

A1. Introduction

Kotahi te kōhao o te ngira e kuhuna ai te miro mā, te miro pango, te miro where. Ā muri, kia mau ki te whakapono, kia mau ki ngā ture, kia mau ki te aroha.

There is but one eye of the needle through which must pass the white thread, the black thread, and the red thread. Hold fast to faith, hold fast to the laws, hold fast to the love.

Kīngi Pōtatau Te Wherowhero

A1.1. Purposes of the Auckland Unitary Plan

The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. Sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- (1) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
- (2) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (3) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The functions of the Auckland Council (the Council) for the purpose of giving effect to the Resource Management Act 1991 as a regional council and as a territorial authority are set out in sections 30 and 31 of the Resource Management Act 1991.

The statutory purposes of the Auckland Unitary Plan (the Plan) are:

- (1) for the part which is the regional policy statement: to achieve the purpose of the Resource Management Act 1991 by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region;
- (2) for the parts which are the regional coastal plan: to assist the Council, in conjunction with the Minister of Conservation, to achieve the purpose of the Resource Management Act 1991 in relation to the coastal marine area of the region; and
- (3) for the parts which are the regional plan and the district plan: to assist the Council to carry out any of its functions as a regional council and as a territorial authority in order to achieve the purpose of the Resource Management Act 1991.

The Plan therefore has three key roles:

- (1) it describes how the people and communities of the Auckland region will manage Auckland's natural and physical resources while enabling growth

and development and protecting the things people and communities value;

- (2) it provides the regulatory framework to help make Auckland a quality place to live, attractive to people and businesses and a place where environmental standards are respected and upheld; and
- (3) it is a principal statutory planning document for Auckland. Other relevant planning documents include the Auckland Plan, the Auckland Long-Term Plan and the Auckland Regional Land Transport Plan.

A1.2. Replacement of operative plans

The Plan replaces all of the following resource management documents:

- Auckland Regional Policy Statement;
- Auckland Regional Plan: Air, Land and Water;
- Auckland Regional Plan: Dairy Farm Discharges;
- Auckland Regional Plan: Coastal;
- Auckland Regional Plan: Sediment Control;
- Auckland Council District Plan - Operative Auckland City - Central Area Section 2005;
- Auckland Council District Plan - Operative Auckland City - Isthmus Section 1999;
- Auckland Council District Plan - Operative Franklin Section 2000;
- Auckland Council District Plan - Operative Manukau Section 2002;
- Auckland Council District Plan - Operative North Shore Section 2002;
- Auckland Council District Plan - Operative Papakura Section 1999;
- Auckland Council District Plan - Operative Rodney Section 2011;
- Auckland Council District Plan - Operative Waitakere Section 2003; and
- Waikato Regional Policy Statement and Waikato Regional Plan to the extent that they have applied to parts of the Auckland Region since boundary amendments on 11 March 2010.

The Plan does not replace the Auckland Council District Plan – Operative Hauraki Gulf Islands Section 2013. This section of the Auckland Council District Plan applies to subdivision, land use and development in the Hauraki Gulf islands until a plan change is made to incorporate the Hauraki Gulf Islands Section of the Auckland Council District Plan into the Plan. However, the Hauraki Gulf islands are subject to the Plan regional policy statement, the regional coastal plan and the regional plan.

A1.3. Structure of the Auckland Unitary Plan

The Plan combines the regional policy statement, regional coastal plan, regional plans and district plans into one combined plan. The Plan has a hierarchical policy framework with the regional policy statement at the top, then with regional and district plan provisions giving effect to the regional policy statement.

The text of the Plan is structured into 14 chapters:

Chapter A	Introduction
Chapter B	Regional policy statement
Chapter C	General rules
Chapter D	Overlays
Chapter E	Auckland-wide
Chapter F	Coastal
Chapter G	Rural urban boundary
Chapter H	Zones
Chapter I	Precincts
Chapter J	Definitions
Chapter K	Designations
Chapter L	Schedules
Chapter M	Appendices
Chapter N	Glossary of Māori terms

Each chapter generally provides the objectives and policies and, in the case of the regional and district plans, the rules for a particular resource management matter or issue or a location or other information to support the use of the Plan.

The Plan maps (the planning maps) show overlays, zones, precincts and designations affecting land, water and airspace. They also show zone and Auckland-wide standards that have a spatial component to them such as the Height Variation Control or the Subdivision Variation Control. Qualifying matters in the urban environment are shown where a spatial component enables their identification. Additional maps for specific matters are also included within the text of the Plan.

