 The evidence presented at the hearing has satisfied us that the proposed Mixed Housing Suburban zoning is appropriate for the location and will provide for a variety of housing forms, including affordable housing options. The PV identifies certain circumstances where some higher density development is enabled, being on the larger super lots that are located within walking distance of transport options or commercial centres or adjacent to open space. For these reasons, we are confident that the PV achieves the purpose of HASHAA and it is not necessary for us to discuss this further.
- 6.5 Part 2 of the RMA encompasses the purpose and principles of that statute in sections 5 to 8. Section 5 sets out the Act's purpose namely sustainable management, as that expression is defined in section 5(2). Section 6 requires that all persons exercising functions and powers under the RMA in relation to managing the use, development and protection of natural and physical resources are to recognise and provide for seven matters of national importance which are listed. In this case we consider that the applicable matters of national importance are the protection of the natural character of the streams and their margins from inappropriate subdivision, use and development (section 6(a)); and enhancement of public access along the streams on the site (section 6(d)).

- 6.6 We find that the PV (and the QD application) satisfies this requirement of the HASHAA as provision is made for both enhancement of the degraded streams and their margins and for pedestrian and cycle access alongside the watercourses.
- 6.7 Section 7 sets out a number of other matters to which ‘particular regard’ is to be paid. These include: the efficient use and development of natural and physical resources; maintenance and enhancement of amenity values and the quality of the environment; any finite characteristics of natural and physical resources; and the intrinsic values of ecosystems. As will be apparent further on in the decision on the PV, we have paid particular regard to those matters in reaching our decision. The use of a spatial precinct plan and the requirement for the preparation of sub-precinct plans will ensure a co-ordinated approach to development in a manner that provides good amenity. The relationship of indicative streets to open spaces and the use of the central swale road as a feature of the precinct layout enhances the quality of the development that will occur in this location and showcases water sensitive design.
- 6.8 Section 8 requires that the principles of the Treaty of Waitangi are to be taken into account. A Cultural Impact Assessment (“CIA”) was provided with the applications. This was prepared by each of Ngati Whatua o Kaipara. The CIA noted that the Huapai Triangle is an area of significance to Ngati Whatua o Kaipara, and identified the need for careful design in order to support a quality built environment and protect and enhance the natural environment. The CIA also set out an accidental discovery protocol in relation to koiwi or taonga that may be unearthed during construction. No issues were raised in the CIA that would preclude consideration of the applications or result in a finding that they should be declined. In addition, the PV incorporates water sensitive design in accordance with iwi concerns.
- 6.9 We are also satisfied that the PV provisions do not raise any issues in respect of the National Policy Statement on Freshwater Management.
- 6.10 The Council planners’ report informed us, with respect to the Regional Policy Statement embodied in the PAUP, that quality urban growth is identified as a key regional outcome in Part 1, Chapter B section 2.1. In respect of this key outcome, we note that Mr Davison (the Council’s Lead Masterplanner: Urban Design and Planning) has reviewed the PV, structure plan and QD and concluded that the proposal will add value to the area and the QD will provide for an attractive first stage of development within the Huapai Triangle. Based on the evidence that we received, we agree with Mr Davison. It is our view that the PV establishes a framework that will provide for a quality built environment and the QD will contribute to the implementation of that outcome.
- 6.11 Part 2.C.1.1 of the PAUP seeks to avoid adverse reverse sensitivity effects on significant infrastructure as a result of inappropriate subdivision, use and development of land. This is relevant in the context of the PV request as it enables the establishment of housing within relatively close proximity of the North Island Main Trunk railway line and SH16. Submissions from Kiwirail and NZTA sought to mitigate reverse sensitivity issues through noise and air quality overlays. We will discuss this issue in more detail later in this decision, but note that we consider that reverse sensitivity effects can be appropriately managed through the PV provisions.

- 6.12 The Council planners' report set out other key matters requiring consideration under the RPS provisions of the PAUP. These included matters relating to water sensitive design, roading, land supply, economic wellbeing, mana whenua and housing affordability. We consider that the PV addresses all of these issues sufficiently and, overall, will create outcomes that are consistent with the policy direction encapsulated within the RPS.
- 6.13 Sections 74 to 77D of the RMA are effectively procedural provisions which set out various matters to which a local authority is to have regard whenever formulating and finalising the provisions of a district plan, including proposed changes to such a plan. We have borne those provisions in mind when considering the PV application and finalising the provisions to be included in the PAUP. The text to be inserted in the PAUP is attached at the end of this decision document.

7.0 PRINCIPAL ISSUES IN CONTENTION AT THE HEARING CONCLUSION

- 7.1 As we have noted, a substantial number of issues were resolved by the time we closed the hearing due to ongoing dialogue between HPO staff, the applicants for the PV and QD, and submitters. There was a high level of agreement in relation to the PV provisions and QD conditions.
- 7.2 The limited number of significant remaining issues, which need to be addressed in our decision, are summarised as follows:
- Whether the land in sub-precinct E, located within the flood plain but outside of the area required for attenuation ponds, should be zoned Mixed Housing Suburban ("MHS") or Green Infrastructure Corridor ("GIC");
 - Whether vehicular access from Station Road should be enabled by the PV and provided for the 12 lots with frontage to that road as proposed in the QD;
 - The extent of cycle lane separation that should be provided in Station Road;
 - Whether garage doors are acceptable projecting forward of a dwelling where they do not face the road;
 - Whether extended HLTN and AQTCS overlays should apply to the Huapai Triangle;
 - Fencing height required under the PV for the GIC adjoining the railway line.

Extent of the Green Infrastructure Corridor

- 7.3 Council's stormwater technical specialists confirmed their position on this issue at the conclusion of the hearing. Mr Iszard and Ms King-Borrero consider that the land within sub-precinct E that falls within the 100 year flood plain should be zoned as GIC rather than MHS. Both technical specialists expressed a view that the GIC would

better manage expectations of development potential on the land. Flood levels within the flood plain will be deep in places and residential development is unrealistic for most of the land identified in the PV as GIC.

- 7.4 In her reply, Ms Baker-Galloway submitted that much of the flood plain land should be identified as MHS zone as shown on the precinct plan that was tabled by the PV applicant at the hearing. She considered that the extended MHS zone would not provide for the establishment of more dwellings within sub-precinct E, as no change was proposed to the cap imposed through Table 2 in Rule 5.1.4, but would provide more flexibility to the way lots are configured and how the land is used by subsequent owners of the lots.
- 7.5 In support of her point Ms Baker-Galloway also referred us to the purpose of the GIC as expressed at Chapter D Part 8.8 of the PAUP, noting that the zone covers land expected to be vested in the Council for long term maintenance and protection. She also pointed out that the PV provisions identify matters for discretion relating to flood management and mitigation of related adverse effects, suggesting that such provisions would ensure that appropriate lot configuration and restrictions on building platforms can be applied at the time of subdivision.
- 7.6 The determination of this issue is finely balanced. However, we have reached a view that aligns with that expressed by the applicant. We consider that it is more appropriate to identify land that will be retained in private ownership as MHS zone. We are confident that there are sufficient checks in place to avoid any prospect of housing development on flood prone land, through the existing PV assessment mechanisms identified by Ms Baker-Galloway and through the additional considerations for subdivision consent applications that are set out in section 106 of the RMA. While the MHS zoning may have the potential to raise development expectations to some extent, it would not result in additional development within sub-precinct E nor give rise to development of housing within the flood plain. The outcome is likely to be larger lot sizes for land that is affected by flooding.
- 7.7 For the reasons discussed above, the precinct plan is amended to give effect to the allocation of MHS zone and GIC sought by the PV applicant. We note that GIC will still cover the attenuation ponds and land that is contained within or adjacent to the stream corridor.

Vehicular access from Station Road

- 7.8 The QD provides for vehicle crossings from 12 lots directly onto Station Road. We note that such access was originally proposed for 13 lots, although Lot 200 would no longer be accessed directly from Station Road.
- 7.9 The provision of direct access onto Station Road from properties is opposed by Auckland Transport ("AT"). We heard from Mr Macarthur and Mr Prasad on this issue, who explained that the concern relates primarily to the impact of the driveways on the cycleway facility proposed for Station Road and the general efficiency of the future traffic movement on this future arterial.

- 7.10 An alternative view was provided by the applicant's traffic engineering witness, Mr McKenzie, and by the traffic engineering consultants engaged by the HPO (Ms Joyce and Mr Brown). We understood their combined opinion to be that the vehicle crossings proposed would be acceptable from a traffic engineering perspective and would not create any significant safety issues for future users of the cycleway facility. In reaching this opinion, they did not consider a fully separated cycleway to be necessary in this location. They also noted that limiting access to properties adjoining this corridor would limit the potential to create a positive street frontage.
- 7.11 Ms Key, in reaching a recommendation on the QD application, accepted this advice. She noted that there are urban design and streetscape amenity considerations that need to be weighed alongside matters of traffic safety and efficiency in determining this issue. Ms Key also noted that the design outcome sought by AT does not accord with its own code of practice, which was an important factor influencing the conclusion we have reached on this issue.
- 7.12 On balance, we are satisfied that the proposed access for the 12 lots onto Station Road will be acceptable from a safety and efficiency perspective and will be a preferable outcome in terms of urban design. We note that the PV contains rules requiring on-site reverse manoeuvring, which will also contribute to road safety.
- 7.13 Mr Macarthur asked that, if we approve the direct access to Station Road, an alternative provision be imposed requiring that vehicle crossings be paired to reduce the frequency at which the future cycling facilities are interrupted by crossings. We have considered that request but, based on the evidence we have heard, find that such an imposition is not necessary. The provision of access adjacent to the northern boundary of every second lot would significantly compromise urban design outcomes.

Cycle lane separation on Station Road

- 7.14 This issue is related to the matter that we have discussed above because the provision of vehicular access to Station Road has consequences for the design of the cycleway. The PV contains cross-sections for the formation of Station Road that provide for separated cycleway facilities, but not to the extent sought by AT.
- 7.15 AT envisages fully separated cycleway facilities on Station Road in the future. Delivery of that outcome without impediment would require that the road cross-sections contained in the PV are amended so that the cycleway is fully separated from the adjoining traffic lanes, which would also require the limitation on adjacent properties having vehicular access directly onto the corridor (as discussed above). AT's view on this matter was not shared by the traffic engineers for the HPO or the applicant, who considered that an on-road buffered path design format would be appropriate for Station Road. Design solutions to separate cyclists from motor vehicles using the adjacent traffic lanes might include sections of kerb, flexible posts, or rumble strips. We consider that the PV's Station Road cross-sections should remain unchanged as they do not preclude such an arrangement. We find that this strikes an appropriate balance between achieving a suitable environment for safe

cycle movement and achieving a positive interface between the street corridor and adjacent residential development.

Garage doors projecting forward of a dwelling

- 7.16 Mr Brown, the applicant's planner, suggested an amendment to PV Rule 6.18 in his evidence. This rule relates to the location of garages. Its purpose is to reduce the dominance of garages and avoid parked cars overhanging the footpath. The rule requires that garage doors must not comprise more than 45% of a dwelling's front façade or project forward (when closed) of that façade, and must be set back at least 5m from the front boundary. Mr Brown sought to amend the rule by restricting its application to garage doors that faced a road.
- 7.17 We have considered Mr Brown's evidence on this issue and also noted the view of Ms Wimmer, who did not agree with the amendment that was sought. We find that the amendment sought would not address issues relating to the dominance of garages and, for this reason, Rule 6.18 should remain unchanged. We note that the imposition of such a development control would not preclude an application for resource consent being made. This would allow the specific merits of a proposal to be considered.

Extent of HLTN and AQTCS overlays in the Huapai Triangle

- 7.18 This issue was raised through submissions received from Kiwirail and NZTA, where PV provisions were sought that would impose a larger overlay depth than is currently proposed in other locations within the region under the notified version of the PAUP. The HLTN overlay does not apply currently to the Huapai Triangle land. Overlays are sought as the rezoning to MHS zone will introduce sensitive land uses into a location in proximity to infrastructure that gives rise to adverse noise and air quality effects. A 40m width of overlay is proposed elsewhere under the PAUP, but Kiwirail and NZTA are seeking 100m width through their submissions to the PV and to the PAUP.
- 7.19 The AQTCS overlay does apply currently to the northern parts of the Huapai Triangle, arising in relation to the alignment of SH16. We did not receive any evidence seeking to amend the extent of this overlay on the land.
- 7.20 We have considered the request of the submitters in respect of the HLTN overlay. However, our view is that any amendments to the extent or nature of the overlay should be addressed through the wider PAUP process. The Commissioners for this hearing cannot pre-empt that PAUP Independent Hearing Panel's decisions, or be placed in a position where a precedent is set for the whole of the Auckland region, nor should we create inconsistencies in the content of the PAUP by accepting a specific rule for one particular site unless there are compelling reasons to set it apart.
- 7.21 NZTA requested an interim rule to manage this issue. We consider this to be unnecessary as we understand that development in the northern part of the Huapai Triangle is unlikely to have commenced to any significant extent before the PAUP HLTN overlay provisions have been finalised.

- 7.22 We find that the amendments sought by the submitters in respect of this issue are not appropriate.

Fencing height adjoining the railway line

- 7.23 Kiwirail did not attend the hearing but addressed a memorandum to the Commissioners in relation to several matters, including the height of fencing required under the PV for sites adjoining the railway line. Kiwirail sought amendments to the PV provisions so that the height of any such fence shall be not less than 1.8m. The provisions as notified (Rule 6.17.4) state that a fence shall be provided at the boundary of the rail corridor, but up to a maximum height of 1.5m.
- 7.24 We note that both the Council and the applicant did not support the relief sought by Kiwirail. On the evidence before us we are not convinced that the provision should be amended as sought, as we consider that a fence of up to 1.5m in height would appropriately balance safety and urban design considerations. We have decided not to amend Rule 6.17.4 as sought by Kiwirail.

8.0 MATTERS WHERE AGREEMENT OR RESOLUTION HAS BEEN REACHED

- 8.1 A feature of the process was the substantial level of agreement or resolution of issues between the HPO, applicants and submitters. In every instance where resolution has been achieved, we have also accepted that and amended the PV provisions where required to reflect the agreed outcome.
- 8.2 Of particular significance is the Memorandum of Understanding (“MOU”) that was negotiated between the PV and QD proponents and infrastructure providers. The MOU sets out the extent and nature of infrastructure upgrading that will be required to serve development within the Huapai Triangle, and establishes the timing and funding source for that infrastructure. The existence of the MOU reassured us that all required infrastructure will be in place as the land is developed. The MOU includes an amended Table 4 from the PV, which we have confirmed in the PV provisions.
- 8.3 We also note that there is an agreement in place between the landowners within the Huapai Triangle. The landowners’ agreement sets out an intention to work collaboratively to develop the land and provide required infrastructure.
- 8.4 The other key matters that were resolved through the hearing process or as a result of direct dialogue between the parties are:
- Amendment of the precinct plan to delete indicative roads located beyond the Huapai Triangle precinct. These indicative roads added little value in our view and were opposed by Mr Warren in evidence on behalf of Soft Technology Limited;

- Deletion of the 'cycle road' terminology on the Huapai Triangle Road Hierarchy Movement Plan, and deletion of the associated road type cross section diagram, and its replacement with 'local road';
- Changes to the precinct plan to reflect changes to the distribution of stormwater management devices, and realignment of the pedestrian / cycleway around the south-east corner of the stormwater attenuation area in the centre of the Huapai Triangle;
- Amendments to Policy 14 relating to stormwater, together with consequential amendments to Rule 6.23.2 and Rule 9.2.7;
- Confirm that the underlying zoning of parks on the precinct plan is MHS zone as shown on the Huapai Triangle Proposed Zoning plan, as the indicative location of public open space on the precinct plan is a relevant matter when determining if development is consistent with the precinct plan;
- Deletion of the three year affordability requirement for affordable housing, from Rule 6.1(a) of the PV provisions;
- Retention of the allocation of dwellings between sub-precincts in order to ensure equity and prevent a particular landowner from developing more than their agreed proportion of the overall Huapai Triangle cap of 1200 dwellings;
- Adoption of the HPO's version of the alternative height in relation to boundary rule (Rule 6.4.3), as this was agreed to by the applicants;
- Amendment to Rule 6.26.1 to make it clear that the HLTN overlay applies to the Huapai Triangle, including the width of the overlay that is determined through the PAUP hearings process;
- The pedestrian and cycleway crossing over the North Island Main Trunk railway line will be completed prior to the establishment of 300 dwellings within sub-precincts C, D, E and F. This undertaking arose from the agreement of the Huapai Triangle landowners and would be confirmed through incorporating the trigger in Table 4 within the PV provisions;
- Enabling a variation in road location of up to 30m through amendment to Rule 9.2.1;
- Amendment of Table 4 to delete the requirement for extending the westbound left turn lane at the intersection of SH16 and Access Road. Mr McKenzie confirmed in his evidence that this upgrading would not be required before 1200 dwellings were occupied in the Huapai Triangle, and that position was accepted by the HPO. As the PV sets a total dwelling cap of 1200, this upgrading will not be required as a result of development occurring in the Huapai Triangle;
- Amendment to Table 3 (yard controls) in Rule 6.5.1 by deleting reference to side yards being 'on one side only';
- Alteration to precinct plans as may be required to illustrate that the proposed detention basin is now 'Option B'.

- 8.5 All of these agreements are accepted and supported by the Commissioners and are included within the final version of the PV provisions and, where relevant, reflected in the QD conditions.

9.0 PURPOSE OF THE HASHAA AND PART 2 OF THE RESOURCE MANAGEMENT ACT

- 9.1 We have concluded that the purpose of the HASHAA is satisfied by the PV as modified in that a supply of housing, which will be serviced by adequate and appropriate infrastructure, will be facilitated by the proposed development of land within the Huapai Triangle. The affordability provisions of the HASHAA will be implemented through the PV provisions.
- 9.2 We have taken account of Part 2 in the course of reaching our decision. Overall we have found that the variation, as modified, meets the purpose of the RMA in section 5 as well as the matters to which we should have regard under sections 6 to 8 of the Act. The PV provisions provide for the sustainable and efficient use of the Huapai Triangle land. Stormwater management, environmental enhancement, open space provision and the movement network are all carefully planned and provided for as an integral part of the development and will benefit the health and wellbeing of the new community. The views of tangata whenua have been incorporated, particularly through the stormwater management approach that has been adopted.

10.0 DECISIONS ON THE VARIATION APPLICATION

Late Submission

- 10.1 Pursuant to section 76 of the Housing Accords and Special Housing Areas Act 2013 the Commissioners have resolved to waive the statutory deadline for acceptance the late submission of CT Smellie Limited on the grounds that:
- (a) The submission was lodged only one day later than the deadline and its acceptance allows the submitter's concerns to be taken into account when reaching a decision on the variation;
 - (b) Acceptance of the submission does not prejudice any other party including the applicant which did not oppose a waiver being granted;
 - (c) The late submitter is directly affected by the application and it is appropriate that its concerns are heard.

Application for Variation 4 to the Proposed Auckland Unitary Plan

- 10.2 The application to vary the Proposed Auckland Unitary Plan by Huapai Triangle Landowners' Group within the Huapai Triangle SHA made under section 61 of the

Housing Accords and Special Housing Areas Act 2013 is **APPROVED WITH MODIFICATIONS** pursuant to section 71. The following Plan provisions shall be deemed operative on the date of public notice of this decision (section 73 HASHAA) for the land identified as follows:

25 Station Road, 45 Station Road, 53 Station Road, 65 Station Road, 71 Station Road, 79 Station Road, 81 Station Road, 95 Station Road, 115 Station Road (also known as 1 Nobilo Road), Lot 4 DP 435299 Station Road, 57 Nobilo Road, 69 Nobilo Road, 73 Nobilo Road, 77 Nobilo Road, 81 Nobilo Road and Lot 2 DP 318693 Nobilo Road.

The modified variation text is attached to this decision (with the modifications made since the variation was notified included) and is not repeated here.

- 10.3 The submissions lodged on the variation are accepted, rejected or accepted in part as indicated throughout the decision text.
- 10.4 The reasons for this decision are:
- (a) Overall the proposed plan variation supports an efficient use of land within the RUB and the structure planning that has occurred for this Special Housing Area indicates that if the site is re-zoned it will enable a mix of housing, including affordable housing, to be developed. The re-zoning fulfils the purpose of HASHAA to enhance housing affordability by facilitating an increase in land and housing supply.
 - (b) The variation provides for net benefits in the context of Part 2 of the RMA in terms of provision of residential land with high amenity, creating parks, and restoring and enhancing streams and habitat. The cultural impact assessment did not raise any significant issues in relation to the proposed provisions.
 - (c) Relevant section 74(2)(a) RMA matters have been taken into account in reaching this decision, as have relevant matters in sections 74 to 77D.
 - (d) Many of the matters raised by submitters and specialists are addressed in other parts of the Proposed Auckland Unitary Plan and the variation incorporates only those matters considered necessary to deliver appropriate solutions for this site including objectives, policies, rules and assessment criteria and amendments to aid interpretation.

11.0 THE SUBDIVISION APPLICATION (SLC-63594 AND REG-63595)

- 11.1 A separate Assessment of Environmental Effects (“AEE”) was prepared pursuant to section 27 of the HASHAA and submitted with the QD subdivision application. As the present PAUP Future Urban zone prohibits any subdivision of the Huapai Triangle, the PV is required in order to rezone the land to enable subdivision to occur. As we have approved the variation with modifications (as reflected in that decision and the attached PAUP variation text) we have jurisdiction to consider the subdivision application in terms of the new zonings it applies.
- 11.2 The scope and nature of the QD application has been described earlier in this decision, and we will not repeat that detail here. There were few outstanding issues of any significance remaining by the close of the hearing, and none between the HPO and the applicant as the draft conditions proposed by Ms Key were accepted in their entirety by the QD applicant after some minor agreed amendments. Those amendments related to the stormwater management approach and provision for staged development.
- 11.3 As we have discussed earlier, the main issue in contention for the QD related to the direct access to Station Road that is proposed from lots with frontage to that road. AT opposed that access on the grounds that it would compromise safety for cyclists and would reduce the efficiency of the road. For the reasons discussed previously, we consider that direct access should be provided and the QD application is granted on that basis.
- 11.4 Provision of suitable infrastructure is a key consideration for the HASHAA. Consent for the QD cannot be granted unless there is sufficient and appropriate infrastructure to support the development, as required by section 34(2) and 34(3). We are satisfied on the evidence of Mr Lemon and others that necessary infrastructure can and will be provided, and this was confirmed through the Council planners’ report. No upgrading of the wider transport network is required at this stage as the QD does not result in development that triggers any of the thresholds in Table 4 of the PV provisions.
- 11.5 We consider that consent should be granted for the QD application. It is consistent with the purpose of HASHAA and Part 2 of the RMA. With the exception of the Station Road access issue, which we have previously discussed and deemed acceptable, the QD is consistent with the PV provisions and precinct plan.
- 11.6 We record that no issues arise for the purposes of section 106 of the RMA which is concerned with the quality of the land involved in terms of matter such as erosion, subsidence, slippage and inundation.

