

I326. Ōrākei 1 Precinct

I326.1. Precinct Description

The Ōrākei 1 Precinct includes the land identified as hapu reservation (land held for the purposes of a marae, church, urupa and related hapu amenities) and land identified for development for papakāinga and other commercial and non-commercial activities under the Ngāti Whātua Ōrākei Claims Settlement Act 2012.

The purpose of the Ōrākei 1 Precinct is to:

- enable development and land management which reflect the principles of the Ngāti Whātua Ōrākei Iwi Management Plan 2012;
- provide for a range of activities that support and enhance development for papakāinga and other commercial and non-commercial activities; and
- provide additional rules and assessment criteria to manage the effects of development.

The establishment of a joint management agreement under section 36 of the Resource Management Act 1991 is encouraged to provide for joint decision making on all resource consents or plan changes directly affecting the Ōrākei 1 Precinct. As part of this approval process, a design review panel would also be established to provide for the specific consideration of Maori identity and design. While the precinct does not rely on a joint management agreement, it is an important part of the planning context of the precinct.

The zoning of land within this precinct is a combination of:

- Special Purpose – Māori Purpose Zone;
- Residential – Terrace Housing and Apartment Buildings Zone;
- Residential – Mixed Housing Urban Zone;
- Business – Mixed Use Zone; and
- Open Space – Informal Recreation Zone.

I326.2. Objectives

- (1) The re-establishment of Ngāti Whātua Ōrākei on their Whenua Tūpuna (ancestral land) within an integrated and sustainable community environment which reflects Ngāti Whātua Ōrākei Mātauranga.
- (2) Ngāti Whātua Ōrākei is meaningfully involved in the management and decision making processes relating to Ngāti Whātua Ōrākei ancestral land.

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

I326.3. Policies

Kotahitanga and Whanaungatanga – community and relationships:

- (1) Promote a cultural sense of place, a location that promotes and supports interaction and engagement between tribal members and a community environment unique to Ngāti Whātua Ōrākei in Tāmaki Makaurau.

Wairuatanga – spiritual connections and building design:

- (2) Encourage design which promotes connection to significant Ngāti Whātua Ōrākei landmarks, cultural features and heritage connections.
- (3) Manage the building footprint, profile and height of buildings, where four or more dwellings are located on a site, to establish an integrated built form across the land area while also:
 - (a) creating a gateway entry to the community and a sense of awareness of entering a special residential environment;
 - (b) reinforcing and referencing local historic reference points and the wider cultural landscape;
 - (c) providing diversity in building forms and ownership models to accommodate a wide range of hapu and residents, including intergenerational whanau living opportunities and shared outdoor space;
 - (d) avoiding monotonous built form when viewed from public open space and sites within the residential zones outside of the precinct by ensuring a variation in building height and variations in building footprints and form; and
 - (e) complementing adjacent public open space by orientating buildings to enhance passive surveillance, and locating parking and servicing areas remote from public open space boundaries.

Kaitiakitanga – sustainable management:

- (4) Recognise and promote development and design solutions that protect or enhance natural, cultural and heritage values of Ngāti Whātua Ōrākei ancestral land.
- (5) Encourage, where four or more dwellings are located on a site, a form and layout of the development that enables the following sustainability initiatives:
 - (a) native planting and restoration of natural waterways;
 - (b) community gardens, including mahinga kai;
 - (c) low impact stormwater design, including the use of the Whenua Rangatira to achieve stormwater neutrality where practicable; and
 - (d) using the existing contour where possible and minimising large areas of cut and fill.

Mātauranga – traditional knowledge and identity:

- (6) Promote and provide for Ngāti Whātua Ōrākei Mātauranga in design and development.

Orangatanga – wellbeing:

- (7) Promote the establishment of community, social and employment facilities which enhance the economic and social wellbeing of Ngāti Whātua Ōrākei people and the wider community.
- (8) Maximise the opportunity to utilise the finite papakāinga land resource efficiently to house current and future generations of Ngāti Whātua Ōrākei people while avoiding or mitigating adverse effects on the surrounding environment.