A1.4. Identifying the different functions of provisions within the Auckland Unitary Plan

The Plan is a combined plan under section 80 of the Resource Management Act 1991. The Council is responsible for the observance of each provision of the Plan.

The Council is required to identify the provisions in the Plan that are the:

- regional policy statement
- regional coastal plan **[rcp]**

- regional plan **[rp]**
- district plan **[dp]**.

It does this by a number of methods.

A1.4.1. Identification of regional policy statement objectives and policies

The regional policy statement objectives and policies are separate from other objectives and policies in the plan. All regional policy statement objectives and policies are found in Chapter B. They are not identified in any other particular way.

A1.4.2. Identification of objectives and policies in the regional coastal plan, regional plan and district plan

The objectives and policies for the regional coastal plan, regional plan and district plan in the Plan are identified using the tag [rcp] or [rp] or [dp] or any relevant combination of these. The tag is located at the end of the objective or policy title, or the objective or policy, to identify the relevant functional level of the objective or policy. Where the objectives and policies are district plan provisions only, there is no tag.

An example of a tag located at the end of the objective or policy title is as follows:

X1.2 Objectives [rcp/rp/dp]

X1.3 Policies [rcp/rp/dp]

Or, an example of a tag located at the end of the objective or policy is as follows:

- (1) Consider hard protection works to protect development only where existing natural features will not provide protection from the natural hazard and enhancement of natural defences is not practicable. **[rcp/dp]**

Or, an example of a district plan objective or policy with no tag is as follows:

X2.2 Objective

- (1) Development is in keeping with the neighbourhood's existing or planned suburban built character of predominantly one to two storeys buildings.

A1.4.3. Identification of rules, standards, matters of control or discretion and assessment criteria in the regional coastal plan, regional plan and district plan

The rules for the various plans are identified by the sentence located above the activity table according to the section or sections of the Resource Management Act 1991 which are the basis for the activity or part of the activity table. For example:

Resource Management Act 1991 section	Resource management purpose	Identification of relevant plan
Section 9(2)	Regional land use	Regional plan rules
Section 9(3)	District land use	District plan rules
Section 11	Subdivision	District plan or regional coastal plan rules

Section 12(1)	Coastal works: <ul style="list-style-type: none"> • reclaim or drain foreshore or seabed; • erect, reconstruct, place, alter, extend, remove or demolish a structure; • disturb foreshore or seabed; • deposit in, on or under foreshore or seabed; • destroy damage or disturb foreshore of seabed; or introduce a plant 	Regional coastal plan rules
Section 12(2)	Coastal occupation	Regional coastal plan rules
Section 12(3)	Coastal activity	Regional coastal plan rules
Section 13	Activities in, on, under or over the beds of lakes and rivers	Regional plan rules
Section 14	Take, use, dam or divert water, heat or energy	Regional plan rules or regional coastal plan rules
Section 15	Discharge of contaminants or water into water; or discharges of contaminants into air, or onto or into land or water	Regional plan rules or regional coastal plan rules

In some instances the rules have a dual resource management function and resource consent may be required for an activity under any one, or a combination of a number of sections of the Resource Management Act 1991 and therefore under one or more of the regional coastal plan, regional plan and/or district plan.

The standards, matters for control or discretion and any assessment criteria follow the same identified section of the Resource Management Act 1991 and resource management plan as the rule in the activity table to which they relate.

A1.4.4. Identification of the Introduction, General rules, Definitions, and Glossary of Māori terms in the Plan

The following chapters apply to the whole Plan:

- Chapter A Introduction
- Chapter J Definitions
- Chapter N Glossary of Māori terms

and are to be treated as regional policy statement, regional coastal plan, regional plan and district plan provisions in their entirety.

Chapter C General rules do not apply to the regional policy statement but do apply to the regional coastal plan, regional plan and district plan in their entirety.

A1.4.5. Identification of the Designations in the Plan

The provisions in Chapter K Designations and the related maps are district plan provisions. Some designations in the urban environment are qualifying matters. Some designations in the urban environment are qualifying matters.

A1.4.6. Identification of the Schedules in the Plan

The provisions in Chapter L Schedules and the related maps are regional coastal plan or regional plan or district plan provisions depending on the type and location of activity being undertaken. The exceptions to this are [Schedule 3 Significant Ecological Areas – Terrestrial Schedule](#) and [Schedule 4 Significant Ecological Areas – Marine Schedule](#) which are regional policy statement, regional coastal plan, regional plan and district plan provisions. Some matters in the schedules are qualifying matters.