12.0 NOTIFICATION AND SUBMISSIONS ON THE SUBDIVISION APPLICATION

- 12.1 As noted earlier, the QD application was served on the same parties as the PV application. Nine submissions were lodged on the QD proposal. Seven of those

were in support and two opposed, although one of the submissions in opposition was subsequently withdrawn.

- 12.2 As a consequence, only one submission remained opposing the QD application by the date of the hearing. That submission was from G and M Hammonds. They did not present evidence at the hearing but tabled a statement outlining the concerns that they had previously raised in their submission, including issues relating to transportation, infrastructure and density of development. We consider that the provision of infrastructure and transportation issues are satisfactorily addressed through the MOU and the agreed thresholds set out in Table 4 of the PV provisions, and the evidence of the traffic witnesses. We do not accept the lower density sought by the submitter (600m² lots) as this would not provide for efficient use of the land and does not sit comfortably with the purpose of HASHAA. Other issues raised by the submitter can be alleviated through the imposition of conditions to manage dust, construction traffic and hours of operation.

13.0 RELEVANT PLANNING INSTRUMENTS

- 13.1 The most relevant planning instrument for present purposes is the PAUP as amended by the Commissioners' decision on Variation 4 because that contains the most recent provisions for this land. We are satisfied that the QD aligns with the PAUP provisions and that they present no obstacle to consent being granted.
- 13.2 The Auckland Housing Accord, which is a relevant matter for the purposes of section 104(1)(c) of the RMA, directs that SHAs are not subject to the operative Regional Policy Statement or any other operative district plan. While the provisions of a district plan are technically a matter to which regard must be paid under section 34(1)(d) of the HASHAA, the status of subdivision activity in this area has been dramatically changed by the approved Variation 4 to the PAUP, insofar as the prohibited activity status for subdivision no longer applies. The district plan provisions now have little or no weight as a result as they have been superseded.
- 13.3 The National Policy Statement for Freshwater Management 2011 ("NPSFM") is also relevant to this proposal. The PAUP provides for adoption of the directions of the NPSFM in the Water section of that plan. We have found that the proposal is consistent with the relevant principles of the NPSFM, particularly through the water sensitive design approach that has been incorporated into the development.

14.0 PART 2 OF THE RMA

- 14.1 The future provision of affordable housing and the comprehensive development of a residential neighbourhood that will form part of a wider developing urban environment will contribute to and enable the social, economic, and cultural wellbeing of people and communities. We find that any adverse effects of the development will be

adequately avoided, remedied, or mitigated. Overall the proposal is consistent with the purpose of the RMA.

- 14.2 The relevant matters of national importance provided in section 6 of the RMA as they relate to this application are appropriately provided for, particularly the protection of stream quality through the stormwater management approach that is proposed.
- 14.3 The relevant 'other matters' set out in section 7 of the RMA have been paid regard and in particular the amenity values of this area will be maintained and enhanced in the context of an urban environment, the proposal is consistent with the efficient use and development of the site, and no ecosystems will be adversely affected by the proposed subdivision.
- 14.4 The proposal is consistent with the principles of the Treaty of Waitangi because it has taken account of iwi values and there are no waahi tapu that will be affected as a result of the subdivision. Consultation with iwi has been undertaken.

15.0 DECISION ON THE SUBDIVISION APPLICATION

Late Submission

- 15.1 Pursuant to section 76 of the Housing Accords and Special Housing Areas Act 2013 the Commissioners have resolved to waive the statutory deadline for acceptance the late submission of CT Smellie Limited on the grounds that:
 - (a) The submission was lodged only one day later than the deadline and its acceptance allows the submitter's concerns to be taken into account when reaching a decision on the QD application;
 - (b) Acceptance of the submission does not prejudice any other party including the applicant which did not oppose a waiver being granted;
 - (c) The late submitter is directly affected by the application and it is appropriate that its concerns are heard.

QD Application

- 15.2 Pursuant to sections 34 to 38 of the Housing Accords and Special Housing Areas Act 2013 and, as referenced by those sections, sections 104, 104B, 105, 106, 107, 108 and 220 of the Resource Management Act 1991, consent is **granted** to the discretionary activity application by Cabra Developments Limited to authorise resource consent for 118 residential lots, 6 residential super lots and an additional 3,001m² lot to accommodate a neighbourhood park or alternatively 6 vacant residential lots and associated works at 81 and 95 Station Road, Lot 2 DP 318693 Nobilo Road, Huapai being (Lot 2 DP 137997, Lot 1 DP 318693 and Lot 2 DP 318693) as well as associated earthworks and infrastructure at Lot 4 DP 435299

Station Road and 57 Nobilo Road, Huapai being Lot 4 DP 435299 and Lot 4 DP 116044 (SLC-63594 and REG-63595).

15.3 The reasons for this decision are:

- The proposal is consistent with the purpose of HASHAA and with Part 2 of the RMA;
- The application is generally consistent with the PAUP and Huapai Triangle Precinct Provisions, and where the application is not entirely consistent (vehicular access from Station Road), greater weight can be applied to the overall outcome of the proposal, and the acceptable design of the comprehensive residential development;
- Adequate infrastructure can be provided to support the Qualifying Development; and
- No issues arise for the purpose of section 106 of the Resource Management Act.

CONDITIONS OF SUBDIVISION CONSENT

Under sections 37 and 38 of the Housing Accords and Special Housing Areas Act 2013 and sections 108 and 220 of the Resource Management Act 1991, this consent is subject to the following conditions:

GENERAL CONDITIONS

Activity in Accordance with Plans

1. The 118 residential lots, 6 residential super lots and an additional 3,001m² lot to accommodate a neighbourhood park or alternatively 6 vacant residential lots and associated works shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Council as consent number SLC-63594 and REG-63595 and as amended by the conditions of this consent:
 - *Application for Resource Consent* (Ref. 32522) and Application Form AA prepared by Cato Bolam Consultants Limited, dated 1 December 2014; and
 - Drawings and specialist reports as detailed below.

In the event of any inconsistency between the approved drawings and supplementary documentation, the approved drawings will prevail.

Scheme Plan			
Drawing Ref. No.	Title	Architect / Author	Date
Job No. 32522 Sheet No. S4-1 Rev. No. R12	Lots 1-119, 200-205, 300-301, 400-411, 500 & 600 Being Subdivision of Lot 1 DP 318693, Lot 2 DP 318693, Lot 2 DP 137997 & Lot 4 DP 435299	Cato Bolam Consultants	Nov 2014

Job No. 32522 Sheet No. S4-2 Rev. No. R12	Lots 1-119, 200-205, 300-301, 400-411, 500 & 600 Being Subdivision of Lot 1 DP 318693, Lot 2 DP 318693, Lot 2 DP 137997 & Lot 4 DP 435299	Cato Bolam Consultants	Nov 2014
Job No. 32522 Sheet No. S4-3 Rev. No. R12	Lots 1-119, 200-205, 300-301, 400-411, 500 & 600 Being Subdivision of Lot 1 DP 318693, Lot 2 DP 318693, Lot 2 DP 137997 & Lot 4 DP 435299	Cato Bolam Consultants	Nov 2014
Job No. 32522 Sheet No. S4-4 Rev. No. R12	Lots 1-119, 200-205, 300-301, 400-411, 500 & 600 Being Subdivision of Lot 1 DP 318693, Lot 2 DP 318693, Lot 2 DP 137997 & Lot 4 DP 435299	Cato Bolam Consultants	Nov 2014
Job No. 32522 Sheet No. S4-5 Rev. No. R12	Lots 1-119, 200-205, 300-301, 400-411, 500 & 600 Being Subdivision of Lot 1 DP 318693, Lot 2 DP 318693, Lot 2 DP 137997 & Lot 4 DP 435299	Cato Bolam Consultants	Nov 2014
Job No. 32522 Sheet No. S7	Alternative Layout of Lot 500	Cato Bolam Consultants	14/11/2014

Specialist Report/Information	Title	Prepared by	Ref	Date
Urban Design Statement	Land at Station Road, Huapai - Supporting Design Statement	Jasmax	Rev. D	5/11/2014
Engineering Report and Plans	Earthworks and Infrastructure Report	Cato Bolam Consultants	32522	13/11/2014
Infrastructure Report	Water Reticulation Network Design	GHD	51/3226404 Rev.4	3/11/2014
Infrastructure Report	Pressure Sewer Design and Recommendations	GHD	51/32264/04	31/10/2014
Stormwater Report	Stormwater Treatment and Attenuation Proposal	Cato Bolam Consultants	32522	23/12/2014
Construction Management Plan	Construction Management Plan	Cato Bolam Consultants	32522	31/10/2014
Traffic Report	Transportation Assessment Report	Traffic Design Group	12848 141031	Oct 2014
Geotechnical Report	Geotechnical Constraints Report	Coffey Geotechnics	GENZAUCK 16252AA Rev01	10 Sep 2014
Contamination Report	Detailed Site Investigation	Coffey Geotechnics	ENNZAUCK 51209AB v2 final	10 July 2014

Contamination Report	Remedial Action Plan	Coffey Geotechnics	ENNZAUCK 51209AB v3 final	8 Oct 2014
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Other Additional Information			
Specialist Report/Information	Title	Prepared by	Ref Date
Section 28 (s92 RMA) Further Information	Email (and attachments) titled <i>FW: 85 and 91 Station Road, Huapai - Request for further information (SLC/63594, REG/63595 and REG/63695)</i>	Cato Bolam Consultants	5 Jan 2015
Section 28 (s92 RMA) Further Information	Email (and attachments) titled <i>FW: 85 and 91 Station Road, Huapai - Request for further information (SLC/63594, REG/63595 and REG/63695)</i>	Cato Bolam Consultants	9 April 2015
Revised Road Layout	Road Layout Sheet 1 of 7	Cato Bolam Consultants	Job No. 32522 Sheet No. E201 Rev. No. R7
Revised Road Layout	Road Layout Sheet 2 of 7	Cato Bolam Consultants	Job No. 32522 Sheet No. E202 Rev. No. R7

Charges

3. This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the Council's decision is notified, have been paid in full:
 - (i) All fixed charges relating to the receiving, processing and granting of this resource consent applied under section 77 of the Housing Accords and Special Housing Area Act (HASHAA) 2013;
 - (ii) All additional charges imposed under section 76 the HASHAA to enable the Council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.

The consent holder shall pay any subsequent further charges imposed under section 77 of the Housing Accords and Special Housing Area Act (HASHAA) 2013 relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 77 HASHAA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision

Advice Note:

Development contributions levied under the Local Government Act 2002 are payable in relation to this application. The consent holder will be advised of the development contributions payable separately from this resource consent decision. Further

information about development contributions may be found on the Auckland Council website at www.aucklandcouncil.govt.nz.

Monitoring Charge

4. The consent holder shall pay the Council an initial consent compliance monitoring charge of \$1,500 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent.

Advice Note:

The initial monitoring charge is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc, all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge or charges as they fall due. Such further charges are to be paid within one month of the date of invoice. Only after all conditions of the resource consent have been met, will Council issue a letter confirming compliance on request of the consent holder.

Lapse of Consent - SLC-63594

5. Under section 51 of the Housing Accords and Special Housing Area Act (HASHAA) 2013 (s.125 of the RMA), this consent lapses two years after the date it is granted unless the consent is given effect to or the Council extends the period after which the consent lapses.

Advice Note:

This timeframe is deemed acceptable as the level of works proposed would be anticipated to take two years from the date of granting consent, with the proposed earthworks and infrastructure construction.

Discharge Consent Duration - REG-63595

6. Under section 50 of the Housing Accords and Special Housing Area Act 2013, the discharge of contaminants to land and water shall expire two years after the date it is granted unless it has lapsed, been surrendered or been cancelled at an earlier date.

PRE-CONSTRUCTION CONDITIONS

Pre-Construction Meeting

7. Prior to the commencement of the construction and/or earthworks activity, the consent holder shall hold a pre-construction meeting that:
 - (i) is located on the subject site
 - (ii) is scheduled not less than 5 days before the anticipated commencement of earthworks
 - (iii) includes the Senior Compliance Advisor, SHA Consenting
 - (iv) includes the engineer/s to the contract

- (v) includes representation from the contractors who will undertake the works

The following information shall be made available for discussion at the pre-construction meeting:

- (a) Timeframes for key stages of the works authorised under this consent
- (b) Resource consent conditions
- (c) Erosion and sediment control plan
- (d) Traffic Management Plan
- (e) Remediation action plan

A pre-construction meeting shall be held prior to the commencement of the earthworks activity in each period between October 1 and April 30 that this consent is exercised.

Advice Note:

To arrange the pre-construction meeting please contact the Senior Compliance Advisor, SHA Consenting, on specialhousingarea@aucklandcouncil.govt.nz or 09 373 6392.

Chemical Treatment Management Plan

8. Prior to the commencement of any earthworks activity on the subject site, a Chemical Treatment Management Plan (CTMP) shall be prepared by a suitably qualified and experienced person and submitted to the Senior Compliance Advisor, SHA Consenting for approval. No earthwork activities shall commence until written confirmation is provided from the Senior Compliance Advisor, SHA Consenting, that the CTMP is approved.

Advice Note:

The CTMP should include as a minimum:

- *Specific design details of the chemical treatment system based on a rainfall activated methodology for the site's sediment retention ponds;*
- *Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);*
- *Details of optimum dosage (including assumptions);*
- *Results of initial chemical treatment trial;*
- *A spill contingency plan; and*
- *Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.*

In the event that minor amendments to the CTMP are required, any such amendments should be limited to the scope of this consent. Any amendments which affect the performance of the CTMP may require an application to be made in accordance with section 52 of the HASHAA (section 127 of the RMA). Any minor amendments should be provided to the Senior Compliance Advisor, SHA Consenting prior to implementation to confirm that they are within the scope of this consent.

Finalised Erosion and Sediment Control Plan

9. Prior to the commencement of any earthworks activity on the subject site (or prior to each stage of earthworks commencing as may be agreed with the Senior Compliance Advisor, SHA Consenting, a finalised Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted for approval to the Senior Compliance Advisor, SHA Consenting.

The finalised ESCP, shall also show the location of any required soil stockpile locations. Soil stockpiles shall be established in the shortest timeframe possible, sealed off and stabilised either by vegetative means or by mulching once established, to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

Advice note:

The finalised ESCP should be based on the approved Erosion and Sediment Control plans (Sheets E115-121) contained within the Earthworks and Infrastructure Report, prepared by Cato Bolam Consultants and dated 13/11/2014. The ESCP should contain sufficient detail to address the following matters:

- *specific erosion and sediment control works (location, dimensions, capacity)*
- *supporting calculations and design drawings for all erosion and sediment control measures*
- *catchment boundaries and contour information*
- *details of construction methods*
- *timing and duration of construction and operation of control works (in relation to the staging and sequencing of earthworks)*
- *details relating to the management of exposed areas (e.g. grassing, mulching)*
- *monitoring and maintenance requirements*

Should any soils containing elevated levels of contaminants need to be stockpiled separately, the location of these stockpiles shall be shown on the ESCP. Any specific requirements for covering and management of those stockpiles shall be followed in accordance with any relevant consent conditions.

Certification of Erosion and Sediment Controls

10. Prior to bulk earthworks commencing, a certificate signed by an appropriately qualified and experienced engineer shall be submitted to the Senior Compliance Advisor, SHA Consenting, to certify that the erosion and sediment controls have been constructed in accordance with the finalised Erosion and Sediment Control Plan.

Certified controls shall include the sediment retention ponds, decanting earth bunds and diversion channels/bunds. The certification for these subsequent measures shall be supplied immediately upon completion of construction of those measures. Information supplied if applicable, shall include:

- (i) Contributing catchment areas;
- (ii) Shape of structures (dimensions of structure);
- (iii) Position of inlets/outlets; and
- (iv) Stabilisation of the structures.

Road and Traffic Management

11. Prior to the commencement of the earthworks or construction activity on the subject site, a Traffic Management Plan (TMP) shall be prepared by a qualified Site Traffic Management Supervisor and submitted for approval by the Senior Compliance Advisor, SHA Consenting. No earthworks or construction on the subject site shall commence until confirmation is provided from Council that the TMP is satisfactory and any required measures referred to in that plan have been put in place. The TMP shall ensure that the following matters are included at a minimum:
- (i) the control of the movement of earthmoving vehicles to and from the site
 - (ii) a designated heavy vehicle entry and exit point or points
 - (iii) a designated haulage route on the public roading network for heavy vehicles accessing the site
 - (iv) signage proposed to warn pedestrians and road users of heavy vehicle movements
 - (v) measures to ensure that any mud, dirt or debris tracked on to the surrounding roads by heavy vehicles accessing the site is avoided and/or cleaned up if it occurs
 - (vi) any restrictions on the hours of site access due to traffic concerns.

Advice Note:

It is the responsibility of the applicant to seek approval for the Traffic Management Plan from Auckland Transport if it is required. Please contact Auckland Transport on (09) 355 3553 and review www.beforeudig.co.nz before you begin works.

CONSTRUCTION

Earthworks

12. There shall be no deposition of earth, mud, dirt or other debris on any road or footpath resulting from earthworks activity on the subject site. In the event that such deposition does occur, it shall immediately be removed. In no instance shall roads or footpaths be washed down with water without appropriate erosion and sediment control measures in place to prevent contamination of the stormwater drainage system, watercourses or receiving waters.

Advice Note:

In order to prevent sediment laden water entering waterways from the road, the following methods may be adopted to prevent or address discharges should they occur:

- *provision of a stabilised entry and exit(s) point for vehicles*
- *provision of wheel wash facilities*
- *ceasing of vehicle movement until materials are removed*
- *cleaning of road surfaces using street-sweepers*
- *silt and sediment traps*
- *catchpits or enviropods*

In no circumstances should the washing of deposited materials into drains be advised or otherwise condoned.

It is recommended that you discuss any potential measures with the Senior Compliance Advisor, SHA Consenting who may be able to provide further guidance on the most appropriate approach to take. For more details please contact specialhousingarea@aucklandcouncil.govt.nz or 09 373 6392. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

13. The operational effectiveness and efficiency of all erosion and sediment control measures specifically required as a condition of resource consent, or by the approved Erosion and Sediment Control Plan, shall be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion.
14. All excavation in the work areas shall be managed to minimise any discharge of debris, soil, silt, sediment or sediment-laden water from beyond subject site to either land, stormwater drainage systems, watercourses or receiving waters. All sediment and erosion controls shall be installed in accordance with the Auckland Regional Council Guidelines for Land Disturbing Activities in the Auckland Region, Technical Publication TP90. The excavation areas shall be dampened during the day to suppress the generation of dust during the works.
15. The site shall be progressively stabilised against erosion at all stages of the earthwork activity, and shall be sequenced to minimise the discharge of contaminants to groundwater or surface water.

Advice Note:

Interim stabilisation measures may include:

- *the use of waterproof covers, geotextiles, or mulching*
- *top-soiling and grassing of otherwise bare areas of earth*
- *aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward*

It is recommended that you discuss any potential measures with the Council's monitoring officer who may be able to provide further guidance on the most appropriate approach to take. Please contact the Senior Compliance Advisor, SHA Consenting for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region.

16. All perimeter controls shall be operational before earthworks commence. All 'cleanwater' runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthworks areas via a stabilised system, so as to prevent surface erosion.

Advice Note:

Perimeter controls include cleanwater diversions, silt fences and any other erosion control devices that are appropriate to divert stabilised upper catchment runoff from entering the site, and to prevent sediment-laden water from leaving the site.

17. Erosion and sediment control measures shall be constructed and maintained in accordance with Auckland Regional Council's Technical Publication 90; Erosion and Sediment Control Guidelines for Soil Disturbing Activities in the Auckland Region and any amendments to this document, except where a higher standard is detailed in the documents referred to in conditions above, in which case the higher standard shall apply.
18. No sediment laden runoff shall leave the site without prior treatment via an approved sediment control device.
19. No earthworks on the site shall be undertaken between 30 April and 1 October in any year, without the prior written approval of the Senior Compliance Advisor (Housing Project Office) at least two weeks prior to 30 April of any year. Revegetation/stabilisation is to be completed by 30 April in accordance with measures detailed in Auckland Regional Council Guidelines for Land Disturbing Activities in the Auckland Region, Technical Publication TP90 and any amendments to this document.
20. Upon abandonment or completion of earthworks on the subject site all areas of bare earth shall be permanently stabilised against erosion to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

Advice Note:

Should the earthworks be completed or abandoned, bare areas of earth shall be permanently stabilised against erosion. Measures may include:

- *The use of mulching.*
- *Top-soiling, grassing and mulching of otherwise bare areas of earth.*
- *Aggregate or vegetative cover that has obtained a density of more than 80% of a normal pasture sward.*

The on-going monitoring of these measures is the responsibility of the consent holder. It is recommended that you discuss any potential measures with the Council's monitoring officer who will guide you on the most appropriate approach to take. Please contact the Senior Compliance Advisor, SHA Consenting on specialhousingarea@aucklandcouncil.govt.nz or 09 373 6392 for more details. Alternatively, please refer to Auckland Regional Council, Technical Publication No. 90, Erosion & Sediment Control: Guidelines for Land Disturbing Activities in the Auckland Region.

Dust Management

21. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks or construction activity that, in the opinion of the Senior Compliance Advisor, SHA Consenting, is noxious, offensive or objectionable.

Advice Note:

In assessing whether the effects are noxious, offensive or objectionable, the following factors will form important considerations:

- *The frequency of dust nuisance events*
- *The intensity of events, as indicated by dust quantity and the degree of nuisance*

- *The duration of each dust nuisance event*
- *The offensiveness of the discharge, having regard to the nature of the dust*
- *The location of the dust nuisance, having regard to the sensitivity of the receiving environment.*

Noise

22. All construction and earthworks activities on the subject site shall comply with the New Zealand Standard 6803:1999 for Acoustics - Construction Noise, at all times. The use of noise generating tools, motorised equipment, and vehicles that are associated with construction and/or earthworks activity on the subject site shall be restricted to between the following hours to comply with this standard:

- Monday to Saturday: 7:30am to 6.00pm
- Sundays or Public Holidays: No works

No earthworks or construction activities on the site shall be undertaken outside the above hours/days, without the prior written approval of the Senior Compliance Advisor, SHA Consenting.

ENGINEERING PLAN REQUIREMENTS AND APPROVALS

23. Prior to the commencement of any civil construction works or prior to the lodgement of the survey plan pursuant to s.45 of the HASHAA (s.223 of the RMA), whichever is the earlier, the consent holder shall submit 2 hard copies and one PDF/CD version of complete engineering plans (including engineering calculations and specifications) to the SHA Consenting Manager, Housing Project Office for approval. Details of the registered engineer who shall act as the developer's representative for the duration of the development shall also be provided with the application for Engineering Plan Approval.