Mauritanga – ecosystem enhancement and linkages:

- (9) Require development to maintain or enhance ecosystems and surrounding natural habitats, including the Whenua Rangatira.

Rangatiratanga – self determination

- (10) Establish a joint management agreement in accordance with section 36B of the Resource Management Act 1991 (or similar agreement) between Ngāti Whātua Ōrākei and the Council which:
 - (a) ensures Ngāti Whātua Ōrākei have equal decision-making powers in relation to policy and development decisions affecting their ancestral land; and
 - (b) provides an efficient process to assess the design attributes of new buildings and development.

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

I326.4. Activity table

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I326.4.1 Activity table specifies the activity status of land use and development activities in the Ōrākei 1 Precinct pursuant to section 9(3) of the Resource Management Act.

A blank in Table I326.4.1 Activity table below means that the provisions of the zone or Auckland-wide provisions apply.

Table I326.4.1 Activity table

| Activity | | Activity Status | | | | |
|---------------|---|--------------------------------------|--|--|---------------------------|---------------------------------------|
| | | Special Purpose – Māori Purpose Zone | Residential – Terrace Housing and Apartment Buildings Zone | Residential – Mixed Housing Urban Zone | Business – Mixed Use Zone | Open Space – Informal Recreation Zone |
| Use | | | | | | |
| Accommodation | | | | | | |
| (A1) | Retirement villages | RD | | | | |
| (A2) | Supported residential care | RD | | | | |
| (A3) | Visitor accommodation | RD | | | | |
| (A4) | Boarding houses | RD | | | | |
| (A5) | Dwellings | | | | | |
| Community | | | | | | |
| (A6) | Care centres | P | | | | |
| (A7) | Community facilities | P | | | | |
| (A8) | Education facilities | P | | | | |
| (A9) | Informal recreation | P | | | | |
| (A10) | Organised sport and recreation | P | | | | |
| (A11) | Healthcare facilities | P | | | | |
| (A12) | Urupā and accessory buildings | P | | | | |
| Commerce | | | | | | |
| (A13) | Offices up to 1500m ² of GFA | P | | | | |
| (A14) | Offices with greater than 1500m ² GFA | D | | | | |
| (A15) | Retail up to a GFA of 500m ² and up to 100m ² GFA per tenancy | P | | | | |

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|--------------------|---|----|--|--|--|--|
| (A16) | Retail with greater than 500m ² GFA or greater than 100m ² GFA per tenancy | D | | | | |
| (A17) | Retail accessory to a marae complex | P | | | | |
| Rural | | | | | | |
| (A18) | Farming | P | | | | |
| (A19) | Horticulture | P | | | | |
| Development | | | | | | |
| (A20) | Public roads | RD | | | | |
| (A21) | New buildings, or additions and alterations to existing buildings, greater than 200m ² for care centres, community facilities, education facilities, informal recreation and leisure, organised sport and recreation, healthcare facilities, offices or retail | RD | | | | |

I326.5. Notification

- (1) Any application for resource consent for an activity listed in Table I326.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I326.6. Standards

The relevant overlay, zone and Auckland-wide standards apply in this precinct, unless otherwise provided for below:

I326.6.1. Horticulture

- (1) Glasshouses must not exceed 50m² in size.

I326.6.2. Height in relation to boundary

- (1) Where a height in relation to boundary standard applies in a zone, the standard only applies:
 - (a) at the external boundary of the precinct where it adjoins a site zoned Residential - Mixed Housing Urban Zone or Residential - Mixed Housing Suburban Zone; or
 - (b) at any internal boundary where sites are under separate ownership, and does not apply to the internal site boundaries within the precinct where land is under a single ownership and / or subject to a single application.
- (2) No part of any building on 107-111 Kupe Street (Lots 208 DP 48825) shall project above a 35° recession plane measured from any point 2 metres above the ground level along the common boundary with 105 Kupe Street (Lot 2 DP 446155).