A1.4.7. Identification of Appendices in the Plan

The provisions of Chapter M Appendices, with one exception, are regional coastal plan or regional plan or district plan provisions. The one exception to this is [Appendix 1 Structure plan guidelines](#) which is a regional policy statement appendix.

A1.4.8 Identification of qualifying matters in the Plan

Qualifying matters reduce height or density that would otherwise be applied through Policy 3 of the National Policy Statement on Urban Development 2020 (amended May 2022). Tables A1.4.8.1 and A1.4.8.2 list qualifying matters and indicate where in the plan qualifying matters may be found. Spatially identified qualifying matters are shown on the planning maps.

Qualifying matter provisions and the related planning maps are district plan provisions.

Qualifying matter provisions are identified in the plan with an orange sidebar annotation to assist Plan users. A reference to the relevant section of the RMA is provided. An example of a sidebar annotation for a qualifying matter provisions is as follows:

Qualifying matter as per S77I(a)

X2.2 Building coverage

(x.x.x) The maximum building coverage must not exceed 35 per cent of net site area.

Table A1.4.8.1 Qualifying matters in zones, overlays and Auckland-wide provisions

Qualifying matters	Zones, overlays and Auckland-wide qualifying matter provisions:	Qualifying matter provisions related to zones', overlays', or Auckland-wide qualifying matter provisions
<u>Matters of national importance that decision-makers are required to</u>	<u>Zones, overlays and Auckland-wide qualifying matter provisions:</u>	<u>Chapter E36 Natural hazards and flooding Chapter E38 Subdivision</u>

<u>recognize and provide for</u>	<u>Chapter D9 Significant Ecological Areas</u> <u>Chapter D10 Outstanding Natural Features and Outstanding Natural Landscapes</u> <u>Chapter D14 Maunga Viewshafts and Height and Building Sensitive Areas</u> <u>Chapter D17 Historic Heritage</u> <u>Chapter D19 Auckland war Memorial Museum Viewshaft</u> <u>Chapter D21 Sites and Places of Significance to Mana Whenua</u> <u>Significant natural hazards controls for coastal inundation, coastal erosion, flooding, land instability</u> <u>Areas providing public access to the CMA, lakes and rivers</u>	<u>Chapter H Zones</u> <u>Chapter L Schedules</u> <u>Schedule 1</u> <u>Schedule 3</u> <u>Schedule 9</u> <u>Schedule 12</u> <u>Schedules 14.1, 14.2, 14.1.3</u> <u>Schedule 15</u>
Matters required for ensuring the safe or efficient operation of nationally significant infrastructure	Land adjacent to the rail corridor in the City Centre Zone E25 Noise and Vibration <u>Chapter D24 Aircraft Noise Overlay</u> <u>Chapter D26 National Grid Corridor Overlay</u> <u>Chapter E26 Infrastructure: Oil Refinery pipeline</u> <u>Chapter E26 Infrastructure: Gas transmission pipelines</u> <u>Chapter E29 Emergency management area- Hazardous facilities and infrastructure: Wiri Terminal and Wiri LPG Depot</u> <u>H22 Strategic Transport Corridor Zone</u>	Chapter H Zones Chapter K Designations including 6301, 6302 and 8530 <u>Chapter K Designations including 1100, 1101, 1102</u>
Matters for giving effect to designations	Chapter K Designations	Chapter K Designations including airspace restriction designations
Matters required to give effect to any other National Policy Statement or NZCPS	Chapter D26 National Grid Corridor Overlay <u>Chapter D9 Significant Ecological Areas</u> <u>Chapter D10 Outstanding Natural Features and Outstanding natural</u>	Chapter H Zones Chapter K Designations Chapter L Schedules: Schedule 3 Schedule 2 <u>Schedule 6</u>

	<u>Character Coastal Environment</u>	
<u>Matters for open space for public use</u>	<u>Open Space- Conservation Zone</u> <u>Open Space-Informal Recreation Zone</u> <u>Open Space Sports and Active recreation Zone</u> <u>Open Space- Civi Spaces Zone</u> <u>Open Space- Community Zone</u>	<u>E16 Trees in open space zones</u> <u>Chapter H7 Open Space Zones</u>
<u>Any other matter that makes higher density development inappropriate in an area</u>	<u>Chapter D13 Notable Trees Overlay</u> <u>Chapter D15 Ridgeline Protection Overlay</u> <u>Chapter D16 Local Public Views Overlay</u> <u>Chapter D18 Special Character Areas Overlay- Residential and Business</u> <u>Chapter D20A Stockade Hill Viewshaft</u> <u>Chapter H3 Single House Zone</u> <u>Natural hazards that are less than significant</u> <u>Areas with long-term infrastructure constraints</u> <u>Combined wastewater network</u>	<u>Chapter E36 Natural hazards and flooding</u> <u>Chapter H Zones</u> <u>Chapter L Schedules</u> <u>Schedule 10</u> <u>Schedule 11</u> <u>Schedule 15</u>