The engineering plans shall include but not be limited to the information regarding the following engineering works:

- Any retaining walls in accordance with the *Earthworks and Infrastructure Report* (including engineering plans), prepared by Cato Bolam Consultants, dated 13 November 2014 (Ref. 32522) and *Geotechnical Constraints Report*, prepared by Coffey Geotechnics, dated 10 September 2014 (Ref. GENZAUCK 16252AA Rev01).
- Design and location of any counterfort and/or subsoil land drainage required and the proposed ownership and maintenance of the counterfort and/or subsoil land drainage.
- Detailed design of all roads to be vested in Council including intersections, bus bays, parking, traffic lights, roundabout, cycling routes, pedestrian crossings and footpaths. All roads shall be designed in accordance with Auckland Transport's Code of Practice (ATCOP).
- Detailed design of all street lighting, street furniture and other structures/facilities on the roads to be vested in Auckland Transport (including street furniture, traffic calm devices and safety measurements, marking and street sign etc.) shall be designed in accordance with ATCOP.

- Visibility assessment of all proposed road; in particular the visibility at intersections and forward visibility around bends must meet design standards.
- Design of the shared accessway Lots 300 and 301 or jointly owned access lots (including lighting details) and vehicle crossings.
- Detailed Landscape Planting Plan and maintenance programmes for all street planting and landscaping on the proposed roads and reserves.
- Details of any services to be laid including pipes and other ancillary equipment to be vested in Council for water supply and wastewater disposal systems. The water supply and wastewater disposal systems shall be designed in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision.
- Details of any proposed upgrades of the existing water supply, stormwater and wastewater systems and approval from the relevant utility owner of the asset(s).
- Detailed design of the Stormwater system and devices for the management of both quantity and quality of the stormwater runoff from the contributing development upstream catchment (including treatment devices and all ancillary equipment/structure etc.). The stormwater system and devices shall be designed in accordance with the Auckland Council Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater; in particular:
 - The proposed stormwater system shall be designed to identify health and safety risk during the life of the asset and shall ensure safety to the public, property and to operating personnel, contractor and Council employee.
 - The proposed stormwater piped reticulation system shall have an asset life of a minimum of 100 years.
 - principles of Water-Sensitive Design and “Best Management Practices” to minimise stormwater run-off volumes and peak flow rates and to improve the quality of stormwater run-off entering the receiving environment shall be utilised for the design of the proposed stormwater system.
 - The system shall cater for stormwater run-off from the application site being developed together with any run-off from upstream catchments in accordance with TP108 “Guidelines for Stormwater Runoff Modelling in the Auckland Region 1999” and allowances for climate changes. The upstream catchment shall be considered for the Maximum Probable Development (MPD) scenario (full development to the extent defined in the Proposed Auckland Unitary Plan). In the event that the upstream catchment includes areas outside the Rural Urban Boundary, the MPD shall be agreed with Council.
 - Mitigation measures (e.g. peak flow attenuations and/or velocity control) to mitigate the downstream effects shall be taken into account during the design of the stormwater system
- Details of fire hydrants to be installed. Any fire hydrants shall be designed in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision.
- Details of the hydrology mitigation measures in accordance with the following standards:

- Provide detention (temporary storage) with a volume equal to the runoff volume from the 95th percentile, 24 hour rainfall event for the impervious areas; and
- Provide retention (volume reduction) of a 10mm, 24 hour rainfall event for the impervious areas.
- Detailed design of the soakage devices proposed in accordance with the Auckland Council Code of Practice for Land Development and Subdivision: Chapter 4 – Stormwater.
- Details of any drainage reserve including the post development contour, walkways, sign board, lighting and reserve furniture.
- Meeting Resolution from the Regional Development and Operations Committee regarding the acquisition and vesting of the proposed reserves if available.
- Approval from Council's Stormwater Unit and Watercare Services Limited for any structure located within 2 metres of a pipe or manhole.
- Information relating to gas, electrical or telecommunication reticulation including ancillary equipment.

As part of the application for Engineering Plan Approval, a suitable qualified engineer shall:

- Certify that all public roads and associated structures/facilities or accessways have been designed in accordance with the ATCOP.
- Certify that the proposed stormwater system or devices proposed have been designed in accordance with the Auckland Council's Code of Practice for Land Development and Subdivision: Chapter 4 - Stormwater.
- Certify that all water supply and wastewater systems have been designed in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision
- Certify that the proposed drainage reserve has been designed in accordance with the relevant condition.
- Provide a statement that the proposed infrastructure has been designed with the long term operation and maintenance of the asset.
- Confirm that all practical measures are included in the design to facilitate safe working conditions in and around the asset.

Advice Note:

A minimum of 2 metres clearance from any stormwater and wastewater lines and manholes is necessary at all times other than for approved works which connect to these services. Where the minimum clearance cannot be provided, the consent holder shall contact Council's Stormwater Unit and Watercare Services Limited, a minimum 48 hours prior to the commencement of any work, to arrange a site inspection and obtain approval.

CONTAMINATION REMEDIATION

24. All earthworks and discharge from remediation of contaminated soil shall be carried out in accordance with the '*Remedial Action Plan*', prepared by Coffey Geotechnics, dated 8 October 2014 (Ref. ENNZAUCK 51209AB v3 final). If the depth of soil mixing exceeds 300mm, further validation samples at 300mm depth shall be tested and if the depth of soil mixing exceeds 600mm, further validation samples at 600mm depth shall be tested. Any variations from the Remedial Action Plan shall be approved in writing by the Senior Compliance Advisor, SHA Consenting prior to the variation being actioned.

Advice Note:

Auckland Council acknowledges that the Remedial Action Plan intended to provide flexibility of the management of the works and contaminated site discharge. Accordingly, it may need to be updated, any updates should be limited to the scope of this consent and consistent with the conditions of this consent. If you would like to confirm that any proposed updates are within scope, please contact Senior Compliance Advisor, SHA Consenting on specialhousingarea@aucklandcouncil.govt.nz or 09 373 6392.

25. Site remediation works shall be supervised by a suitably qualified and experienced contaminated land practitioner, who shall ensure that all management options and contingency measures outlined in the '*Remedial Action Plan*', prepared by Coffey Geotechnics, dated 8 October 2014 (Ref. ENNZAUCK 51209AB v3 final), and all relevant consent conditions, are adhered to.
26. All sampling and testing of contamination on the site, shall be overseen by a suitably qualified and experienced contaminated land practitioner. All sampling shall be undertaken in accordance with *Contaminated Land Management Guidelines, No.5 - Site Investigation and Analysis of Soils*, Ministry for the Environment, revised 2011.

Advice Note:

All testing and analysis should be undertaken in a laboratory with suitable experience and ability to carry out the analysis. For more details on how to confirm the suitability of the laboratory please refer to Part 4: Laboratory Analysis, of Contaminated Land Management Guidelines No.5.

27. The soils identified for off-site disposal shall primarily be loaded directly into trucks and shall be covered during transportation off site. Temporary stockpiles shall be located within an area protected by sediment and erosion controls, and be covered with tarpaulins anchored at the edges outside working hours and during periods of heavy rain. All soil removed from the land disturbance area shall be deposited at a disposal site that holds a consent to accept the relevant level of contamination and evidence of the disposal shall be provided to the Senior Compliance Advisor, SHA Consenting. Where it can be demonstrated that the soil has been fully characterised in accordance with the Ministry for the Environment's '*A guide to the management of cleanfills*' (2002) and meets the definition of 'cleanfill', the removal to a consented disposal site is not required.
28. Any perched groundwater, or surface run-off water encountered within the excavation area requiring removal shall be considered potentially contaminated, and shall either:
- (i) be disposed of by a licenced liquid waste contractor; or

- (ii) pumped to sewer, providing the relevant permits are obtained; or
- (iii) discharged to the stormwater system or surface waters provided testing demonstrates compliance with the Australian and New Zealand Environment Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000) for the protection of 95% of freshwater species.

29. Any imported fill shall:

- (i) Comply with Auckland Council's clean fill criteria
- (ii) Comply with the definition of 'cleanfill', as per '*A Guide to the Management of Cleanfills*', Ministry for the Environment (2002)
- (iii) Be solid material of an inert nature
- (iv) Not contain hazardous substances or contaminants above natural background levels of the receiving site.

Advice Note:

Background levels for the Auckland Region can be found in the Auckland Regional Council technical publication "TP153, Background concentrations of inorganic elements in soils from the Auckland Region", (2001).

Validation

30. Within three months following completion of the remediation earthworks, a Site Validation Report shall be provided to the satisfaction of the Senior Compliance Advisor, SHA Consenting. The Site Validation Report shall include, but not be limited to:

- (i) Confirmation that the remediation and bulk earthworks were carried out in accordance with the '*Remedial Action Plan*', prepared by Coffey Geotechnics, dated 8 October 2014 (Ref. ENNZAUUCK 51209AB v3 final).
- (ii) Details of any variations to the '*Remedial Action Plan*', prepared by Coffey Geotechnics, dated 8 October 2014 (Ref. ENNZAUUCK 51209AB v3 final).
- (iii) Description of any environmental incident including the discovery of unexpected contamination and contingency actions undertaken.
- (iv) Test results for validation sampling of excavations and mixed contaminated soil.
- (v) Any test results for imported soil or spoil disposed offsite.
- (vi) Evidence of landfill disposal of all spoil.
- (vii) A site plan showing areas where soil mixing to reduce arsenic concentrations has occurred on site.

Advice Note:

Site validation testing shall be undertaken in accordance with the Ministry for the Environment's Contaminated Land Management Guidelines, No.5: Site Investigation and Analysis of Soils, revised 2011. With regards to sampling and testing, in order to comply with the Ministry for the Environment's Contaminated Land Management Guidelines, all testing and analysis should be undertaken in a laboratory with suitable experience and ability to carry out the analysis. For more details on how to confirm the suitability of the laboratory please refer to Part 4: Laboratory Analysis, of the Ministry for the Environment's Contaminated Land Management Guidelines, No.5.

31. Where contaminants are identified that have not been anticipated by the application, works in the area containing the unexpected contamination shall cease and be immediately notified to the Senior Compliance Advisor, SHA Consenting. Works shall not recommence until confirmation has been received from the Senior Compliance Advisor, SHA Consenting that disturbance of the unexpected contamination is within the scope of this consent. Any unexpected contamination and contingency measures shall be documented in the Site Validation Report.

Advice Note:

Any unexpected contamination, may include contaminated soil, perched water or groundwater. The consent holder is advised that where unexpected contamination is significantly different in extent and concentration from that anticipated in the original site investigations, handling the contamination may be outside the scope of this consent. Advice should be sought from the Senior Compliance Advisor, SHA Consenting as to whether carrying out any further work in the area of the unexpected contamination is within scope of this consent.

LANDSCAPING

32. All soft landscape works (including street planting and soft landscape work within stormwater and recreation reserves proposed) will be maintained by the consent holder for two years in accordance with the Auckland Council Planting and Lawn Specifications from the issue of Practical Completion Certificate by the Manager, Park Sport and Recreation (North). The Practical Completion must be provided as part of the s.224(c) application (s.46 of the HASHAA).
33. The consent holder will be responsible for any defects relating to any hard landscape features within reserves for a period of 12 months following the issue of Practical Completion of landscape works by the Manager, Park Sport and Recreation (North). A provisional defects meeting is to be held between the Parks Department and consent holder prior to the end of the 12 month period to confirm defects, if any. The Practical Completion Certificate for all hard landscape features must be provided as part of the s.224(c) application (s.46 of the HASHAA).
34. Landscape works for the street planting and within the reserves must be completed in accordance with the approved Landscape Planting Plans under Conditions 35 and 36 by the time the consent holder applies for a s.224(c) certificate (s.46 of the HASHAA) and the consent holder will request a meeting on site with the Parks Specialist North to review the work. A Practical Completion Certificate will be issued by the Manager, Park Sport and Recreation (North) on completion of the works to the standards required in conditions and the two year maintenance programme will commence from this time.

Advice Note:

If there are any uncompleted works the Parks Specialist may agree these can be completed following s.224(c) and will be noted on the Practical Completion. A bond will be required by the council for any uncompleted works.

Landscape Planting Plans (Reserves)

35. Final Landscape Planting Plans for planting on proposed reserves, Lots 411 501 and 500, shall be prepared by a qualified landscape architect and submitted for approval by the Senior Compliance Advisor, SHA Consenting in conjunction with the Engineering Plan Approval. The Landscaping Plan shall include the species and sizes of trees/vegetation at the time of planting and associated improvements within the reserves (e.g. seating, footpath, pavement and rubbish disposal bins etc.) and shall demonstrate that the species proposed are suitable and appropriate regards to the purpose of the proposed reserves. A Maintenance Plan for all planting to be established shall be included. The Maintenance Plan shall include:
- Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies for the first two years of the issue of the consent by an appointed contractor with arboriculture experience;
 - Details regarding watering;
 - As a precautionary measure: vandalism eradication policies; and
 - Design strategy, specification and management plans for the treatment/maintenance issue relating to reserves.

Landscape Planting Plan (Street Trees)

36. A Landscape Planting Plan for street planting (including rain gardens, tree pits, and formation of the berm to an urban standard) on Station Road, Nobilo Road and the proposed roads shall be submitted to the Senior Compliance Advisor, SHA Consenting for approval in conjunction with the Engineering Plan Approval. The Landscape Planting Plan shall include final species and planting sizes, details of tree pits and planting methodology and the maintenance programmes of the street planting.

Advice Note:

The height of the vegetation in the planted berm in the Station Road reserve shall be species that have a maximum mature height of 900mm, except for specimen street trees that should have a canopy that extends no lower than 1.8m above the ground. This is to maintain a clear view-shaft of the traffic and cycling movements for motorists exiting each of the properties fronting Station Road.

Berms should have a minimum of 1.8m wide to accommodate street trees and trees must be placed at regular intervals to create a boulevard of trees. Tree pits should be a minimum of 2x width of the tree bag and 1m deep.

Retaining Walls

37. A Landscape Plan for mid-block and lot-to-lot retaining walls that are 1.5m in height shall be submitted to the Senior Compliance Advisor, SHA Consenting for approval in conjunction with the Engineering Plan Approval. The Landscape Plan shall be implemented to the satisfaction of the Senior Compliance Advisor, SHA Consenting prior to the issue of the s.224(c) certificate, pursuant to s.46 of the HASHAA. The landscape work shall thereafter maintained in perpetuity.

Uncompleted Works Bond

38. Where any weed removal, rubbish removal, landscape planting, street tree planting, or hard landscape works, as required under the landscaping conditions of this consent, have not been completed in accordance with the specifications referred to in this consent then prior to the issue of a certificate under s.224(c), the consent holder will be required to pay a refundable bond to the Council in respect of the uncompleted works.

Advice Note:

The applicant will request tenders for landscape works for works within the road, pedestrian access ways and reserves from at least two landscape contractors that are approved by the Manager Local and Sports Parks North.

Maintenance Bond

39. Prior to the issue of the Certificate pursuant to s.46 of HASHAA and s.224(c) of the RMA the consent holder shall enter into a maintenance bond with Auckland Council to ensure the compliance with landscaping conditions. A completed valuation schedule of land and assets to be vested in Council shall be submitted with the lodgement of the application for a certificate pursuant to s.46 of the HASHAA and s.224(c) of the RMA.

The rationale for the amount of the bond shall be based:

- 2.5% of 150% the cost of the civil works for the site(s);

Plus

- 20% of 150% of the cost of any landscaping work which is to be vested with council or is located in the public domain. This includes but is not limited to street trees, as well as any proposed vegetation for stormwater reserves, devices including rain gardens and grassed swales.

The bond shall be paid in cash or in a way of bank bond at the time of the issue of the 224(c) Certificate for the subdivision and full amount of the bond shall be held for:

- a minimum 24 months for any landscape planting within reserves and street trees on the roads;
- a minimum 24 months for the stormwater system/devices on Lot 501; and
- a minimum 12 months for any other asset including hard landscape work.

The bond shall be prepared by Auckland Council at the cost of the Consent holder. Any costs incurred by the Council in preparing, checking, assessing and release of this bond must be met by the consent holder prior to repayment of the bond. Any faults, defects or damage to any of these works must be remedied at the consent holder's cost. The bond will not be released until the consent holder provides evidence to the satisfaction of the Council that these requirements have been met.

If the consent holder fails to maintain the above assets, the Council may undertake the works necessary to bring the assets up to the standards required by this consent and the cost of this work may be deducted from the bond. The cost of maintenance of any replacement works will also be deducted from the bond.

Implantation of Landscaping on Reserves

40. All street trees and landscaping within reserves (including drainage reserves) shall be implemented in accordance with the approved Landscape Planting Plan in the first planting season following completion of the construction works for the particular site.

The consent holder shall continue to maintain all plantings on the proposed roads or within all reserves, Lots 411 501 and 500, for a period of two years planting seasons following written approval from the Manager, Local and Sports Parks (North) stating that the planting has been implemented in accordance with the approved Landscape Planting Plan.

A maintenance bond is payable if a s.224(c) Certificate pursuant to s46 of the HASHAA is to be issued within the maintenance period.

A written statement from the Manager, Local and Sports Parks (North) stating that the street trees and landscape planting within the reserves have been implemented in accordance with the approved Landscape Planting Plan.

As Built Plans

41. The consent holder will provide certified as built plans in Dwg or Pdf as part of the s.224(c) application (s.46 of the HASHAA) for all trees, planted areas, grassed areas, and all hard structures and must be certified for as built purposes.

GENERAL SUBDIVISION CONDITIONS

Staging

42. The subdivision must be undertaken in accordance with the proposed plan of staging titled 'Staging of Subdivision' dated 28th August 2014 Sheet 02 Revision R4. The conditions below shall apply where relevant to all stages of the subdivision to be implemented in the ten stages as detailed below:

- Stage 1a – Lots 3-15, 200, 300, 400, 411, 500 & 501
- Stage 1b – Lots 1, 2 and 16
- Stage 2 – Lots 17-25
- Stage 3 – Lots 26-38 and 401
- Stage 4 – Lots 39-57, 202-204 and 402

- Stage 5 – Lots 58-67
- Stage 6 – Lots 68-84 and 403
- Stage 7 – Lots 85-93, 205, 409 and 410
- Stage 8 – Lots 94-109, 301 and 404
- Stage 9 – Lots 110, 111, 405 and 408
- Stage 10 – Lots 112-118, 406 and 407

Advice Note:

Stage 1a shall be undertaken first.

Staging can be combined and undertaken in any order as long as the public infrastructure (including road connections) has been provided and the conditions below are adhered too.

At the time an application is made for issue of a section s.224(c) certificate for each stage, the consent holder or the consent holder's representative shall provide a letter setting out how each of the conditions of this consent relevant to each stage have been met.

Retaining Walls

43. All retaining walls shall be constructed in accordance with the approved Engineering Plans. Any ancillary and supporting structures (e.g. post, rail and subsoil drain) of a retaining wall shall be clear of the proposed lot boundary immediately parallel to the wall. A certificate from a licensed cadastral surveyor shall be provided certifying the compliance with this requirement at the lodgement of the s.224(c) for approval.
44. In the event that a retaining wall is to be constructed in order to retain a public road, Council owned land or a lot to be vested in Council at the completion of the subdivision; the retaining wall shall be located within the road reserve or the lot that is owned or to be vested in Auckland Council.

Street Naming

45. The consent holder shall submit a road naming application for proposed new roads for approval by the Local Board prior to the lodgement of the survey plan for the associated stage. The road naming application shall provide suggested street names (one preferred plus two alternative names) and include evidence of meaningful consultation with local Iwi groups.

Roads

46. All existing power lines along Station Road adjacent to the consent holder's road frontage shall be undergrounded at the consent holder's expense for the associated stages. All proposed power lines along Nobilo Road adjacent to the consent holder's road frontage shall be undergrounded at the consent holder's expense for the associated stages. A certificate/letter from Vector shall be provided prior to the issue of the 224(c) certificate pursuant to Section 46 of the HASHAA to demonstrate the compliance with this condition.

Advice Note:

The works will need to be undertaken by a Vector approved contractor. Associated stages for Station Road are Stage 1a, 1b and 2. Associated stages for Nobilo Road are Stage 4, 5 and 8. The intension is to prevent multiple road crossings of the power lines.

47. The frontages of the site shall be upgraded in accordance with the approved Station Road and Nobilo Road Cross Sections for the associated stages that front the road. Further detail regarding any existing undulations, as per the plan E202 R5 prepared by Cato Bolam Consultants and dated 10/9/2014, shall be submitted at engineering approval stage. Alternatively, the consent holder shall submit a copy of an agreed Infrastructure Funding Agreement which deals with Station Road upgrades to the satisfaction of Council.
48. The new footpath along Nobilo Road must be constructed to maintain a consistent cross fall along the length of the consent holder's road frontage of Nobilo Road, including at the intersections with Road 2 and Road 6. Where Nobilo Road footpath meets the Road 2 and Road 6 footpaths, the transition shall be formed to ensure that the Nobilo Road footpath cross fall is no steeper than 3%.
49. The intersection of Road 1 / Road 7 shall be designed to ensure a clear priority for Road 1. The intersection of Road 2 / Road 7 shall be designed to ensure a clear priority for Road 7. Signage and pavement markings must be in accordance with Ministry of Transport Signs and Markings requirements.

Reserve Development

50. Subject to Auckland Council acquisition approval of Reserve Lot 500, the consent holder shall develop the reserve to minimum standard including levelling the contour, topsoiling and grassing the reserve area. Details for the proposed works, including development and planting, shall be submitted at engineering approval stage for approval of the Senior Compliance Advisor, SHA Consenting (in consultation with the Parks Department).

Prior to the to the issue of the s.224(c) certificate pursuant to s.46 of the HASHAA for Stage 1a, a certificate from the Manager, Local and Sports Parks (North) confirming that Lot 500 is developed in accordance with Condition 49 shall be provided.

Advice Note:

The consent holder shall carry out the works within the reserve to a minimum grassed standard at its cost.

51. The detailed plans for Road Reserve Lot 411 and the Drainage Reserve Lot 501 shall be provided at engineering approval stage to the Parks Department for approval. The details shall include the retention of the grape vines in Lot 411, proposed planting and any other structures proposed within the reserve lots and swale including the proposed pedestrian crossing. The pedestrian crossing shall be at least 2m wide and shall comply with best practise standards for pedestrian bridges / crossings and Council's specifications. The consent holder shall develop Lots 411 and 501 in accordance with the approved detailed plans.

Prior to the to the issue of the s.224(c) certificate pursuant to s.46 of the HASHAA for Stage 1a, a certificate from the Manager, Park Sport and Recreation (North) confirming that Lots 411 and 501 is developed in accordance with the approved detailed plans shall be provided.

The proposals for the reserves shall be in general accordance with Item 4.0, Green Finger Type 1 and Reserves from the *Urban Design Statement*, prepared by Jasmax and dated 5 November 2014.