I326.6.3. Yards and building setbacks

- (1) Where the Residential - Terrace Housing and Apartment Buildings Zone applies:
 - (a) Standard H6.6.9 Yards and Standard H6.6.8 Height in relation to boundary adjoining lower intensity zones only apply at the boundary of the precinct where it adjoins a site zoned Residential - Mixed Housing Urban Zone or Residential - Mixed Housing Suburban Zone; or
 - (b) at any internal boundary where sites are under separate ownership, and does not apply to the internal site boundaries within the precinct where the land is zoned Residential – Terrace Housing and Apartment Buildings Zone and is under single ownership and / or subject to a single application.

I326.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I326.8. Assessment – restricted discretionary activities

I326.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the Auckland wide or zone provisions:

- (1) retirement villages, supported residential care, visitor accommodation, boarding houses:
 - (a) in the Special Purpose – Māori Purpose Zone the matters of discretion in H5.8.1(1) and H5.8.1(3) Matters of discretion for activities in the Residential – Mixed Housing Urban Zone; and

(b) in the Special Purpose – Māori Purpose Zone; Residential – Terrace Housing and Apartment Buildings Zone; Residential – Mixed Housing Urban Zone; Business – Mixed Use Zone; and Open Space – Informal Recreation Zone the integration of mātauranga and tikanga.

(2) public roads:

(a) transport effects;

(b) design and routes of public roads; and

(c) public pedestrian connections.

(3) new buildings, or additions and alterations to existing buildings, greater than 200m² for care centres, community facilities, education facilities, informal recreation and leisure, organised sport and recreation, healthcare facilities, offices or retail:

(a) integration of mātauranga and tikanga.

(4) four or more dwellings:

(a) cultural sense of place;

(b) building location, height and profile; and

(c) sustainability.

I326.8.2. Assessment criteria

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

(1) retirement villages, supported residential care, visitor accommodation, boarding houses:

(a) in the Special Purpose – Māori Purpose Zone the assessment criteria in H5.8.2(1) and H5.8.2(3) Assessment criteria for activities in the Residential – Mixed Housing Urban Zone; and

(b) in the Special Purpose – Māori Purpose Zone; Residential – Terrace Housing and Apartment Buildings Zone; Residential – Mixed Housing Urban Zone; Business – Mixed Use Zone; and Open Space – Informal Recreation Zone, the extent to which the building design integrates mātauranga and tikanga principles.

(2) public Roads:

(a) the extent to which the location, physical extent and design of new public roads and associated public pedestrian connections integrate with existing and proposed public open space and provide for well-connected, and safe vehicular and pedestrian routes;

- (b) whether vehicle traffic through the marae area is avoided to the extent practicable; and
 - (c) the extent to which public pedestrian access across open space areas from Takitimu and Kupe Streets to Kitemoana Streets is established and reinforced.
- (3) new buildings, or additions and alterations to existing buildings, greater than 200m² for care centres, community facilities, education facilities, informal recreation and leisure, organised sport and recreation, healthcare facilities, offices or retail:
- (a) the extent to which the building design integrates mātauranga and tikanga principles.
- (4) four or more dwellings:
- (a) cultural sense of place:
 - (i) the extent to which the development reinforces and complements the marae as the heart of the community;
 - (ii) the extent to which opportunities for local community services, employment and places to shop are provided, particularly at the Takitimu Street / Kupe Street entrance to the Ōrākei precinct and near the marae; and
 - (iii) whether development establishes and reinforces the use and function of areas zoned open space and orientate views towards the Whenua Rangatira;
 - (b) building location, height and profile:
 - (i) whether building footprints, profile and height (rather than detailed building design) establish an integrated built form and spatial framework across the subject land area and address the matters in Policy I326.3(3) above; and
 - (c) sustainability
 - (i) whether the form and layout of the development enables the sustainability initiatives identified in Policy I326.3(5) above.

I326.9. Special information requirements

There are no special information requirements in this precinct.

I326.10. Precinct plans

I326.10.1 Orakei 1: Precinct Plan 1 - Ōrākei Papakāinga master plan