Table A1.4.8.2 Qualifying matters in precincts

Qualifying matters	Precincts – Chapter I
Matters of national importance that decision-makers are required to recognise and provide for	<p>Areas within precincts that protect matters of national importance including:</p> <p>Historic heritage - I201 Britomart Precinct, I202 Central Wharves Precinct, I206 Karangahape Road Precinct...</p> <p><u>I311 Ellerslie 1 Precinct,</u> <u>I334 Wairaka Precinct, I519 Long Bay Precinct, I540 Takapuna 1 Precinct, I605 Hobsonville Point Precinct.</u></p> <p><u>Maintenance and enhancement of public access to and along the coastal marine area, lakes</u></p>

	<p><u>and rivers- I605 Hobsonville Point Precinct.</u></p> <p><u>Māori relationship and culture and traditions with their taonga I540 Takapuna 1 Precinct.</u></p> <p><u>Natural hazards – I445 Gatland and Great South Road Precinct, I446 Gatland Road Precinct, I529 Orewa 1 Precinct, I530 Orewa 2 Precinct, I531 Orewa 3 Precinct, I532 Pinewoods Precinct, I540 Takapuna 1 Precinct, I1600 Babich Precinct.</u></p> <p><u>Outstanding natural features or landscapes- I519 Long Bay Precinct, I532 Pinewoods Precinct, I539 Smales 2 Precinct.</u></p> <p><u>Significant ecological area – I334 Wairaka Precinct, I519 Long Bay precinct, I530 Orewa 2 Precinct, I531 Orewa 3 Precinct, I532 Pinewoods Precinct, I540 Takapuna 1 Precinct, I1600 Babich Precinct, I610 Redhills Precinct</u></p>
<u>Matters required to give effect to any other National Policy Statement or NZCPS</u>	<u>I519 Long Bay Precinct, I539 Smales 2 Precinct, I605 Hobsonville Point Precinct</u>
<u>Matters required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008</u>	<u>I519 Long Bay Precinct, I609 Penihana North Precinct</u>
<u>Matters required for ensuring the safe or efficient operation of nationally significant infrastructure</u>	<u>I208 Port Precinct, I404 Auckland Airport Precinct, I412 Flat Bush precinct, I610 Redhills Precinct</u>
<u>Matters required for open space</u>	<u>I412 Flat Bush precinct, I519 Long Bay Precinct</u>
<u>Matters for giving effect to designations</u>	<u>I404 Auckland Airport Precinct I438 takanini Precinct</u>
<u>Matters required to provide</u>	<u>I552 Warkworth Clayden</u>

<u>sufficient business land suitable for low density uses to meet expected demand</u>	<u>Road Precinct, I553</u> <u>Warkworth North Precinct</u>
<u>Any other matter that makes higher density development inappropriate in an area</u>	<u>Various including:</u> <u>Local landscape values,</u> <u>urban design and/or built form, coastal character,</u> <u>traffic management, local views and/or amenity,</u> <u>special character and/or character buildings,</u> <u>connection with Waitemata Harbour</u> <u>Chapter I Precincts- various</u>

A1.5. Content of the regional coastal plan

The Plan is a combined plan which includes the Auckland regional coastal plan.

Any provision of the Plan which applies to activities or natural or physical resources in the coastal marine area is a provision of the Auckland regional coastal plan.

A1.6. Plan provisions

The Plan uses six main types of plan provisions:

A1.6.1. General rules

There are a number of general rules which apply throughout the Plan except in the regional policy statement and where otherwise specified. These include rules applicable to the consent process and notification of applications, how applications involving multiple activities and different types of plan provisions will be assessed, and how infringements of standards for activities will be assessed.

A1.6.2. Overlays

Overlays manage the protection, maintenance or enhancement of particular values associated with an area or resource. Overlays can apply across zones and precincts and overlay boundaries do not follow zone or precinct boundaries. Overlays also manage specific planning issues such as addressing reverse sensitivity effects between different land uses.