Section 223 Condition Requirements (s.45 of HASHAA)

52. Prior to the approval of the subdivision survey plan for Stage 1a, the consent holder shall obtain approval from Council for the vesting of the proposed recreation reserve, Lot 50. A copy of the Meeting Resolution from the Regional Development and Operations Committee and a Sale and Purchase Agreement or other written approval confirming that Lot 500 is to be vested in Council shall be provided to Council's SHA Consenting Manager.
53. Within two years of the decision of the subdivision consent, the Consent holder shall submit a survey plan of the subdivision to Auckland Council for approval pursuant to s.45 of HASHAA (s.223 of the RMA). The survey plan shall be general in accordance with the approved subdivision plans in Condition 1 of the consent and the following requirements associated the specific stages:
- Lot 500 shall be vested in Auckland Council as a Recreation Reserve (subject to Council acquisition approval);
 - Lots 411 and 501 shall be vested in Auckland Council as Local Purpose (Drainage Reserve);
 - Lots 400, 401, 402, 403, 404, 405, 406, 407, 408, 409 and 410 shall be vested in Auckland Council as public roads;
 - That Lot 300 hereon (legal access) to be held as to three undivided shares by the owners of Lots 9 ($\frac{1}{8}^{\text{th}}$), 10 ($\frac{1}{8}^{\text{th}}$) and 201 ($\frac{6}{8}^{\text{th}}$) hereon as tenants in common in the said shares and that individual computer registers be issued in accordance therewith;
 - That Lot 301 hereon (legal access) to be held as to five undivided one-fifth shares by the owners of Lots 99-101, 117 and 118 hereon as tenants in common in the said shares and that individual computer registers be issued in accordance therewith;
 - A certificate from a licensed cadastral surveyor that any retaining wall to retain a residential lot and its ancillary and supporting structure is clear of the proposed lot boundary immediately parallel to the wall;
 - The Easements shown on the approved subdivision scheme plans shall be duly granted or reserved.

SECTION 224 CONDITION REQUIREMENTS (S.46OF HASHAA)

Roads

54. All proposed roads and ancillary facilities such as street lighting, and traffic calm devices if any, marking, street sign, and street furniture to be vested in Council shall be constructed in accordance with the approved Engineering Plans to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

An Engineering Completion Certificate certifying that all proposed roads and the ancillary structures on the roads to be vested in Auckland Council have been constructed in accordance with the approved Engineering Plans shall be provided in support of the s.224 application (s.46 of the HASHAA).

All RAMM as-built plans and data for the new roads shall also be provided with the s.224(c) application (s.46 of the HASHAA). This shall be inclusive of kerb lines, cesspits, footpath, intersection control devices, pavement marking, street lighting, street furniture, street name, directional signs and landscaping etc.

A report from a suitably qualified and registered electrician shall be supplied with the 224(c) application (s.46 of the HASHAA). The report shall certify that all street lightings have complied with the relevant safety standards and that they are connected to the network and are operational.

Jointly Owned Access Lot or Common Accessway

55. The Jointly Owned Access Lots 300 and 301 or shared accessway shall be formed, paved and drained in accordance with the approved Engineering Plans to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

An Engineering Completion Certificate certifying that the JOAL and/or common accessways has been constructed in accordance with the approved Engineering Plans shall be provided in support of the s.224 application (s.46 of the HASHAA) for the associated stages (Stages 1a, 8 and 10).

Stormwater System

56. The stormwater system/devices on Lot 501 shall be constructed in accordance with the approved Engineering Plan and be fully operational.

A geotechnical report shall be provided at the completion of the construction of the stormwater system. The report shall verify ground water level, soil permeability, water flow rates, water level, evaporate rates during dry period and pond liner etc.

Accurate as-built plans for the stormwater system/devices and an Engineering Completion Certificate certifying that the stormwater system has been constructed in accordance with the approved Engineering Plan shall be provided with the s.224 application (s.46 of the HASHAA) for Stage 1a.

The consent holder is responsible for the maintenance of the stormwater system/devices in accordance with the approved Operation and Maintenance Manual under Condition 55 for 24 months following the issue of the s.224(c) certificate pursuant to ss46 of the HASHAA. A maintenance bond is payable as per Condition 39.

Operation and Maintenance Manual for the Stormwater Management Devices

57. The consent holder shall prepare an Operation and Maintenance Manual for all stormwater devices, setting out the principles for the general operation and maintenance for the stormwater system, outlet channel and the associated management devices. The Operation and Maintenance Manual shall submit to the SHA Consenting Manager HPO for approval. The Operation and Maintenance plan is to include, but not be limited to:

- a detailed technical data sheet
- all the requirements as defined within the latest Auckland Council Technical Publications and Guidance Documents
- all the requirements as defined within regional discharge consents or subsequent variations
- details of who will hold responsibility for short-term and long-term maintenance of the stormwater devices
- a programme for regular maintenance and inspection of the stormwater system
- a programme for the collection and disposal of debris and sediment collected by the stormwater management device or practices
- a programme for post storm maintenance
- a programme for inspection and maintenance of outfall erosion
- general inspection checklists for all aspects of the stormwater system, including visual check of roadside catchpits, wetlands and outfalls
- a programme for inspection and maintenance of vegetation associated with the stormwater devices
- recommended on-going control methodology to eradicate established pests and invasive weeds from both terrestrial and aquatic areas.

Advice Note:

Temporary devices will not be accepted as a Council stormwater asset, because the location, design and maintenance costs for temporary devices make them unsuitable for vesting as a permanent council asset. The construction costs for decommissioning the temporary device will be the responsibility of the land owner upon which the device sits.

Any temporary stormwater devices must remain in private ownership and shall be maintained by a landowner, body corporate, resident association, or similar of contributing landowners. An easement in gross (or some other form of legal agreement) over the land that the temporary device is located for the temporary drainage is required. The easement is to provide for “a public network discharging into a private device” situation. The easement should terminate upon the implementation of the final stormwater solution as detailed in the Huapai Triangle Stormwater Management Plan.

Stormwater Connections

58. The consent holder shall provide and install a complete public stormwater system to serve all lots in accordance with the approved Engineering Plans listed in Condition 1 to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

Individual private stormwater connections to proposed public stormwater systems for each lot at the lowest point within the boundary shall be provided and installed in accordance with the approved Engineering Plans to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

An Engineering Completion Certificate certifying that all public stormwater pipes and individual stormwater connections have been constructed in accordance with the approved Engineering Plan and the Auckland Council Code of Practice for Land Development and Subdivision – Chapter 4: Stormwater shall be provided for the associated stages in support of the s.224(c) application pursuant to s.46 of HASHAA.

Video inspections of all public stormwater pipes and as-built plans for all public and individual private stormwater lines shall be supplied with the s.224(c) application pursuant to s.46 of the HASHAA. The video inspections shall be carried out for the associated stages within one month of the lodgement of the application for the s.224(c) certificate.

Advice Note:

As-built documentation for all assets to be vested in Council required by the conditions above shall be in accordance with the current version of the Development Engineering As-built Requirement' (currently Version 1.2). A valuation schedule for all asset to be vested in Council shall be included as part of the as-built documentation.

Wastewater Connection

59. The consent holder shall provide and install a complete public wastewater system to serve all lots in accordance with the approved Engineering Plans to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

Individual wastewater connections to the proposed public wastewater systems for each residential lot shall be provided in accordance with the approved Engineering Plans.

An Engineering Completion Certificate certifying that all public wastewater pipes and individual wastewater connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision shall be provided for the associated stages in support of the s.224(c) application pursuant to s.46 of the HASHAA.

Public wastewater pipes as-built plans for all public and individual private wastewater lines shall be supplied for the associated stages with the 224(c) application pursuant to s.46 of the HASHAA.

A certificate from Watercare Services Limited confirming that separate wastewater connections have been provided for each residential lot shall be provided in support of the s.224(c) application.

Water Supply

60. The consent holder shall provide and install a complete water supply reticulation system to serve all lots in accordance with the approved Engineering Plans to the satisfaction of the Senior Compliance Advisor, SHA Consenting.

The consent holder shall complete a successful pressure test for all new water mains prior to the connection to the existing public water supply reticulation system to the satisfaction of Watercare Services Limited. Evidence of undertaking a successful pressure test for new water mains in accordance with the Water and Wastewater Code of Practice for Land Development and Subdivision shall be supplied for the associated stages with an application for s.224(c) certificate pursuant to s.46 of the HASHAA.

Individual private water connections to the proposed public water reticulation system for each residential lot shall be provided in accordance with the approved Engineering Plans. Each lot shall have an individual water connection at the road reserve boundary. Ducting of provide lines is recommended where they cross driveways.

An Engineering Completion Certificate certifying that all public water pipes and individual water supply connections have been constructed in accordance with the approved Engineering Plan and the Water and Wastewater Code of Practice for Land Development and Subdivision shall be provided for the associated stages.in support of the s.224(c) application pursuant to s.46 of the HASHAA.

As-built plans for all public and individual private water supply lines and a certificate from Watercare Services Limited confirming that separate water supply connections have been provided for each residential lot shall be supplied with the s.224(c) application for the associated stages, pursuant to s.46 of the HASHAA.

Fire Hydrants

61. Fire hydrants shall be designed, provided and installed within 135m of the furthest point on any property and within 65m of the end of a cul-de-sac in accordance with Water and Wastewater Code of Practice to the satisfaction of Watercare Services Limited. Detailed design and location of fire hydrant shall be submitted to Council for approval via Engineering Plans.

The consent holder shall undertake a comprehensive hydrant flow test result to confirm or otherwise that the existing public water supply system can meet the fire flow requirement for the development as stipulated in the NZFS COP; and domestic supply can meet the minimum 250 kPa residual pressure at the proposed connection to the public main.

Evidence of undertaking the hydrant flow test and compliance with the standards above shall be provided with the s.224 application, pursuant to s46 of the HASHAA.

Network Utility Services

62. Individual private connection to the underground reticulation of electricity, and telecommunication services to the boundary of each lot shall be provided and installed to the satisfaction of the appropriate network utility providers.

Certificates from the network utility providers and certified 'as-built' given locations of all plinths, cables and ducts shall be supplied to the Senior Compliance Advisor, SHA Consenting as part of the s224 application for the associated stages, pursuant to s46 of the HASHAA.

Reserves to Vest

63. Prior to the issue of the s.224(c) certificate pursuant to s.46 of the HASHAA, an unconditional sale and purchase agreement for the acquisition of the recreation reserve Lot 500 shall be signed. A copy of the signed sale and purchase shall be provided as part of the application for the s.224(c) certificate for Stage 1a. If no sale and purchase agreement is signed at that time, Lot 500 will remain as a balance lot held by the consent holder for further development.

Geotechnical Completion Report

64. Prior to lodgement of s.224(c) for each stage, a Geotechnical Completion Report in accordance with the "Auckland Council Code of Practice for Land Development and Subdivision Section 2.6" signed by the registered engineer who designed and supervised the works, shall be provided to the Senior Compliance Advisor, SHA Consenting. The Geotechnical Completion Report shall also include all associated as-built plans for earthworks and subsoil drains and a Statement of Professional Opinion on Suitability of Land for building construction for the associated stages.

Consent Notices

65. A Consent Notice pursuant to s.221 of the RMA (s.44 of HASHAA) shall be entered into against the Certificates of Title of Lots 3 and 200 to ensure that the following conditions are to be complied with on a continuing basis:
- (i) The vehicle crossings on this lot shall not be located along Station Road.
66. A Consent Notice pursuant to s.221 of the RMA (s.44 of HASHAA) shall be entered into against the Certificates of Title of Lots 1, 2, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 24 to ensure that the following conditions are to be complied with on a continuing basis:
- (i) Reverse manoeuvring of vehicles onto Station Road is prohibited. The parking space for any dwelling on the lot (including garage or carport) shall be designed to enable on-site vehicle manoeuvring within the lot.
67. A Consent Notice pursuant to s.221 of the RMA (s.44 of HASHAA) shall be entered into against the Certificates of Title of Lots 112-118 to ensure that the following conditions are to be complied with on a continuing basis, unless a suitable alternative has been approved by the SHA Consenting Manager:
- (i) These lots are to be used as the temporary dry pond for the entire development. No building or impermeable surface can be constructed within this lot until the time when the catchment wide stormwater device is constructed and operational.
68. A Consent Notice pursuant to s.221 of the RMA (s.44 of HASHAA) shall be entered into against the Certificates of Title of all lots to ensure that the following conditions are to be complied with on a continuing basis:
- (i) On-site stormwater treatment, retention and attenuation devices such rain gardens, permeable paving, water tanks or infiltration devices shall be provided for any development in the lot. The on-site stormwater treatment, retention and attenuation devices shall be designed to meet the following requirements:
 - Provide detention (temporary storage) with a volume equal to the runoff volume from the 95th percentile, 24 hour rainfall event for the impervious areas; and

- Provide retention (volume reduction) of a 10mm, 24 hour rainfall event for the impervious areas.
69. A Consent Notice pursuant to s.221 of the RMA (s.44 of HASHAA) shall be entered into against the Certificates of Title of Lots 200, 201, 202, 203, 204 and 205 to ensure that future development and subdivision of these lots shall provide the number of affordable dwellings as detailed in the table below, in accordance with Criteria A of the affordability criteria set out in Schedule 7 of the Housing Accords and Special Housing Areas (Auckland) Order 2013 Huapai Triangle Special Housing Area dated 31 July 2014.

Development Lot	Affordable Dwellings
Lot 200	2
Lot 201	2
Lot 202	1
Lot 203	2
Lot 204	2
Lot 205	2
Total	11

Advice Note:

This application is granted for the creation of 118 residential lots with 6 super lots that are anticipated to yield 33 residential dwellings. It is anticipated that a total of 151 residential dwellings will be constructed on the site. Alternatively, if Lot 500 is not vested as a reserve then the yield may increase to 157 dwellings. To meet Criteria A of the Huapai Triangle Special Housing Area, 11 dwellings shall be affordable. As part of this application, 11 "affordable dwellings" are to be provided over six super lots. The indicative plans are contained in Section 4.6 of the Design Statement prepared by Jasmax and dated November 2014 (Rev.D) and could be used as a guide for the development of these lots.

Affordable Housing Criteria

70. Before titles to the lots, that are deemed to be for affordable dwellings under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Order 2013 - Schedule 7, Huapai Triangle Special Housing Area, dated 31 July 2014, are transferred, the consent holder shall provide to the Senior Compliance Advisor, SHA Consenting with a statutory declaration from the purchaser of the lot that the purchaser meets all the following criteria:
- (i) The purchaser's gross household income, as at the date of the declaration, does not exceed 120% of the Auckland median household income.
 - (ii) The value of the finished dwelling and land shall not be more than that defined under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland) Order 2013 - Schedule 7, Huapai Triangle Special Housing Area, dated 31 July 2014.
 - (iii) The purchaser has the legal right to and intends to own and occupy the affordable dwelling exclusively as their residence for not less than 3 years after gaining title to the dwelling.

- (iv) The purchaser is a first home buyer and has never owned any other real property.
- (v) The purchaser is a natural person and is purchasing the lot in their own name and not in the name of any other person.

The obligations above shall be the subject of a consent notice under s.221 of the Resource Management Act 1991 (s.46 of HASHAA) and recorded against the computer freehold registers for the lots that are provided to meet the relevant Special Housing Area's affordability criteria. The consent notice shall specify that it ceases to have effect 3 years after the date of transfer of title to the first purchaser.

Solicitor Undertaking

71. A solicitor undertaking from the solicitor acting for the consent holder shall be provided as part of the application for the s.224c certificate, pursuant to s.46 of the HASHAA. The undertaking shall confirm that the solicitor acting for the consent holder will undertake the following actions at the consent holder's expense:
- (i) Register all legal documents (including consent notices and/or easement instrument, etc) relating to the specific stage.
 - (ii) Complete the legal process to vest the proposed roads, pedestrian accessways and reserves to Council.
 - (iii) Provide a post registration copy of relevant certificates of title to Auckland Council within one month of the Certificates of Title being issued.

Advice Notes

1. *All reserve landscape works relating to planting, grassing and maintenance methodology must comply with the Auckland Council planting and Lawn Specifications and these specifications must be included in landscape contracts entered into by the applicant for construction works.*
2. *Watercare Services Limited (WSL) advises the following:*
 - (a) *Wastewater - The detailed layout of the wastewater network is required showing all principal/jockey mains as appropriate, valves and flushing points and any design calculations and assumptions. A full review of compliance with Watercare's Code of Practice including pipe sizing will be carried out at Engineering Approval stage.*
 - (b) *Water - A full water reticulation plan is required showing principal and rider mains, valving and hydrant layouts along with the modelling assumptions and results. A full review of compliance with Watercare's Code of Practice including pipe sizing will be carried out at Engineering Approval stage.*
 - (c) *Water - The proposed 225mm OD water main on Nobilo Road has been referenced in the report. It is expected the developer will fund this water main along the road frontage of their development.*
 - (d) *General - Water and wastewater engineering designs will need to comply with Watercare's Code of Practice. All infrastructure is to be fully funded by the*

applicant. At the time of application for a water and/or wastewater connection (or application for demand increase), completed in conjunction with a building consent, a water and wastewater Infrastructure Growth Charge per additional equivalent unit shall apply. Details of the charge are available on the website www.watercare.co.nz.

- 3. The consent holder shall obtain all other necessary consents and permits, including those under the Building Act 2004, and comply with all relevant Council Bylaws. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required.*
- 4. If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application you have a right of objection pursuant to sections 81 or 82 of the HASHAA. Any objection must be made in writing to Council within 15 working days of notification of the decision.*
- 5. The granting of this resource consent does not in any way allow the applicant to enter and construct drainage within neighbouring properties, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the applicant, and is a private agreement that does not involve Council. Should any disputes arise between the private parties, these are civil matters which can be taken to independent mediation or disputes tribunal for resolution. It is recommended that the private agreement be legally documented to avoid disputes arising. To obtain sign-off for the resource consent, the services described by the conditions above are required to be in place to the satisfaction of Council.*



Philip Brown (Chair)

10 November 2015

Attachment

APPROVED HUAPAI TRIANGLE PRECINCT OBJECTIVES, POLICIES, RULES, AND ASSOCIATED PLANNING MAPS TO BE INSERTED IN THE PROPOSED AUCKLAND UNITARY PLAN

PROPOSED AUCKLAND UNITARY PLAN 2013

Plan Variation 4

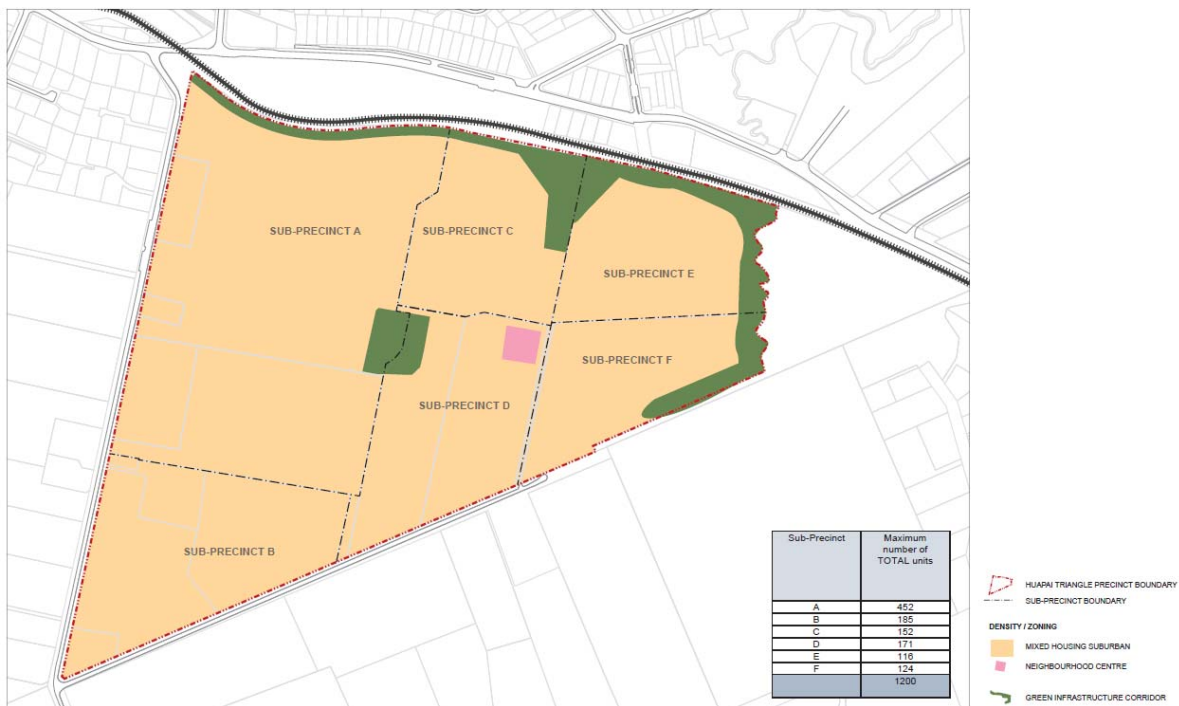
Huapai Triangle Precinct

This was privately initiated plan variation request made in accordance with the provisions of the Housing Accord and Special Housing Areas Act 2013.

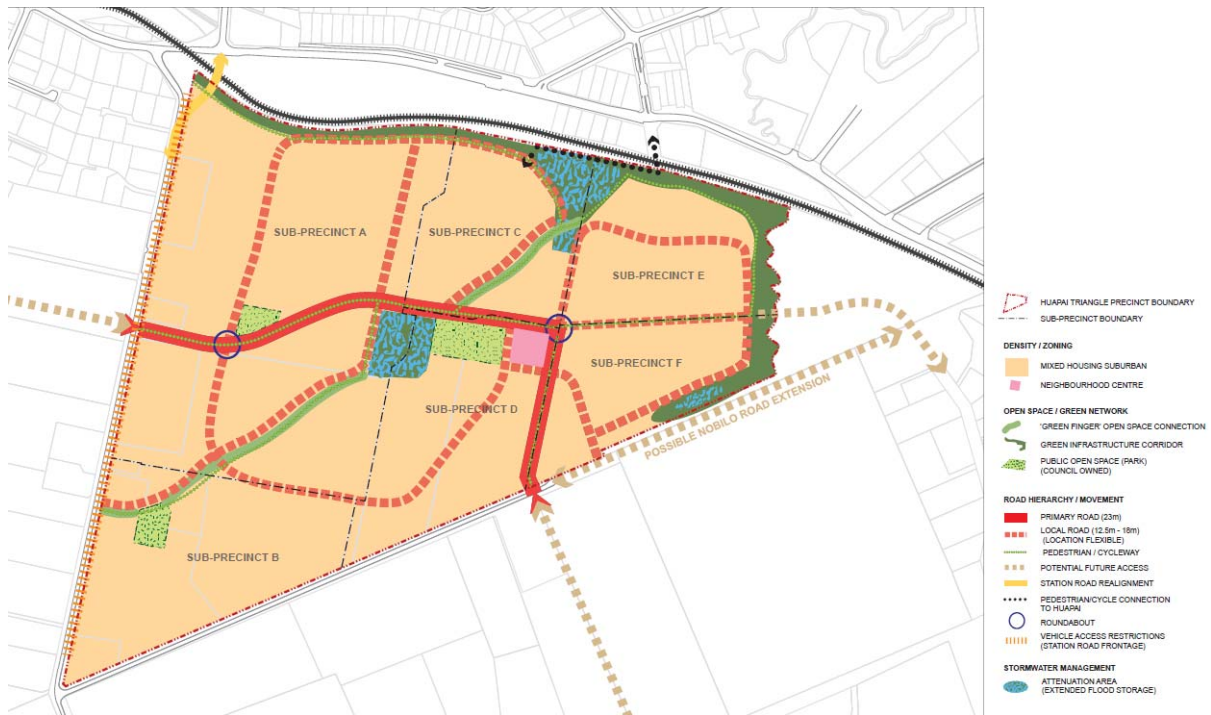
The approved plan variation makes the following changes to the Proposed Auckland Unitary Plan 2013:

1. Amend the PAUP Planning Map to rezone the Huapai Triangle Special Housing Area properties bounded by Station Road, Nobilo Road and the North Island Main Truck railway line from Future Urban zone to Mixed Housing Suburban zone, Neighbourhood Centre zone and Green Infrastructure Corridor zone as shown in Attachment 1.
2. Amend the PAUP Planning Map Precincts to identify the land shown in the “Huapai Triangle Precinct” plan as shown in Attachment 2.
3. Amend Part 2, Chapter F Precinct Objectives and Policies, 5. North by inserting a new “Huapai Triangle” section as set out in Attachment 3.
4. Amend Part 3, Chapter K Precinct Rules, 5. North by inserting a new “Huapai Triangle” section as set out in Attachment 4.

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3

Huapai Triangle Precinct

Part 1: Huapai Triangle Precinct - description, objectives and policies

1. Precinct Description

The Huapai Triangle Precinct contains 65.37 hectares and is located east of Station Road, north of Nobilo Road, west of Huapai Stream and south of the main trunk railway line at Huapai. The land slopes gently towards the north-east with north-east trending rolling ridges and gullies extending over much of the land. The Precinct is within easy walking distance of Huapai School, Huapai Domain, the Huapai Station, the main trunk railway line, State Highway 16, the Huapai Town Centre, and the employment areas at Access Road. The Precinct allows urban expansion in a logical location and supports Huapai/Kumeu's role as a compact centre.

Development layout within the Precinct is to be consistent with the **Huapai Triangle Precinct Plan** and sub-precinct spatial plans to ensure that subdivision and development is co-ordinated and integrates with surrounding land. The Precinct Plan takes into account the topography and natural values of the land, and sets out the primary roading configuration within the Precinct and connections with the existing traffic network; stormwater management systems, parks and open spaces, walkways and cycleways; intended linkages with other land; the location of a small neighbourhood centre; and sub-precincts based on the existing ownership structure within the Precinct. Sub-precinct spatial plans will provide neighbouring landowners and the Council with assurance as to the future roading network, infrastructure and connectivity between the neighbouring sub-precincts.

The Mixed Housing Suburban Zone, with appropriate modifications for the Huapai Triangle Precinct, is applied to the majority of the Precinct to enable the development of a new neighbourhood. The Green Corridor Zone, with appropriate modifications for the Huapai Triangle Precinct, is applied to the majority of the Precinct to enable the development of a new neighbourhood. The Green Corridor

zone, with appropriate modifications is applied to the northern and eastern periphery of the Precinct containing stormwater management areas, susceptible to flooding, green linkages, and potential car parking close to Huapai Station for future rail passenger services. The Neighbourhood Centre Zone provisions are applied to the central neighbourhood centre.

Residential densities are intended to provide for a mix of choice and opportunity to cater to residential demands and affordability, to reflect the capacity of existing services, and to complement and support the existing social infrastructure of Huapai/Kumeu, including the school, town centre, parks, and the potential future expansion of bus and train services. The provisions enable development to a suburban medium density of 300-400m² properties, with opportunities for further intensity in some parts of the Precinct.

A maximum total of 1200 dwellings applies across the Precinct, based on infrastructural capacities and traffic limitations, with a maximum number of dwellings for each sub-precinct.

1 Objectives

Huapai Triangle Precinct - Mixed Housing Suburban Zone

The objectives of the Huapai Triangle Precinct are as listed in the Mixed Housing Suburban Zone and the relevant Auckland-wide objectives, except as specified below.

1. Efficient greenfields development that is co-ordinated by way of a Precinct Plan and sub-precinct spatial plans that provide for a range of housing types and densities, to achieve an integrated, connected, high quality suburban neighbourhood.
2. An attractive built environment that provides for and positively responds to streets and open spaces, and contributes to public safety.
3. Adequate parks and open spaces to meet the recreation and amenity needs of residents, and a network of pedestrian and cycle connections that are safe and convenient and which, along with the street network, allow easy connections within the Precinct and with surrounding social infrastructure.
4. An appropriate total number of dwellings within the Precinct in line with servicing capacities and residential amenities, and managed distribution of higher density dwellings across the Precinct with emphasis on increased density adjacent to the two parks, stormwater corridor and Neighbourhood Centre zone.

5. Development implements a comprehensive stormwater management network that provides for the green linkages shown on the Huapai Triangle Stormwater Management Precinct Plan. The stormwater management network should be developed to integrate with the surrounding development and provide for other values such as movement, amenity, open space and ecological values.
6. Adverse effects of stormwater runoff on communities and freshwater systems are avoided to the extent practical or otherwise mitigated using water sensitive design principles.
7. A safe and efficient street network within the Precinct that provides for all transport modes while also integrating with likely future development in surrounding areas.
8. Transport infrastructure necessary to mitigate the effects of development in the Precinct is provided either before or concurrent with development.
9. Adequate linkages to public infrastructure systems and appropriate distribution of infrastructure through the Precinct.

Huapai Triangle Precinct - Green Infrastructure Corridor Zone

The objectives of the Huapai Triangle Precinct are as listed for the Green Infrastructure Corridor zone except as specified below:

10. To enable limited development within the green infrastructure corridor area within Sub-precinct E only.

Huapai Triangle Precinct - Neighbourhood Centre Zone

The objectives of the Huapai Triangle Precinct are as listed for the Neighbourhood Centre except as specified below:

11. A small neighbourhood centre in a convenient location to provide for the day to day needs of the residential neighbourhood, and to complement the existing Huapai Town Centre.
12. Increased housing supply, variety and choice by creating a well-designed residential development comprising a range of housing densities, typologies, and affordable price options.
13. The proportion of new dwellings that are affordable to households is increased in the application location.

2. Policies

Huapai Triangle Precinct - Mixed Housing Suburban Zone

The policies of the Huapai Triangle Precinct are as listed in the Mixed Housing Suburban Zone and the relevant Auckland-wide policies, except as specified below.

Precinct Plan and integration

1. Ensure that development gives effect to the Huapai Triangle Precinct Plan, by:

- a. Requiring that development proposals are generally consistent with the Precinct Plan features;
- b. Discouraging any development proposal that does not provide for the Precinct Plan features;
- c. Requiring the development of the whole sub-precinct, or that subdivision applications for part of a sub-precinct are accompanied by a sub-precinct spatial plan with logical staging;
- d. Requiring development plans to demonstrate the interrelationship and future integration with adjoining sub-precincts.

Built Environment, density and diversity

- 2. Require development to provide for a high quality public realm that is co-ordinated throughout the Precinct, including by way of consistent street cross-sections, landscaping, street lighting and paving.
- 3. Require development to deliver sites that are an appropriate size and shape for the medium density residential development intended by the zone, and to enable sites that are capable of higher density residential development in locations where they are proximate to open spaces, the neighbourhood centre, the Huapai Town Centre, or public transport opportunities.
- 4. Manage the total number of dwellings within the Precinct and within sub-precincts, and manage the height, bulk, location, form and appearance of buildings and site landscaping and fencing, to maintain a mixed medium and higher residential density and character of generally one to four storeys.
- 5. Require development to be of a height and bulk that allows immediate neighbours to have a reasonable standard of sunlight access and privacy and avoids excessive dominance effects.
- 6. Require dwellings to be designed to:
 - a. Have usable and accessible outdoor living space;
 - b. Provide privacy and outlook;
 - c. Be of a size, have access to daylight and sunlight, and provide the on-site amenities necessary to meet the day to day needs of residents.
- 7. Require dwellings to be designed, with a particular emphasis on those parts of the dwelling visible from the street to:
 - a. Create visual interest;
 - b. Face the street and maximise passive surveillance of it;
 - c. Minimise the dominance of garage doors visible from the street.
- 8. Limit the density and scale of development to provide high-quality amenity on site and for adjoining sites and the surrounding area.

9. Provide for a range of dwelling types and sizes to help meet the housing needs of households on low to moderate incomes, while maintaining a high quality of urban and building design.

Parks and open spaces

10. Require development to provide for the recreation and amenity needs of residents by providing public open spaces required by the precinct Plan, enabling passive surveillance of public open spaces, ensuring all public open spaces are fronted with roads, and requiring pedestrian and/or cycle linkages (including within the street environment to connect with the public open spaces, the neighbourhood centre, Huapai Domain, the Huapai Station and Town Centre, and Huapai School.

Infrastructure and Transport

11. Require development to be designed to provide a street ad block pattern that is generally consistent with the *Road Hierarchy & Movement Plan* and *Road Type Cross Sections* and which:
 - a. Is easy and safe to use for pedestrians and cyclists;
 - b. Is connected by a variety of routes within the immediate neighbourhood and between adjacent sub-precincts;
 - c. Is safely and efficiently connected to State Highway 16, public transport routes, the Huapai Domain and Huapai Town Centre, Huapai School and employment areas;
 - d. Limits cul de sac roads to where site and topographical constraints, or sub-precinct boundaries, inhibit connections;
 - e. Is public;
 - f. Incorporates principles of crime prevention through environmental design.
12. Ensure that the following upgrades to the external transport network necessary to mitigate the effects of the development occur either before or in connection with development:
 - a. Upgrade of the Station Road/State Highway 16 intersection;
 - b. Upgrade of the Access Road/State Highway 16 intersection;
 - c. Complete upgrade of Station Road and partial upgrade of Nobilo Road to urban standards;
 - d. Construction of a grade-separated pedestrian and cycling bridge across the adjacent railway line to provide access to the local shopping centre and public transport routes on State Highway 16.
13. Require development to provide servicing:
 - a. In a coordinated and integrated manner;
 - b. So that the network is or can be expanded or extended to adjacent land where that land is or may be zoned for urban development;

- c. On the basis that the reasonable costs of providing or upgrading local infrastructure are met by the developer;
 - d. So that power and telecommunications services are reticulated underground to each site wherever practicable.
- 14. Require all sites capable of containing a building to individually connect to the following reticulated networks:
 - a. Wastewater;
 - b. Potable water;
 - c. Electricity
- 15. Require development to be designed to manage stormwater in an integrated and cost-effective manner that prioritises water sensitive design and generally accords with the Stormwater Management Plan for the Precinct, including methods to implement:
 - a. Stormwater attenuation within the Green Infrastructure Corridor Zone with the provision of vegetated swales sized to treat those areas that cannot practically provide SMAF or quality treatment for the DEQRs;
 - b. Management of flows for up to 10yr ARI events in the piped drainage network. Gross Pollutant Traps will be used where appropriate. Management of flows above the 10yr ARI event and up to 100 year ARI events will be contained in overland flow paths within the road network and the vegetative swale;
 - c. Devices designed to comply with the SMAF requirements of Table 2 in 3H4.14.2.4 of the Proposed Auckland Unitary Plan as notified within lots including storage tanks, rain gardens, permeable pavement and infiltration trenches.
 - d. Devices within roads designed to comply with the SMAF requirements of Table 2 in 3H4.14.2.4 of the Proposed Auckland Unitary Plan as notified including rain gardens, tree pits and swales. The detention component may be met in communal devices including the vegetative swale.
 - e. The location, sizing, design, construction and zoning for stormwater infrastructure to be vested in Council will be identified prior to subdivision and will generally be in accordance with Council's requirements and the precinct plan.
- 16. To correlate the rate of development within the Precinct with the timing of upgrades to key infrastructure items serving the development.
- 17. Protect the existing railway corridor and State Highway network from reverse sensitivity effects by providing suitable development setbacks including, where necessary, appropriate standards for building design in relation to noise and vibration attenuation.
- 18. Provide suitable fencing adjoining the rail corridor to avoid conflict between urban land uses and the safe and efficient operation of the rail network.

Huapai Triangle Precinct - Green Infrastructure Corridor Zone

The policies of the Huapai Triangle Precinct are as listed for the Green infrastructure Corridor zone except as specified below:

19. Enable outdoor recreation (including commercial outdoor recreation), walking and cycling linkages.
20. Enable private ownership within Sub-precinct E while ensuring that any fencing, landscaping and other modifications do not adversely affect the stormwater management and floodplain role of this land or provision for public pedestrian/cycleway linkages.

Huapai Triangle Precinct - Neighbourhood Centre Zone

The policies of the Huapai Triangle Precinct are as listed for the Neighbourhood Centre Zone except as specified below:

21. Provide for a neighbourhood centre with small scale retail, business services, and food and beverage premises of a scale and in a location to meet the local convenience needs of residents and passers-by.
22. Limit the extent of retail, and avoid larger-scale commercial activity, to avoid any significant adverse effects on:
 - a. the small scale character of the neighbourhood centre,
 - b. residential amenity in the vicinity,
 - c. the vitality of the Huapai Town Centre, and
 - d. the safe and efficient operation of the transport network

Affordable Housing

23. Require 7 per cent of new dwellings to be relative affordable with the sale price based on the median house price in the Auckland region or, to be retained affordable with the sale price based on median household income in Auckland, in new medium to large scale residential subdivision or residential development.
24. Provide for affordable housing that is similar in external design to market rate housing within the development and that is located throughout the development.

ATTACHMENT 4

CHAPTER K

Section 5.59: Huapai Triangle Precinct

Note: The activities, controls and assessment criteria in the underlying Mixed Housing Suburban zone, Green Infrastructure Corridor Zone, Neighbourhood Centre Zone and the Auckland-wide rules apply in the Huapai Triangle Precinct unless otherwise specified in this Section.

4. Activities

4.1 Mixed Housing Suburban Zone

Table 1: Activity status within the Huapai Triangle Precinct

Activity	Huapai Triangle Precinct
Residential	
Home occupations	P
Dwelling	P up to 3 dwellings per site RD 4 or more dwellings per site
Retirement villages	D
Supported residential care and boarding houses up to 200m ² GFA per site	P
Supported residential care and boarding houses not provided for above	D
Visitor accommodation up to 200m ² GFA per site	RD
Visitor accommodation not provided for above	D
Commerce	
Dairies, restaurants and cafes up to 100m ² GFA per site	D
Dairies, restaurants and cafes not provided for above	NC
Community	
Care centres up to 200m ² GFA per site	P
Care centres between 200m ² -400m ² GFA per site	RD
Care centres not provided for above	D
Community facilities	D
Education facilities	D
Emergency services on arterial road	D
Healthcare facilities up to 200m ² GFA per site	RD
Healthcare facilities not provided for above	D

Development	
Alterations and additions to any dwelling on a site	P
Demolition of buildings	P
Buildings for the permitted and restricted discretionary non-residential activities listed above	RD
Buildings for all other activities listed in this table have the same activity status as the activity itself	

4.2 Green Infrastructure Corridor Zone

4.2.1 The rules of the Green Infrastructure Corridor Zone apply to the Green Infrastructure Corridor zone within the Huapai Triangle Precinct, except where different provision is made in this section.

4.3 Neighbourhood Centre Zone

4.3.1 The rules of the Neighbourhood Centre Zone apply to the Neighbourhood Centre Zone within the Huapai Triangle Precinct, except where different provision is made in this Section.

5. Land use controls

5.1 Density and number of units

5.1.1 No single dwelling may be built on a site greater than 700m²

5.1.2 The number of dwellings on a site must not exceed the limits specified below:

- a. One dwelling per 400m² net site area; or
- b. One dwelling per 300m² net site area where:
 - i. the site has a frontage of at least 7.5m in width for each dwelling and is the same width for the length required to accommodate the proposed density; and
 - ii. each proposed dwelling is setback at least 3m and no more than 6m from the frontage of the site.
- c. No density limit applies where four or more dwellings are proposed and the site;
 - i. has a minimum net site area of 1200m²; and
 - ii. is a front site; and
 - iii. is at least 20m wide:
 - a. at the frontage of the site; and
 - b. for at least 80 per cent of the length of its side boundaries; and
 - iv. is located:

- d. adjoining or opposite any required open space of the Green Infrastructure Corridor Zone shown on the Precinct Plan; or
- e. within 400m walking distance of the intersection of Matua Road and SH16 (provided that a footbridge is constructed over the railway line in approximately the location of the Huapai Station); or
- f. is within 200m walking distance of the Neighbourhood Centre Zone; or
- g. adjoining or opposite any other public or private open space area provided that the open space area is at least 500m² with a minimum dimension of 10m.

5.1.3 Where three or more dwellings are proposed on a front site the site must be at least 15m wide:

- a. at the frontage; and
- b. for at least 80 per cent of the length of its side boundaries.

5.1.4 The maximum number of dwellings within each sub-precinct must not exceed the number in Table 2 below:

Table 2: Maximum number of dwellings per sub-precinct

Sub-precinct	Maximum number of total dwellings
A	452
B	185
C	152
D	171
E	116
F	124
Total	1200

5.1.5 Development that does not comply with Rule 5.1.1, Rule 5.1.2 or Rule 5.1.3 above is a discretionary activity. Development that does not comply with Rule 5.1.4 above is a non-complying activity.

5.2 Home occupations

5.2.1 At least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence.

5.2.2 No more than two people who do not use the dwelling as their principal place of residence may work in the home occupation.

5.2.3 No more than four people in total may work in the home occupation.

- 5.2.4 The sale of goods or services from the home occupation that requires customers to come to the site, and the delivery to goods to and from the site, may not occur before 7am or after 7pm.
- 5.2.5 Car trips to and from and associated with the home occupation activity must not exceed 20 per day.
- 5.2.6 Heavy vehicle trips associated with the home occupation activity must not exceed two per week
- 5.2.7 No more than one commercial vehicle associated with the home occupation may be on site at any one time.
- 5.2.8 Storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view.
- 5.2.9 Materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site.
- 5.2.10 With the exception of goods ordered and distributed electronically or by mail/courier, goods sold from the home occupation must be produced on site.

A home occupation that does not comply with clauses 5.2.1-5.2.10 above is a non-complying activity.

6. Number of Affordable Dwellings or Sites

Purpose: To ensure that the precinct provides for affordable housing to address Auckland's housing needs.

- 6.1. For new residential developments containing 15 or more dwellings or the creation of 15 or more vacant sites, either:
- (a) at least 7% of the total number of dwellings or vacant sites must be relative affordable.
 - i. A dwelling is classed as relative affordable if it may be sold for no more than 75 per cent of the Auckland region median house price that is published by the Real Estate Institute of New Zealand for the most recent full month of September, in relation to the date application for resource consent is made.
 - ii. If the application is for a subdivision consent, the applicant must identify the lots of the subdivision allocated for the building of dwellings that meet the median house price criterion in (i) above and must specify the mechanism for ensuring that any building built on any of those lots is a dwelling that will meet that criterion or is a building associated with such a dwelling.
- 6.2. If the calculation of the percentage of dwellings that must be affordable dwellings results in a fractional dwelling of one-half or more, that fraction is counted as 1 dwelling, and any lesser fraction may be disregarded.

6.3 All resource consent applications involving the provision of affordable housing or vacant lots must be accompanied by details of the location, number and percentage of relative and affordable housing. Where relevant, details of the staging of the development, including the timing of provision of the affordable housing must be supplied.

6.4. For staged developments, the required number of affordable dwellings or vacant lots must be provided at each respective stage.

6. Development Controls

6.1 Development control infringements

6.1.1 Buildings that infringe any development control are a restricted discretionary activity, unless otherwise stated below.

6.1.2 Buildings that infringe three or more of the following development controls are a discretionary activity:

- a. building height
- b. height in relation to boundary
- c. yards
- d. maximum impervious area
- e. building coverage
- f. landscaping
- g. outlook space
- h. separation between buildings

6.2 Building height

Purpose: manage the height of buildings to generally maintain a low-rise suburban residential character of the Huapai Triangle Precinct (one to four storeys).

6.2.1 Buildings must not exceed 10m in height except that, for developments of four or more dwellings which comply with Rule 5.1.2.c above, a maximum height of 12m applies.

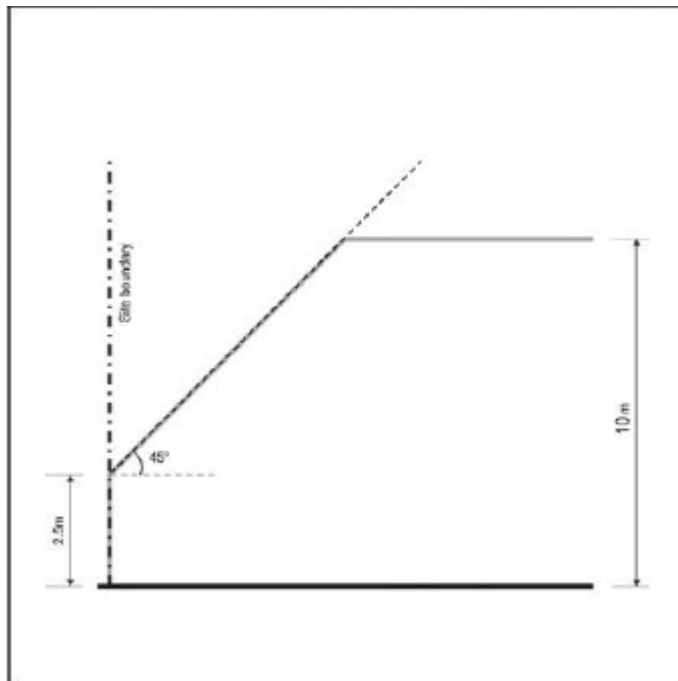
6.3 Height in relation to boundary

Purpose: manage the bulk and scale of buildings at boundaries to limit overshadowing and dominance of neighbouring sites and provide space between buildings.

6.3.1 Buildings must not exceed a height of 2.5m measured vertically above ground level at side and rear boundaries. Above that, buildings must be set back 1m for

every additional metre in height on an inclined 45 degree plane, as shown on Figure 1 below.

Figure 1: Height in relation to boundary

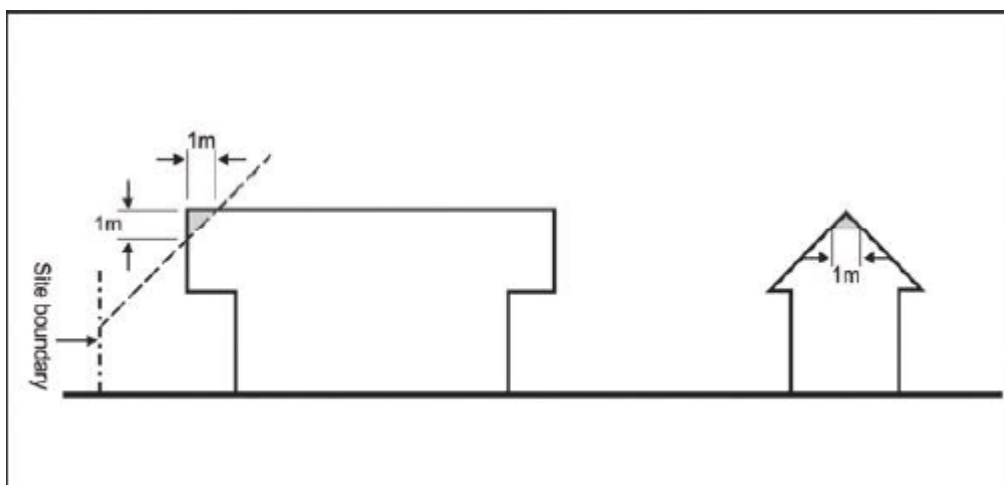


6.3.2 Where the boundary adjoins a legal right of way, pedestrian access way, or access site, the control applies from the farthest boundary of that legal right of way, pedestrian access way or access lot.

6.3.3 A gable end or dormer may project beyond the height in relation to boundary plane, as shown on **Figure 2** , where the projection is:

- a. no greater than 1m in height and width measured parallel to the nearest adjacent boundary; and
- b. no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary

Figure 2: Exceptions for gable ends and dormers



6.3.4 No more than two gable end or dormer projections are allowed for every 6m length of building.

6.4 Alternative height in relation to boundary

Purpose: enable the efficient use of the site by providing design flexibility for higher density development.

6.4.1 This development control is an alternative to the permitted height in relation to boundary control in Rule 6.3 above which may be used for development that is at a density greater than one dwelling per 400m² under Rules 5.1.2b or 5.1.2c above.

6.4.2 A building is a restricted discretionary activity if it complies with Rule 6.4.3 below.

6.4.3 Buildings must not exceed a height of 5.4m measured vertically above ground level at side boundaries. Above this, buildings must be set back one meter for every additional meter in height or an inclined 45 degree plane.

6.4.4 The exceptions to the permitted height in relation to boundary control listed in clause 6.3 above apply.

6.5 Yards

Purpose: maintain an open streetscape character and ensure dwellings are adequately set back from neighbours.

6.5.1 The yard setbacks for buildings must comply with **table 3** below:

Table 3: Yard controls

Yard	Minimum depth
Front	3m
Side (detached dwellings and end of row attached dwellings only)	1m
Rear	1m

6.6 Common walls

Purpose: enable attached dwellings.

- 6.6.1 The development controls for height in relation to boundary and yards do not apply where there is a common wall between two buildings on adjacent sites.

6.7 Maximum impervious area

Purpose: manage the amount of stormwater runoff generated by a development.

- 6.7.1 Maximum impervious area per site: 60 per cent

6.8 Building coverage

Purpose: manage the amount of residential character of the Huapai Triangle Precinct.

- 6.8.1 For a site 400m² or more, or with a density less than or equal to one dwelling per 400m², maximum building coverage per site: 50 per cent.
- 6.8.2 For a site smaller than 400m², or with a density greater than one dwelling per 400m², maximum building coverage per site: 55 per cent.

6.9 Landscaping

Purpose:

- provide for on-site amenity and an attractive streetscape character
- improve stormwater absorption on-site

- 6.9.1 For a site 400m² or more, or with a density less than or equal to one dwelling per 400m², at least 40 per cent must comprise landscaped area.

- 6.9.2 For a site smaller than 400m², or with a density greater than one dwelling per 400m², at least 30 per cent must comprise landscaped area.

- 6.9.3 For Rule 6.9.1-6.9.2 above, the following must be achieved:

- a. at least 10 per cent of the required landscaped area must be planted with shrubs including at least one tree that is pB95 or larger at the time of planting
- b. at least 50 per cent of the front yard must comprise landscaped area.

6.10 Outlook space

Purpose:

- ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites.
- Encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites.

- 6.10.1 An outlook space must be provided from the face of a building containing windows or balconies to a habitable room. Where the room has two or more external faces with windows or balconies the outlook space must be provided from, in order of priority, the face with the largest balcony or largest area of glazing.
- 6.10.2 The minimum dimensions for a required outlook space are as follows:
- a. principal living room: 6m in depth and 4m in width
 - b. principal bedroom: 3m in depth and 3m in width
 - c. all other habitable rooms: 1m in depth and 1m in width
- 6.10.3 The depth of the outlook space is measured at right angles to and horizontal from the window or balcony to which it applies. Where the outlook space applies to a balcony, it must be measured from the outside edge of the balcony.
- 6.10.4 The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies or from the centre point of the largest balcony.
- 6.10.5 The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the control applies.
- 6.10.6 Outlook spaces must comprise land within the site, and/or a private access way, and/or a road, or other public open space.
- 6.10.7 Outlook spaces must:
- a. be unobstructed by buildings; and
 - b. not extend over adjacent sites or overlap with outlook spaces within the site required by another dwelling.

6.11 Separation between buildings within a site

Purpose: require reasonable separation between buildings on the same site to manage dominance, provide access to daylight and natural ventilation.

- 6.11.1 Buildings must be separated where any habitable room of a dwelling has windows or balconies that face out to the wall of another building on the same site (the facing wall). Where the primary room has two or more external faces with windows or balconies the building separation must be applied from, in order of priority, the face with the largest balcony or the largest area of glazing.
- 6.11.2 The separation space required must be free of buildings for the depth, width and height set out below.
- 6.11.3 The depth of the separation space is measured at right angles to, and horizontal from the window or balcony to which it applies across to the facing wall, excluding eaves or guttering. Where the building separation applies to a balcony, it is measured from the outside edge of the balcony.
- 6.11.4 For the principal living room the depth of the separation space required is equal to the height of the facing wall above the floor level of the habitable room or 15m, whichever is the lesser.

- 6.11.5 For the principal bedroom, the depth of the separation space required is 6m.
- 6.11.6 For other habitable rooms, the depth of the separation space required is 3m.
- 6.11.7 The width of the separation space is 50 per cent of its depth and is measured equally either side of the centre point of the largest window in the habitable room on the building elevation to which it applies or equally either side of the centre point of the largest balcony.
- 6.11.8 The height of the separation space is from the height of the floor of the habitable room or balcony upwards, clear to the sky except that eaves or gutters may protrude into it.
- 6.11.9 Where the adjacent building is not perpendicular to the distance being measured, the minimum separation depth required must be measured as an average around the centre line of the window/balcony.

6.12 Outdoor living space

Purpose: provide dwellings with outdoor living space that is of a useable size and dimension for the type of dwelling and accessible from the principal living room.

- 6.12.1 A dwelling at ground level must have outdoor living space measured at least 40m² that:
- a. is free of buildings, parking spaces, and vehicle manoeuvring areas; and
 - b. excludes any area with a dimension less than 1m.
- 6.12.2 Where a dwelling has the principal living room at ground level, part of the required outdoor living space must be able to contain a delineated area measuring at least 20m² that:
- a. has no dimension less than 4m
 - b. is directly accessible from the principal living room
 - c. has a gradient not exceeding 1 in 20.
- 6.12.3 Where a dwelling at ground level has the principal living room above ground level, part of the required outdoor living space must include a balcony or roof terrace that:
- a. is directly accessible from the principal living room
 - b. has a minimum area of 8m²
 - c. has a minimum depth of 2.4m
- 6.12.4 Where an entire dwelling is above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 10m² and has a minimum depth of 2.4m.

6.13 Dwellings fronting the street

Purpose: ensure dwellings are orientated to provide for passive surveillance of the street and contribute to streetscape amenity.

6.13.1 The front façade of any dwelling must contain:

- a. glazing that is cumulatively at least 20 per cent of the area of the front façade (excluding any garage door and roof)
- b. a main entrance door that is visible from a street frontage

6.14 Vehicle Access Restrictions and Cycleway - Station Road

Purpose: to provide for the safe and efficient operation of the transport network including movements by cyclists, pedestrians and general traffic.

6.14.1 Vehicles from properties fronting Station Road

- a. The Vehicle Access Restrictions provisions in Part H.1.2.3.4.1 of the Unitary Plan, apply, in addition to b below:
- b. Vehicles from properties fronting Station Road may not reverse out of private driveways onto Station Road. This may be achieved by one of the following methods:
 - i. an on-site vehicle manoeuvring area to allow vehicles to turn around on-site and access Station Road in a forward direction;
 - ii. sites may have frontage to Station Road but their vehicle access can be provided via a side road or rear lane;
 - iii. sites may back onto Station Road.

6.15 Upgrade of road frontages on Station Road and Nobilo Road

6.15.1 Development within the Huapai Triangle Precinct adjoining Station Road between SH16 and Nobilo Road shall upgrade that part of Station Road adjacent to the development to the edge of the existing carriageway in accordance with the *Road Type Cross Section – Station Road*.

6.15.2 Development within the Huapai Triangle Precinct adjoining Nobilo Road shall upgrade that part of Nobilo Road adjacent to the development to the edge of the existing carriageway in accordance with the *Road Type Cross Section – Nobilo Road*

6.16 Maximum building length

Purpose: manage the length of buildings along side and/or rear boundaries and the separation between buildings on the same site to visually integrate them into the surrounding neighbourhood.

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

6.17 Fencing

Purpose: enhance passive surveillance of the street and maintain the open character of front yards, and to provide security and safety in relation to the rail corridor.

6.17.1 Fences in a front yard must not exceed 1.2m in height

6.17.2 Any fence that is not visually permeable (i.e.: with not more than 50% solid material spaced evenly across the width of the fence) must be set back from the front yard boundary by at least 0.6m and the space between the fence and the front boundary must be landscaped (including in shrubs) provided this rule does not apply to a fence on a side boundary.

6.17.3 All timber fences visible from the public realm must be stained a dark colour.

6.17.4 Fences at the Green Infrastructure Corridor Zone interface adjoining the railway line: a fence not exceeding 1.5m in height shall be provided at the boundary of any site that directly abuts the railway corridor.

6.17.4a Close boarded fences or other solid fences will not be placed in such a way that the fence obstructs flood flows or overland flow paths.

6.17.5 Fences at the 'Green Finger Open Space Connection' interface: a fence not exceeding 1.5m shall be provided with planted hedge fronting the 'Green Finger Open Space Connection'. The hedge species selected must be capable of reaching and be maintained at a height of no less than 1.2m. The planted hedge will be subject to appropriate legal protection, arranged at the time of subdivision.

6.18 Garages

Purpose:

- Reduce the dominance of garages as viewed from a road
- Avoid parked cars over-hanging the footpath

6.18.1 A garage door facing a road must be no greater than 45 per cent of the front façade of the dwelling to which the garage relates.

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

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

6.19 Minimum dwelling size

Purpose: dwellings are of a sufficient size to provide for the day-to-day needs of residents.

6.19.1 Dwellings must have a minimum net internal floor area as follows:

- a. 40m² for studio dwellings
- b. 45m² for one bedroom dwellings.

6.20 Minimum dimension of principal living rooms and principal bedrooms

Purpose: principal living rooms and bedrooms are of a size sufficient to accommodate standard size furniture and circulation space.

6.20.1 The principal living room within a dwelling must have no dimension less than 3m, measured perpendicularly from any point on the internal walls of the room.

- 6.20.2 The principal bedroom within a dwelling must be at least 3m in width and 3.5m in length measured perpendicular from the internal walls of the room. Cupboards and other storage space may be included in the minimum dimension.

6.21 Servicing and waste

Purpose: dwellings within medium to large-scale residential development have sufficient space within the building or site to accommodate the storage of waste.

- 6.21.1 A building or development containing 10 or more dwellings must provide a communal storage area for waste. The size of the communal storage area must be an aggregate of the minimum areas specified for the dwelling types below:
- a. studio and one bedroom – 0.3m² per dwelling
 - b. two bedrooms – 0.5m² per dwelling
 - c. three bedrooms – 0.7m² per dwelling
 - d. four or more bedrooms – 1m² per dwelling.
- 6.21.2 An additional 30 per cent of the total floor area required above must be provided within the communal storage area for manoeuvring or sorting within the waste storage area.
- 6.21.3 Rules 6.21.1 and 6.21.2 do not apply where the dwellings in any detached and attached housing are front sites.

6.22 Water and wastewater

Purpose: ensure development can be serviced by connections to the water supply and wastewater networks.

- 6.22.1 At the time of application for building consent, the applicant must demonstrate to the satisfaction of the council that there is an available connection to the water supply and wastewater networks.

Any proposal that does not comply with this development control shall be a non-complying activity.

6.23 Stormwater hydrology mitigation

Purpose: to require on-site retention and detention of stormwater runoff from the roofs of dwellings to mitigate downstream effects of stormwater on water quality and quantity.

- 6.23.1 Each dwelling must provide onsite retention and detention of stormwater runoff from roofs by either providing:

a. A rain tank providing 1,000 litres of stormwater retention and 2,500 litres of stormwater detention per 100m² of roof area (total volume of 3,500 litres per 100m² of roof area); or

b. A rain garden or infiltration trench each of 3m² providing a similar retention/detention functionality as a rain tank described in (i) above; or

c. Permeable paving of area equivalent to the driveway area of the lot.

6.23.2 If a rain tank is the preferred option, the retention component of the tank volume must be able to be reused for non-potable water needs, i.e. toilets or laundry.

Note: Retaining and detaining stormwater onsite in accordance with 6.23.1(a) or (b) above is deemed to demonstrate compliance with the hydrology mitigation requirements of the SMAF1 zone in Table 2 of Section H.4.14.2

6.24 Storage

Purpose: ensure dwellings have sufficient space for the storage of everyday household items and bulky items, such as bicycles.

6.24.1 A building containing 5 or more dwellings must provide covered storage space of at least 4m³ for each dwelling, excluding storage within the kitchen and bedroom wardrobes, including a single covered storage space of at least 2m³. The storage space may be within the dwelling, or external to it within the site.

6.25 Additional development controls for the Neighbourhood Centre Zone

6.25.1 The maximum gross floor area of any retail premise shall be 200m².

6.25.2 The total combined gross floor area of all retail premises shall be 2000m².

6.25.2 Any proposal that infringes Rule 6.25.1 or 6.25.2 above shall be a non-complying activity.

6.26 Sites in Sub-precincts A, C and E within 40m of the boundary with the rail corridor

6.26.1 The High Land Transport Noise overlay provisions, in Part J.1.5 of the Unitary Plan, apply to any sites within the distance specified in Rule J.1.5 of the boundary with the rail corridor and the state highway corridor.

6.27 Infrastructure upgrades and timing of development

Purpose: ensure that rate of development is aligned with infrastructure upgrades.

6.27.1 The number of dwellings within the Precinct may not exceed the numbers in **Table 4** below until the relevant infrastructure item has been constructed and is operational. For the purposes of this rule “dwelling” is a dwelling that has been granted building consent under the Building Act 2004.

Table 4: Rate of development and alignment with infrastructure upgrades

Infrastructure item	Trigger (completion of)
Right turn bay on Station Road entrance to Main Road	300 dwellings
Station Road/SH16 intersection upgrade	300 dwellings
Station Road from SH16 Nobilo Road separated footpath and cycle lane	300 dwellings
Extension of two lane westbound approach to Access Road intersection	400 dwellings
Extension of two lane eastbound exit from Access Road intersection	1,000 dwellings
A left turn lane on westbound approach to Access Road intersection	1,000 dwellings
Install half arm barrier on the Access Road intersection railway crossing and fence unformed portion of crossing to the east of the level crossing	200 dwellings
Pedestrian/cycle crossing of north Auckland railway line in vicinity of Matua Road	300 dwellings within Sub-precincts C,D,E and F

6.27.2 Development that does not comply with Table 4 above shall be a restricted discretionary activity.

CHAPTER K

Section 5.59: Huapai Triangle Precinct (HTP)

7. Assessment – Restricted discretionary activities

7.1 Matters of discretion

The council will restrict its discretion to the general matters in clause 2.3 of the general provisions, plus the matters below for the activities listed as restricted discretionary in the HTP Activity Table 1.

7.1.1 Four or more dwellings on a site

- a. external building design and external appearance
- b. topography, site, dwelling orientation and earthworks

- c. internal design and internal layout of dwellings
 - d. design and implementation of landscaping
 - e. design of parking and access
 - f. infrastructure and servicing
 - g. water sensitive design.
- 7.1.2 Buildings accessory to the permitted or restricted discretionary non-residential activities listed in the activity table
- a. building design and external appearance
 - b. design and implementation of landscaping
 - c. design of parking and access
 - d. infrastructure and servicing
 - e. water sensitive design.
- 7.1.3 Visitor accommodation up to 200m² GFA; care centres between 200m² - 400m² GFA; healthcare facilities up to 200m² GFA
- a. the matters in 7.1.1 above
 - b. intensity and scale
 - c. noise, lighting and hours of operation.

7.2 Assessment criteria

The council will consider the relevant assessment criteria below for the restricted discretionary activities listed above. The Auckland [Design Manual](#) may also provide guidance on how the outcomes of particular criteria can be met.

- 7.2.1 Four or more dwellings on a site, and buildings accessory to the permitted or restricted discretionary non-residential activities listed in the activity table
- a. Building design and external appearance

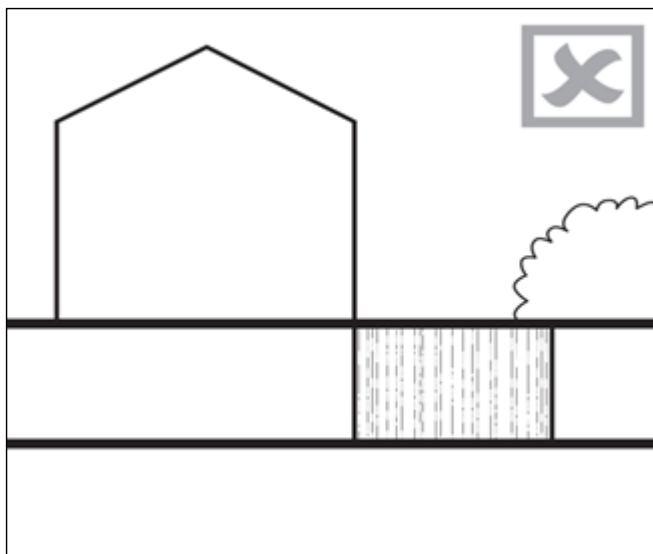
Contributing to sense of place in the Precinct

- i. Residential developments of increased density should be designed and located on the site to be consistent with a medium-density suburban residential character.

Creating a positive frontage

- ii. Buildings should have clearly defined public fronts, as illustrated in **Figure 3** below, that positively contribute to the amenity and pedestrian safety of streets and public open spaces by:
 - maximising doors, windows and balconies over all levels on the front façade
 - introducing visual interest through a variety of architectural detail and building materials
 - clearly defining the boundary between the site and the street or public open space by planting or fencing.

Figure 3: Defined public fronts and clear sense of address





- iii. Ground level balconies or patios facing a street or public open space should be a height sufficient to provide privacy for residents while enabling sightlines to the public realm.
- iv. The number of dwellings that directly front, align and orientate to public streets should be maximised.
- v. Ground level dwellings closest to the street should each have direct and clearly defined pedestrian access from the street in preference to a single building entrance.

Building design and external appearance - Visual interest and variation in building form

- vi. Buildings should be designed to:
 - avoid long unrelieved frontages and excessive bulk when viewed from streets and public open spaces
 - break up their mass into visually distinct elements, particularly when of a greater height or bulk than surrounding buildings, to reflect a human scale and the typical pattern of development in the area.

Techniques to achieve this include the use of physical separation, variations in building height and roof form, horizontal and vertical rhythms, façade modulation and articulation and building materials.

- vii. Blank walls should be avoided on all building frontages to streets, accessways and public open spaces. Side or rear walls should be designed to provide interest in the facade including modulation, relief or surface detailing.

viii. For larger scale developments:

- balconies should be designed as an integral part of the building;
- internal access to apartments is encouraged.

Materials and finishes

- ix. Quality, durable and easily maintained materials should be used on the façade of dwellings, with particular emphasis on frontages to the street and public open space.

b. Topography, site orientation and earthworks

- i. The topography, orientation, size and proportions of the site should be suitable to accommodate the housing type proposed. In particular, development with poor solar orientation or on narrow sites is discouraged unless sites are carefully designed to optimise on-site amenity values and complement the surrounding neighbourhood landform.
- ii. Building platforms, outdoor living spaces, car parking areas and driveways should be located and designed to respond to the natural landform and site orientation in an integrated manner.
- iii. Earthworks should be minimised and retaining avoided where possible. However, where retaining or earthworks are required they should be incorporated as a positive landscape or site feature by:
- integrating retaining as part of the building design
 - stepping and landscaping earthworks or retaining over 1.5m in height, to avoid dominance or overshadowing effects
 - ensuring all earthworks or retaining visible to the public, including neighbours, is attractively designed and incorporates modulation, landscaping and quality materials to provide visual interest.

c. Design and layout of dwellings

- i. Dwellings should be located, proportioned and orientated within a site to maximise the amenity of future residents by:
- clearly defining communal, semi-private and private areas, including outdoor living space, within the development

- maximising passive sunlight access, particularly for high density development, by methods including maximising north facing windows, while balancing the need for dwellings to front the street.
 - providing for natural cross ventilation by window openings facing different directions.
- ii. Dwellings should be designed to provide a good standard of internal amenity by providing adequate circulation space around standard sized household furniture. The Auckland [Design Manual](#) illustrates possible ways of achieving this.
- iii. Outdoor living space should balance the need to achieve the following, in order of priority:
- avoid a southerly orientation and be located on site to maximise the number of hours that the majority of the outdoor living space receives winter sunlight
 - maintain privacy between the outdoor living space of adjacent dwellings and between outdoor living space and the street. Outdoor living space should be located away from street frontages, where practicable
 - be sheltered from the prevailing wind
 - be located to take advantage of any views or outlook from or within the site.
- iv. In addition to the above, any communal open spaces should be designed to:
- provide an attractive, functional and high quality outdoor environment, located within the site to form a focus of the development
 - be conveniently accessible to all residents
 - be overlooked by the principal living rooms and balconies of dwellings, where at ground or lower levels, to enhance safety.
- v. The size of the communal outdoor living space should be adequate for the number of people the development is designed to accommodate.
- vi. Appropriate management and maintenance systems should be provided for communal outdoor living space dependent on the scale of development and the extent of communal access to ensure it is available for all residents of the development.

- d. Design and implementation of landscaping
- i. Development should integrate and retain significant natural features including trees, streams and ecological areas.
 - ii. Site landscaping should be located and designed to:
 - assist with blending new developments with the surrounding streetscape and/or any adjacent public open space
 - allow space for the planting of large trees
 - enhance energy efficiency and stormwater management, including shading and swale systems
 - enhance on-site amenity and improve privacy between dwellings.
 - iii. Landscape implementation and maintenance requirements should be considered to ensure that approved landscaping is implemented and maintained so that it achieves its intended objective.
- e. Design of parking and access

Connections to the neighbourhood

- i. Developments on larger sites with frontages to two or more streets should extend and connect pedestrian and cycle links or, where practicable, a public street through the site. Cul-de-sac roads should be avoided unless there is no practical alternative available.

Location and design of parking

- ii. Individual or communal car parking areas should be located and designed to:
 - be close and convenient to dwellings
 - be secure, well lit, or visible from dwellings
 - be well ventilated if enclosed
 - minimise noise and fumes by providing separation from bedroom windows
 - avoid surface car parking areas fronting streets and public open spaces
 - provide visual interest and an attractive appearance, including the use of paving patterns

and different material types in combination with landscaping.

- iii. Parking areas and garages should be designed and grouped to make efficient use of land.
- iv. Parking areas should be attractively landscaped.

Location and design of vehicle and pedestrian access

- v. Vehicle crossings and access ways should be generally consistent with the Huapai Triangle Precinct provisions for road crossings, particularly on Station Road, and be designed to reduce vehicle speed, use quality paving and landscaping, and clearly signal to pedestrians the presence of a vehicle crossing or access way.
- vi. Vehicle crossings and access ways should be clearly separated from pedestrian access. The spaces may be integrated in accordance with the precinct diagrams and vehicle access rules.
- vii. The design of pedestrian routes between dwelling entries, car park areas, private and communal open space and the street should provide equal physical access for people of all ages and physical abilities and provide a high level of pedestrian safety and convenience.
- viii. Ramps, where necessary, should be integrated into the design of the building and landscaping.

Accessibility of common areas

- ix. Common areas within buildings should be designed to provide equal physical access for people of all ages and abilities. Common areas should also allow for standard household furniture to be easily moved in and out. This includes providing corridors and circulation spaces of sufficient dimension. The Auckland Design Manual illustrates possible ways of achieving this.
- f. Infrastructure and servicing
- i. There must be adequate capacity in the existing stormwater and wastewater network to service the proposed development.
 - ii. Required infrastructure should integrate into the design of the site. This includes green infrastructure devices, overland flow paths/floodplains, wastewater systems, and water supply.

- iii. Rubbish storage areas should be either incorporated into the design of the building or screened from public view.
 - iv. Plant, exhaust, intake units and other mechanical and electrical equipment located on the roof of a building should be integrated into the overall design and be contained in as few structures as possible.
 - g. Water sensitive design
 - i. New dwellings should be designed to incorporate water sensitive design principles for stormwater management to minimise adverse effects and protect and enhance the values and functions of natural ecosystems. This may include:
 - a water sensitive design approach that is appropriate to the scale of the development
 - maximising localised water collection, and re-use
 - using stormwater retention and detention to mitigate stormwater flows generated by impervious surfaces
 - avoiding the use of high contaminant generating building products
 - minimising stormwater runoff by maximising vegetated areas and soil infiltration
 - using ecologically sensitive techniques to reduce and treat stormwater flows.
- 7.2.2 Visitor accommodation up to 200m² GFA, care centres between 200m² - 400m² GFA, healthcare [facilities](#) up to 200m² GFA:
- a. The matters in 7.1.2 above
 - b. Intensity and scale
 - i. The intensity and scale of the activity, in particular the number of people involved and traffic generated by the activity, size and location of buildings and associated car parking, should be compatible with the existing and planned future form and character of the Precinct.
 - ii. For care centres, the site should be of an adequate size and road frontage to accommodate the activity. In particular, sufficient space will need to be provided for a safe pick-up and drop-off area.
 - c. Noise, lighting and hours of operation

- i. Noise and lighting from the activity should not adversely affect the amenity of surrounding residential properties. In determining this consideration will be given to the location of any potentially noisy activities e.g. outdoor play areas associated with a care centre, and any proposed measures to mitigate noise including:

- locating noisy activities away from neighbouring residential boundaries
- screening or other design features
- the proposed hours of operation.

7.2.3 Affordable housing

- a. The objectives and policies of the Precinct for affordable dwellings.

8. Assessment - Development control infringements

8.1 Matters of discretion

The Council will restrict its discretion to the general matters set out in clause 2.3 of the general provisions, plus the matters listed below for the relevant development control infringement:

8.1.1 Building height, height in relation to boundary, side and rear yards, building coverage.

- a. effects of additional building scale on neighbouring sites, streets, and public open spaces (sunlight access, dominance, visual amenity)

8.1.2 Maximum impervious area

- a. The relevant matters in Chapter H, Rule 4.14.1.4.1.6.

8.1.3 Outlook space

- a. effects of reduced privacy and outlook.

8.1.4 Separation between buildings within a site, maximum building length

- a. dominance effects
- b. effects of reduced daylight and sunlight access and ventilation.

8.1.5 Landscaping

- a. effects on streetscape amenity
 - b. effects on stormwater absorption.
- 8.1.6 Front yards, dwellings fronting a street, garages, fencing
 - a. effects on streetscape amenity and safety.
- 8.1.7 Minimum dwelling size, storage, servicing and waste, outdoor living space, minimum dimension of principal living rooms and principle bedrooms
 - a. effects of reduced living space, sunlight/daylight access, storage space and outdoor living space on residential amenity.
- 8.1.8 Stormwater detention
 - a. the relevant matters in Chapter H, Rule 4.14.2.4.1
- 8.1.9 Infrastructure upgrades and timing of development
 - a. effects of additional development on the efficiency of the operation and safety of the transport network.
- 8.1.10 Vehicle access restrictions and cycleway – Station Road
 - a. the relevant matters listed in the Auckland-wide transport rules Chapter H, Rule 1.2.5.1.5.

8.2 Assessment criteria

In addition to the general assessment criteria for development control infringements in clause 2.3 of the general provisions the council will consider the relevant criteria below for the listed development control infringements.

- 8.2.1 Building height, height in relation to boundary, building coverage, side and rear yards, dwellings fronting the street
 - a. Effects of additional building scale on neighbouring sites, streets, and public open spaces, dominance, visual amenity)
 - i. The building should not dominate or unreasonably shade the outdoor living space or windows to habitable rooms of adjoining dwellings.
 - ii. The building should be designed to avoid dominance, overshadowing, or reduced access to sunlight of the adjoining dwellings and their outdoor living spaces. Methods to achieve this include providing variations in building heights building setbacks, or breaks in building massing.

8.2.2 Outlook space

- a. Development that infringes the outlook control will need to demonstrate that there will be a reasonable standard of visual and acoustic privacy between dwellings, including their outdoor living space. Methods to achieve this include off-setting or changing the orientation of balconies and windows to avoid direct over-looking, the use of screening devices and landscaping.

8.2.3 Front yards, dwellings fronting a street, garages, fencing

- a. Effects on streetscape amenity and safety
 - i. Development that infringes the front yard control will need to demonstrate that the proposed setback is consistent with the typical depth of yard in the surrounding neighbourhood, particularly those of adjoining sites.
 - ii. Development that infringes the fences control will need to demonstrate that the proposed fence will enable direct sightlines to the dwelling from any adjoining street or public open space and vice versa.

8.2.4 Minimum dwelling size, storage, servicing and waste, outdoor living space, minimum dimension of principal living rooms and principal bedrooms

- a. Effects of reduced living and circulation space, daylight access and storage on residential amenity
 - i. All habitable rooms in dwellings should be naturally lit and should not rely on borrowed light from other rooms.
 - ii. Dwellings should have adequate natural light that avoids the need for the dwelling to be artificially lit during daylight hours.
 - iii. Consideration will be given to the configuration and orientation of the dwelling so that sunlight access is maximised to principal living rooms.

8.2.5 Separation between buildings within a site, maximum building length

- a. Dominance effects
 - i. Development that infringes this control should not result in the building visually dominating the outdoor living space or windows to habitable rooms of dwellings on the same site.
- b. Effects of reduced daylight and sunlight access and ventilation
 - i. Development that infringes this control will need to demonstrate that the dwellings will receive a good degree of

daylight and ventilation, and will not reduce access to sunlight, particularly for dwellings at lower building levels.

8.2.6 Maximum impervious area

- a. The relevant matters in Chapter H, Rule 4.14.1.4.2.1.

8.2.7 Landscaping

- a. the matters in Rule 7.2.1 d. above

8.2.8 Stormwater detention and retention

- a. The relevant matters in Chapter H, Rule 4.14.2.4.2.
- b. The degree of compliance with the relevant controls set out in clause 6.23 and any reasons for non-compliance.

8.2.9 Transport network upgrades and timing of development

- a. Development that exceeds the trigger in relation to a specific infrastructural upgrade item will need to demonstrate that the actual trip generation of the additional development proposed will not have unacceptable adverse effects on the effectiveness, efficiency and safety of the transport network.

8.2.10 Vehicle access restrictions and cycleway – Station Road

- a. The relevant matters in Chapter H, Rule 1.2.5.2.6.

8.3 Special information requirements

8.3.1 Design statement

A design statement is required for the activities specified in Table 5 below. The design statement is required to include as a minimum the matters indicated within the table as set out in clause 2.7.2 of the general provisions. Drawings, illustrations and supporting written explanation should be proportionate to the complexity and significance of the development proposal. Refer to the Auckland Design Manual for guidance on the preparation of design statements.

Table 5: Design statement requirements

Activity	4 - 15 dwellings	15 + dwellings	Apartments
A. Context analysis			

1. Site analysis				
a.	Existing site plan	X	X	X
b.	Streetscape character	X	X	X
2. Neighbourhood analysis				
a.	Natural and cultural environment	X	X	X
b.	Movement	X	X	X
c.	Neighbourhood character		X	X
d.	Use and activity		X	X
e.	Urban structure		X	X
3. Opportunities and constraints analysis				
a.	Opportunities and constraints diagram	X	X	X
B. Design response				
a.	Concept design	X	X	X
b.	Proposed site plan	X	X	X
c.	Proposed elevations	X	X	X
d.	Sunlight access	X	X	X
e.	Landscape	X	X	X
f.	Streets, access ways & lanes	X	X	X
g.	Urban structure		X	
h.	Public open space		X	

CHAPTER K

Section 5.59: Huapai Triangle Precinct

9. Huapai Triangle Precinct – subdivision controls

9.1 Activities

9.1.1 Activity Table

The Activity Table 1 – General and Activity Table 2 – Residential Zones in Part 3, Chapter H, Section 5 (subdivision) of the Unitary Plan, and related controls, apply to the Huapai Triangle Precinct, except as specified in **Table 6** below.

Table 6: Subdivision Activity – Huapai Triangle Precinct	
Subdivision Activity	Activity Status

Subdivision in accordance with the Huapai Triangle Precinct Plan	RD
Subdivision that does not comply with the development controls in Rule 9.2 below	D, except where specified otherwise
Subdivision that is not for an entire Sub-precinct as shown on the Precinct Plan and which is not accompanied by a Sub-precinct Spatial Plan required under Rule 9.2.2	NC
Any other subdivision not listed in this Table 1 or Rule 9.1.2	D

9.1.2 Any subdivision for the following purposes shall have the activity status as set out in Part 3, Chapter H, Section 5 (subdivision – Activity tables 1 and 2) of the Unitary Plan, and the relevant controls, matters of control or discretion, and assessment matters in Part 3, Chapter H, Section 5 shall apply:

- a. Subdivision around existing buildings and development;
- b. Subdivision in accordance with an approved land use resource consent;
- c. Lease in excess of 35 years of a building or part of a building where a cross-lease, company lease or unit title subdivision is not involved;
- d. Boundary adjustment which do not exceed 10% of the net site area of each site;
- e. New cross leases and amendments to cross-leases, including additions and alterations to buildings, accessory buildings and areas for exclusive use by an owner or owners, and company lease, unit title and strata title subdivisions;
- f. Subdivision of a site within the 1 per cent AEP floodplain;
- g. Subdivision for a network utility.

9.2 Development controls

9.2.1 Huapai Triangle Precinct Plan

All subdivision must generally be in accordance with the Huapai Triangle Precinct Plan in respect of the location of roads, public open spaces, and stormwater management. A location variation of up to 30m shall be considered to be in accordance with the Precinct Plan.

Any subdivision not complying with this rule is a non-complying activity.

9.2.2 Sub-precinct Spatial Plan

- a. Any application for subdivision for less than an entire Sub-precinct as shown on the Huapai Triangle Precinct Plan must be accompanied by a Sub-precinct Spatial Plan for the entire Sub-precinct. A Sub-precinct Spatial Plan must show, in addition to the information required by Rule 9.2.1 above, the locations of:

- i. main roads throughout the Sub-precinct and locations of where such roads will connect to adjoining Sub-precincts and other neighbouring land;
 - ii. public parks and open spaces;
 - iii. walkways and cycleways, and where these will connect to adjoining Sub-precincts and other neighbouring land;
 - iv. three waters infrastructure (water, wastewater and stormwater), including open spaces required for stormwater management, and where these will connect to adjoining Sub-precincts and other neighbouring land.
- b. Rule 9.2.2.a above does not apply to any subdivision where a Sub-precinct Spatial Plan has already been approved for the Sub-precinct within which the subdivision is proposed.
 - c. Any application for subdivision of land for which a Sub-precinct Spatial Plan has already been approved must be in accordance with the approved Sub-precinct Spatial Plan. Subdivision that is not in accordance with the latest approved Sub-precinct Spatial Plan, or an approved amendment to the Sub-precinct Spatial Plan, is a non-complying activity.

9.2.3 Site size and shape

- a. All sites to be created for residential purposes must:
 - i. be in accordance with an approved land use resource consent; or
 - ii. comply with the minimum net site area between 300m² and 700m² provided that any lots less than 400m² in size must have a minimum frontage of 7.5 metres; or
 - iii. be greater than 1200m² (to allow further development in accordance with future land use consents).

Subdivision that does not comply with i. or ii. above is a discretionary activity.

- b. All sites to be created for residential purposes must meet the following minimum size and shape factor requirements:
 - i. Site shape factor: Each proposed vacant site must contain the following:
 - a. access and manoeuvring that meets the requirements of the Auckland-wide and zone rules;
 - b. outdoor living space required by Rule 6.12 of this Precinct;

- c. a rectangle measuring 8m by 15m with slopes no greater than an average of 1 in 5 must be able to be located outside any network utility installations, including private and public lines; right-of-way easements; on-site manoeuvring for vehicles, overland flow path; private open space, and yard setbacks required.
- ii. Rear sites: On a parent site greater than 1ha where 15 or more vacant sites are proposed, the total number of rear sites must not exceed 5 percent of the total number of proposed sites.
- iii. Access to vacant rear sites:
 - a. A single jointly owned access lot or right-of-way easement must not serve more than eight proposed vacant rear sites;
 - b. Vehicle access to proposed vacant rear sites must be by way of an entrance strip, jointly owned access lot or right-of-way easement over adjoining land or by a combination of these, provided the total width and other dimensions of the access complies with the controls in **Table 7** below. Any application that infringes this rule will be a restricted discretionary activity.

Table 7: Access to rear sites

Total number of rear sites served	1	2-5	6-8
Minimum legal width	3m	3m	6.5m
Minimum formed width	2.5m	2.5m	5.5m
Service strip	0.5m	0.5m	1m
Maximum length	50m	50m	50m
Maximum gradient	1 in 5		
Minimum vertical clearance from buildings or structures	4.5m		
Minimum inside turning radius for bends	6.5m		

- iv. Pedestrian access to vacant rear sites:

- a. Driveways serving six or more vacant rear sites must provide separate pedestrian access, which can be located within the formed driveway. The pedestrian access:
 - i. must have a minimum width of 1m;
 - ii. can include the service strip;
 - iii. must be distinguished from the vehicle carriageway through the use of a raised curb or different colour or surface treatment.

9.2.4 Access and entrance strips

- a. All proposed sites must be provided with legal and physical access to a road, unless they:
 - i. are being created for reserves or road closure, or
 - ii. will be amalgamated with another site that already has legal and physical access to a road.
- b. Entrance strips must be less than 7.5m wide. Any entrance strip 7.5m or more in width shall be considered a front site.

9.2.5 Services

- a. All proposed sites capable of containing a building, or in the case of a cross-lease or unit title, strata title, or company lease, each building, must be designed and located so that provision is made for:
 - i. collection, treatment (where necessary), retention, detention and disposal of stormwater;
 - ii. collection, and disposal of wastewater, via a connection to a wastewater network;
 - iii. underground water, electricity supply and telecommunications
- b. The services required by clauses (i)-(iii) above must comply with the council's current engineering standards.

9.2.6 Staging

- a. Where a subdivision is to be carried out in stages, the applicant must provide the indicative timetable and sequencing of the staging at the time they apply for the first subdivision consent. This detail must include:
 - i. the time period over which the development is intended to take place;

- ii. the area of land subject to the different proposed stages.

9.2.7 Roading cross-sections

- a. Roads shall be constructed in general accordance with the Road Types shown on the Huapai Triangle Road Hierarchy / Movement Plan, and with the Road Type Cross Sections.
- b. Stormwater management devices shall be provided that are sized to provide retention and detention in accordance with Table 2 in 3H4.14.2.4i.
- c. Stormwater detention (temporary storage) with a volume equal to the runoff volume from the 95th percentile, 24 hour rainfall event for the impervious area for which hydrology mitigation is required shall be provided in the communal devices shown on the precinct plan, including the vegetative swale. In the event that insufficient detention volume is available the detention component shall be provided in the road reserves.

9.3 Restricted discretionary activity: matters of discretion

For subdivision that is in accordance with the Huapai Triangle Precinct Plan, the council will restrict its discretion to the matters in Table 8 below:

Table 8: Matters for discretion

Matters of discretion	Subdivision for up to 4 proposed sites	Subdivision for between 5 and 15 proposed sites	Subdivision for over 15 proposed sites	Sub-precinct Spatial Plan
Giving effect to the Huapai Triangle Precinct Plan				
1. The requirements of the Precinct Plan.	X	X	X	X
Neighbourhood, blocks and roads				
2. The integration of the subdivision with its surrounding neighbourhood.	X	X	X	X
3. The layout and connections of blocks and roads.		X	X	X
4. Provision of, and linkages to, public transport routes.		X	X	X
5. Solar orientation of blocks and sites.	X	X	X	X

6. Diversity of site sizes.		X	X	
7. Staging of subdivision.		X	X	
8. Consistency with an approved Sub-precinct Spatial Plan for the Sub-precinct	X	X	X	
Site design				
9. The ability to provide for future development which will comply with the rules of the Unitary Plan and/or any resource consent.	X	X	X	
Access				
10. The design, safety, location construction of any access, off-road pedestrian and cycling facilities, car parking, on-site-manoeuving areas.	X	X	X	
Cultural and natural features				
11. The extent of earthworks and landscape modification.	X	X	X	
Reserves				
12. The provision, design, purpose and location of any reserve other than those shown on the Huapai Triangle Precinct Plan.		X	X	X
Infrastructure and servicing				
13. The provision, location, design, capacity, connection, upgrading, staging and integration of infrastructure.	X	X	X	X
14. The management of wastewater and potable water.	X	X	X	

15. Having regard to the Precinct Plan, and the stormwater management plan; the use of water sensitive design, to develop: a. the layout and design of the subdivision b. the location, design, capacity, integration and appropriateness of infrastructure c. flood management areas, and, overland flow paths d. stormwater retention, detention, quality and disposal devices e. staging of development	X	X	X	X
16. The vesting of infrastructure.	X	X	X	
17. Implementation of a relevant integrated catchment management plan or network discharge consent.	X	X	X	
18. Effects on significant infrastructure.	X	X	X	X
Site suitability				
19. Avoidance or mitigation of natural or man-made hazards and site contamination.	X	X	X	
20. The location of sites in proximity to high voltage transmission lines.	X	X	X	
Controls on buildings				
21. The proposed building design controls to be imposed by covenants on new titles	X	X	X	

9.4 Restricted discretionary activity: assessment matters for subdivision

For subdivision that is in accordance with the Huapai Triangle Precinct Plan, the council will consider the relevant assessment criteria in **Table 9** below:

Table 9: Restricted discretionary activity assessment criteria

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
Giving effect to the Huapai Triangle Precinct Plan				
1. Subdivision should implement the Huapai Triangle Precinct Plan. Required roads, open spaces, and land for stormwater management (including the green finger open space connection and the stormwater attenuation areas) and the stream edge / floodplain areas should be in the general locations and dimensions shown on the Precinct Plan.	X	X	X	X
Neighbourhood, blocks and roads				
2. The layout and design of roads and blocks should maximise the ability to provide front sites.		X	X	X

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
<p>3. The layout and pattern of roads and blocks should maximise convenient and legible access to:</p> <p>a. Station Road and Nobilo Road</p> <p>b. Bus routes and the Huapai Train Station</p> <p>c. Huapai School, Huapai Domain, and the Huapai Town Centre</p>		X	X	X
<p>4. Connection and integration with the surrounding neighbourhood and other sites should be provided through roads which provide for pedestrian and cycle use.</p>		X	X	X
<p>5. Subdivision should be designed and laid out to reflect the planned function of the road within the roading hierarchy.</p>		X	X	

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
6. Local roads should be aligned generally north/south to establish blocks and site layouts that are oriented east/west to enable proposed sites and future buildings and associated private open space to derive maximum possible benefit from solar gain. The shape factor for each site should demonstrate a future dwelling (or group of dwellings) and private open space can achieve maximum solar gain.		X	X	X
7. Provide pedestrian and cycle routes that are safe, efficient, convenient and legible. Roads should be generally consistent with the roading cross-sections for the Precinct (Rule 9.2.7) and should be multimodal by integrating cycle and pedestrian movement.		X	X	
8. Any proposed road shall be designed, and located to meet the road's intended primary transport function as well as support the intended land use outcomes.	X	X	X	X
9. Blocks should be of a scale, length and shape to achieve a connected road layout with a choice of routes that prioritises walking and cycling.		X	X	X

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
10. Block layout and design should enable the creation of sites which can meet the development standards of the Precinct and the Precinct Plan.		X	X	
11. Subdivision should provide a mix of site sizes.	X	X	X	
12. Where staging is to occur, detail should be given as to the area and number of sites included in each stage and the anticipated timeframes for the development.		X	X	
13. The subdivision should be consistent with the layout of roads, open spaces and other features shown on the approved Sub-precinct Spatial Plan for the Sub-precinct	X	X	X	
Site design				
14. Proposed sites should be able to accommodate development intended by the underlying zone. Where this is not demonstrated, a land use resource consent should be approved for that development prior to the approval of the subdivision.	X	X	X	

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
15. Proposed front sites intended for detached dwellings should have a frontage width to length ratio of between 1:1.3 and 1:4. The ratio can be determined by measuring from the midpoints along the site's width and length.		X	X	
16. Proposed sites should front onto a legal road with a single road frontage (except corner sites or where defined setbacks are proposed in the application) and except where a lane or private way provides direct access.		X	X	
17. Proposed sites should ensure that safe, legible and convenient pedestrian and vehicle access can be achieved.	X	X	X	
18. Proposed sites should be designed to maximise opportunities to create private outdoor space on-site	X	X	X	
19. A proposed site's shape factor and its layout should provide: <ul style="list-style-type: none"> a. site size and shape b. the intended building area and required open space and car parking c. vehicle and pedestrian access and manoeuvring, 	X	X	X	

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
<p>20. Proposed sites should be designed and located to prioritise solar gain. Proposed site location, shape and orientation should enable future buildings (including the windows to habitable rooms) and private open space to achieve appropriate solar gain.</p> <p>Proposed sites with a frontage facing south should be narrower in width and have longer length to allow for a dwelling to the front and the private outdoor space to the rear.</p>	X	X	X	
Access				
21. Access to proposed sites should achieve an attractive streetscape appropriate to the location and character of the neighbourhood.	X	X	X	
22. Proposed residential sites should be located within 135m from a fire hydrant. Proposed sites for business activities should be located within 90m of a fire hydrant.	X	X	X	

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
23. Proposed sites should provide vehicle access, parking, manoeuvring areas and vehicle crossings that enable the safe movement of pedestrians, cyclists and vehicles	X	X	X	
24. Any pedestrian access strip proposed should employ colours and materials to clearly identify to vehicles that pedestrians have priority.		X	X	
25. All shared driveways should be designed as low speed environments (approximately 10km/h or slower).	X	X	X	
26. Driveways serving over eight rear sites or over 50m in length should be avoided, unless it can be demonstrated that a shared driveway can provide safe and convenient access and can be reasonably managed and maintained through private ownership.		X	X	
27. Shared driveway design should, where appropriate, provide for the storage of rubbish bins.		X	X	

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
28. Shared service lanes or driveways (if any) in the neighbourhood centre must be designed to accommodate the anticipated volume of traffic, including any heavy vehicle movements, to maximise safety.	X	X	X	
29. The position of any on-street car parking bays should take account of the likely position of driveway crossings.		X	X	
30. Cul-de-sac roads should be avoided. They should only be used where connected road patterns are not possible because of natural features, sub-precinct boundaries, or where a connecting road network will result in a significant loss of developable land. Where cul-de-sac roads are provided, they should be short in length, straight, and include pedestrian and cycle links to surrounding roads.		X	X	X
31. Where an interconnected road network is not possible, pedestrian and cycle links that are of adequate width, observable from adjacent dwellings, landscaped and accessible, should be provided.			X	X

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
32. Pedestrian and cycle links should run along the fronts of sites and not the rear of sites.			X	
Cultural and natural features				
33. Subdivision should: <ul style="list-style-type: none"> a. retain, where practicable, existing vegetation where it contributes to the future desired character of the area b. protect, restore and enhance, where practicable, natural water bodies, riparian margins and other ecological sites and corridors 	X	X	X	
34. Subdivision should respond to identified topographical features, characteristics and landscape patterns to: <ul style="list-style-type: none"> a. form a focal point for the subdivision layout b. ensure access is maintained to those features. 	X	X	X	X

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
<p>35. Any earthworks associated with subdivision should ensure efficient land use and:</p> <p>a. be minimised as far as practicable unless it serves to limit the visual impact of future development or to provide acoustic mitigation and its effects can be managed</p> <p>b. be undertaken, as far as practicable, in one stage rather than having prolonged or repeat land modification works</p> <p>c. avoid the need for large retaining. Land modification should be graded to appear as natural as possible by distributing cuts and fills across a site</p>	X	X	X	
<p>36. Subdivision design should ensure that any natural and cultural features are accessible to the public and, where appropriate, form prominent features within the overall design.</p>	X	X	X	X
Public open space				

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
37. Development of reserves and public open spaces should be suitably designed for the intended function and demonstrate good design principles	X	X	X	
38. Location of reserves and public open spaces should ensure integration with the wider open space network, including suitable walking and cycling connectivity to Huapai Domain	X	X	X	X
39. Public access to public open space should be secured in perpetuity.	X	X	X	
40. The public open space administering body should provide written advice that a proposed open space is acceptable for addition to the public open space network.	X	X	X	
41. Clear sight lines into all areas of reserves should be available from public roads or nearby proposed sites intended for residential use.	X	X	X	
Infrastructure and servicing				

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
42. Subdivision should provide coordinated and appropriately designed and located infrastructure consistent with the standards and specification that meet the requirements of Auckland Transport and Watercare and any relevant service provider as well as any other relevant Code of Practice.	X	X	X	X
43. Proposed sites should connect to infrastructure that has sufficient capacity for the intended development. Where necessary, subdivision should provide an appropriate contribution to the upgrade of existing infrastructure to accommodate the additional sites.	X	X	X	X

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
<p>44. Subdivision should provide for the appropriate management of stormwater through using water sensitive design as a core development approach that:</p> <p>a. enable design of developments so that the greatest intensity of future development (impervious area) is located in places where necessary earthworks and resulting stormwater discharges are minimised and have least impact on the amenity and ecological values of ecological areas and natural drainage systems, and Mana Whenua values</p> <p>b. identify and avoid, where practicable, floodplains and major overland flow paths</p> <p>c. identify, maintain and enhance, where practicable, natural hydrology and freshwater systems,</p> <p>d. implement water sensitive design elements when designing roads, reserves and sites by:</p> <p>(i) minimising impervious areas</p> <p>(ii) using green infrastructure and bio-retention systems such as grassed or vegetated swales and other vegetated areas, wetlands, rain gardens, living roofs and planting.</p> <p>(iii) Using other devices that</p>	X	X	X	

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
<p>f. where appropriate, provide for decompaction of soils after earthworks or other remediation to enhance natural absorption capability of soils</p> <p>g. consider communal and catchment scale mitigation together with local or site based approaches.</p>				
45. Subdivision should have regard to the recommendations of an integrated stormwater catchment management plan or an approved network stormwater discharge consent.	X	X	X	
46. Subdivision should provide for the appropriate management of stormwater, including treatment, detention and disposal as relevant that will avoid or mitigate adverse effects of subsequent land use development.	X	X	X	

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
<p>47. Drainage reserves should:</p> <p>a. be integrated into the layout of the subdivision and neighbourhood, including reserve and pedestrian links in accordance with the Huapai Stormwater Management Precinct Plan</p> <p>b. be designed to fit in with the surrounding landscape and appear as a natural component of the overall setting</p> <p>c. be limited to the areas shown on the precinct plan</p>	X	X	X	
Site suitability				

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
<p>48. The design and layout of subdivision on land that may subject to a hazard should:</p> <p>a. avoid or remedy the relevant hazard</p> <p>b. avoid the potential for future damage to property or infrastructure, or risk to life resulting from any hazard event</p> <p>c. account for the geotechnical constraints that may exist</p> <p>d. give regard to the land being physically suited to the proposed development, having considered topography, stability, proximity to waterways, significant infrastructure, the possibility of inundation from flooding</p>	X	X	X	X
<p>49. The extent to which the design of the subdivision allows for earthworks, building and structures to comply with the New Zealand Electrical Code of Practice (NZECP34:2001).</p>	X	X	X	

Assessment criteria	Subdivision that creates 4 additional sites	Subdivision that creates between 5 and 15 additional sites	Subdivision that creates over 15 additional sites	Sub-precinct Spatial Plan
50. Whether, in instances where contaminants have been identified as being present: a. appropriate remediation works can be undertaken to satisfactorily deal with any potential adverse effects on human health b. mitigating measures can be adopted to deal with any potential effects of undertaking these works.	X	X	X	
Controls on buildings				
51. Building design controls to be provided for by way of covenants on titles	X	X	X	

9.5 Special information requirements

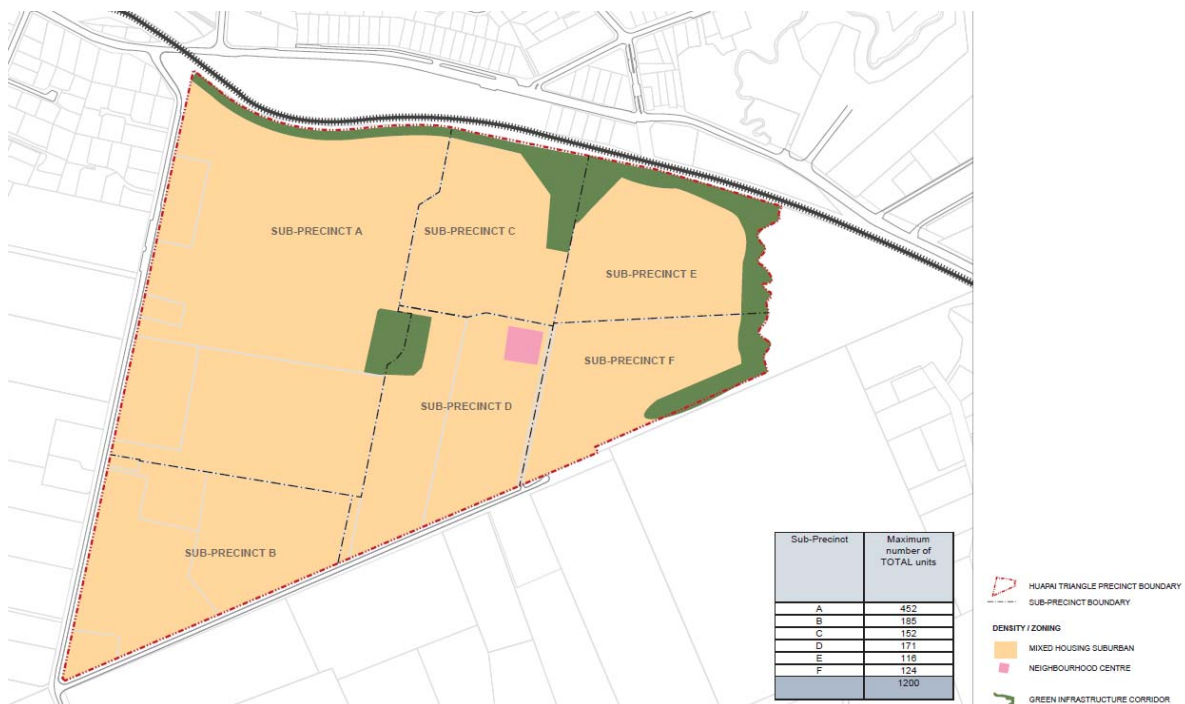
A design statement is required for the activities specified in the **Table 10** below. The design statement is required to include as a minimum the matters indicated within the table as set out in clause 2.7.2 of the general provisions. Drawings, illustrations and supporting written explanation should be proportionate to the complexity and significance of the development proposal. Refer to the Auckland Design Manual for guidance on the preparation of design statements.

Table 10: Design Statements

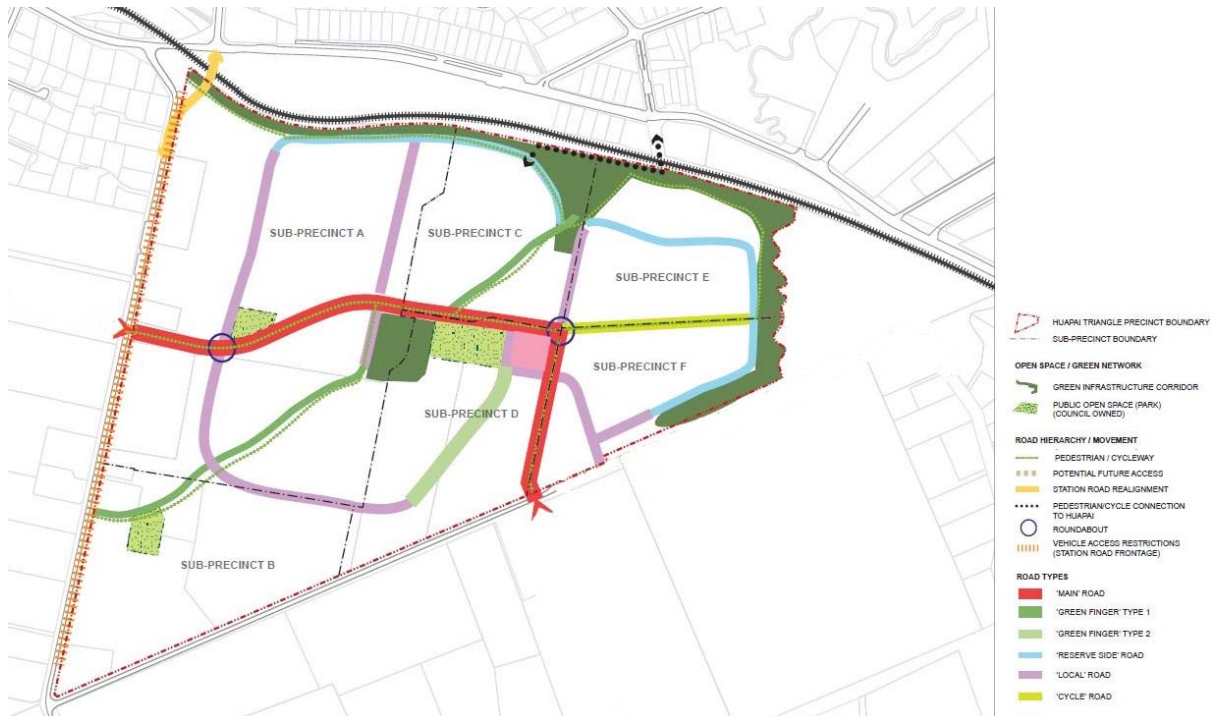
Activity	Creation of fee simple sites in the Huapai Triangle Precinct			Sub-precinct Spatial Plan
Number of proposed sites	1 - 4 sites	5 - 15 sites	15 + sites	

A. Context analysis				
1. Site Analysis				
a. Existing site plan	X	X	X	X
b. Streetscape character		X	X	
2. Neighbourhood analysis				
a. Natural and cultural environment		X	X	
b. Movement		X	X	X
c. Neighbourhood character		X	X	
d. Use and activity			X	
e. Urban structure			X	X
B. Design Response				
a. Concept design	X	X	X	X
b. Proposed site plan	X	X	X	
c. Sunlight access	X	X	X	
d. Landscape	X	X	X	
e. Streets, accessways and lanes	X	X	X	X
f. Urban structure		X	X	X
g. Public open space		X	X	X

Huapai Triangle Zoning Map



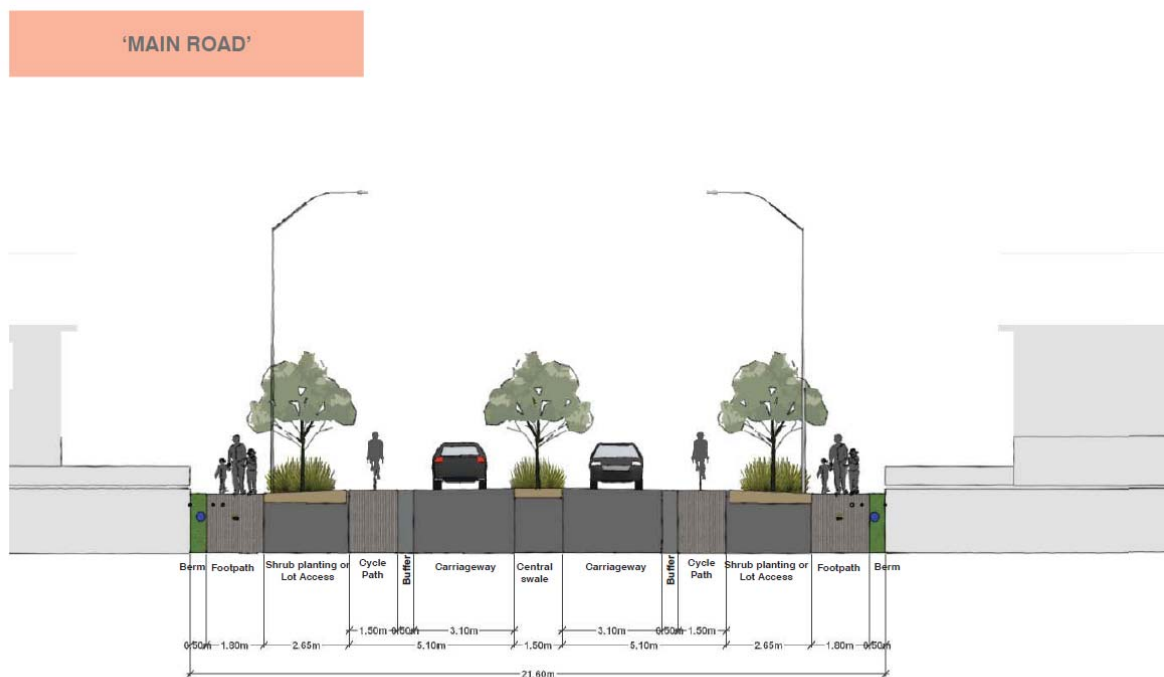
Huapai Triangle – Road Hierarchy/Movement Plan



Huapai Triangle – Stormwater Management

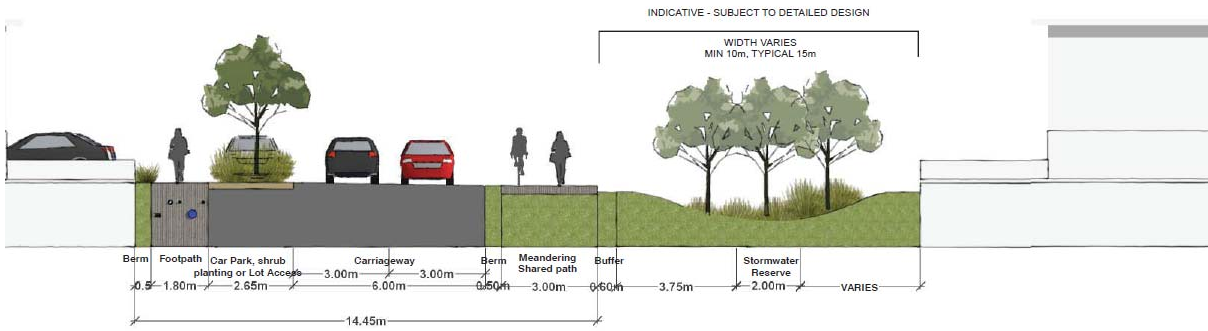


Huapai Road Cross Sections



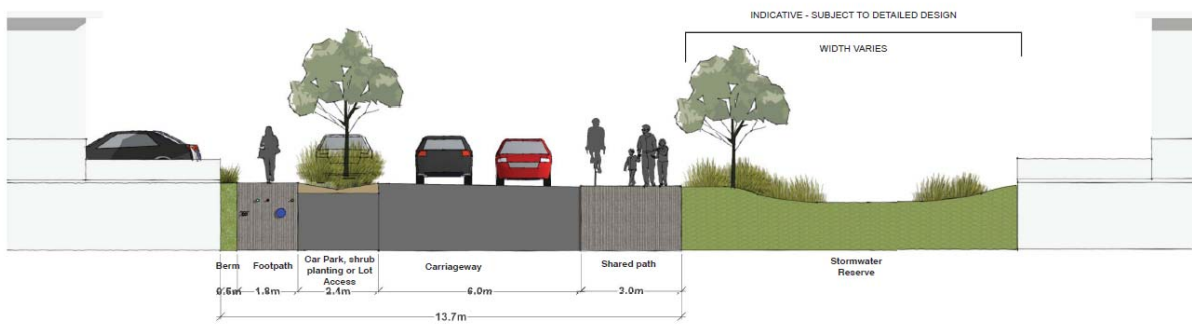
ROAD TYPE CROSS SECTIONS

'GREEN FINGER TYPE 1'



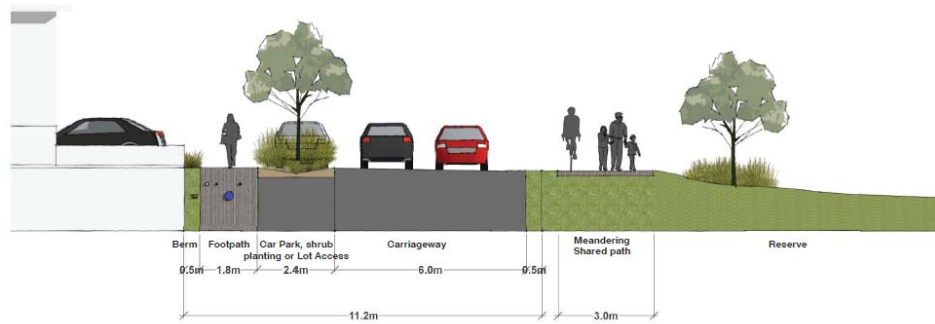
ROAD TYPE CROSS SECTIONS

'GREEN FINGER TYPE 2'

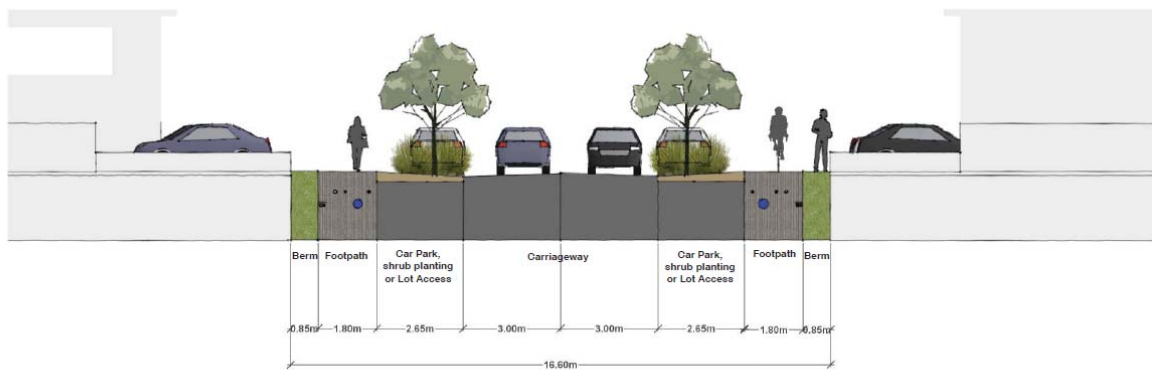


ROAD TYPE CROSS SECTIONS

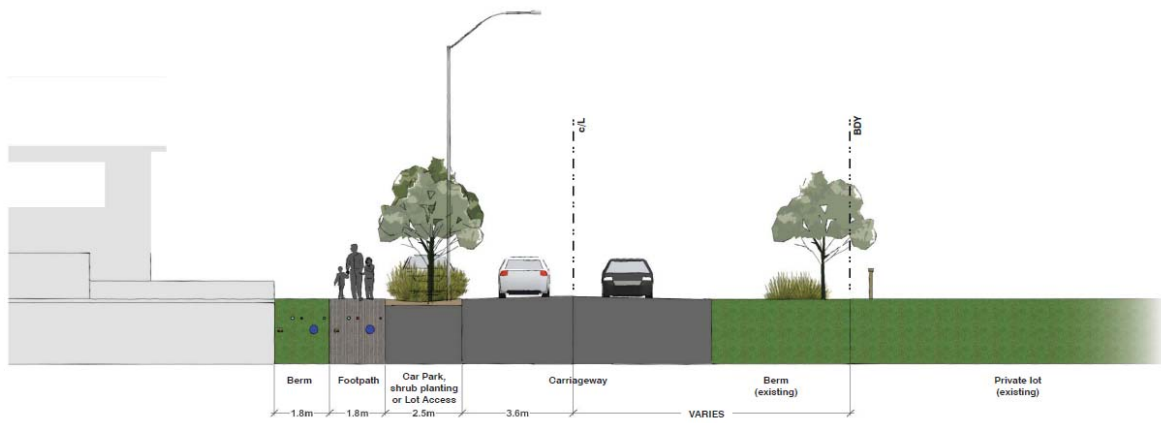
'RESERVE SIDE' ROAD



'CYCLE' ROAD



NOBILO ROAD



STATION ROAD