Overlays generally apply more restrictive rules than the Auckland-wide, zone or precinct provisions that apply to a site, but in some cases they can be more enabling. Overlay rules apply to all activities on the part of the site to which the overlay applies unless the overlay rule expressly states otherwise.

Overlay rules are identified in the activity tables where they are located in sections of the Plan dealing with Auckland-wide rules, for example Land disturbance – Regional or the Coastal – General Coastal Marine Zone.

Overlay provisions are located in Chapter D of the Plan and overlays are identified on the planning maps.

A1.6.3. Auckland-wide provisions

Auckland-wide provisions apply to the use and development of natural and physical resources across Auckland regardless of the zone in which they occur.

Auckland-wide provisions are located in Chapter E of the Plan and cover natural resources, Mana Whenua, the built environment, infrastructure, environmental risk, subdivision and temporary activity matters. Auckland-wide provisions generally apply more restrictive rules than the zone or precinct provisions that apply to a site, but in some cases they can be more enabling.

Auckland-wide rules which have a spatial component such as the Subdivision Variation Control or the Stormwater Management Area Control – Flow 1 and Flow 2 are identified on the planning maps.

A1.6.4. Zones

Zones manage the way in which areas of land and the coastal marine area are to be used, developed or protected. The spatial application of zones generally identifies where similar uses and activities are anticipated. All land and all of the coastal marine area within the Auckland region is zoned, except for roads.

Zone provisions are located in Chapters F and H of the Plan. Zones are identified on the planning maps. In addition, zone rules which have a spatial component such as the Height Variation Control are identified on the planning maps.

A1.6.5. Precincts

Precincts enable local differences to be recognised by providing detailed place-based provisions which can vary the outcomes sought by the zone or Auckland-wide provisions and can be more restrictive or more enabling. In certain limited circumstances the rules in a precinct vary the controls of an overlay, either by being more restrictive or more enabling. However, the general approach is that overlays take precedence over a precinct.

Precinct provisions are located in Chapter I and grouped according to their location as Auckland-wide, central, north, west and south. Precinct areas are identified on the planning maps.

A1.6.6. Standards

Activities provided for as permitted, controlled or restricted discretionary activities are normally subject to standards. Standards set limits on the extent to which an activity is permitted or may be assessed as a controlled or restricted discretionary activity. Exceedance of a standard normally results in the activity being considered as a more restrictive class of activity.

Standards are located following the activity tables in the overlay, zone, Auckland-wide and precinct provisions.

A1.7. Activity status

The Resource Management Act 1991 provides for activities to be classed as set out below. The classification of an activity is usually referred to as its activity status. The class or status of an activity determines the nature and extent of matters that must be considered for consenting. The class or status of an activity does not determine whether an application for consent will be notified or not.

Where more than one activity status may apply to a proposal, General rule [C1.6](#) applies to determine the overall activity status.

There is a hierarchy of the classes in terms of both the basis for assessment and the nature of conditions that may be imposed on any grant of consent. The hierarchy runs from the most enabling permitted status to the most restrictive prohibited status. The Plan has been prepared on the basis of this classification and consenting hierarchy. The following statements are provided to assist users of the Plan to understand how this hierarchy has been applied.

A1.7.1. Permitted activity

No resource consent is required for a permitted activity and the activity is allowed as of right. The activity may be subject to permitted activity standards which must be objectively certain and not subject to a discretionary assessment. Exceedance of a permitted activity standard normally results in the activity being considered as a restricted discretionary activity.

Activities are classed as permitted where the character, intensity and scale of their effects are expected to be in keeping with the quality of the existing environment or the relevant objectives and policies of the relevant zone or precinct.

A1.7.2. Controlled activity

Resource consent is required for a controlled activity but the Council must grant consent and only has power to impose conditions on the consent in relation to those matters over which control is reserved by the Plan or a national environmental standard. The activity may be subject to controlled activity standards. Exceedance of a controlled activity standard normally results in the activity being considered as a restricted discretionary activity.

Activities are classed as controlled where the activity is in keeping with the existing environment and the likely effects are well understood and able to be avoided, remedied or mitigated by conditions.

A1.7.3. Restricted discretionary activity

Resource consent is required for a restricted discretionary activity. Consent may be either granted or refused, but only for reasons which are relevant to the matters stated in the Plan or a national environmental standard over which the discretion can be exercised. The activity may be subject to restricted discretionary activity standards. If consent is granted, then any conditions of consent may only be in relation to the matters stated in the Plan or a national environmental standard.

Activities are classed as restricted discretionary where they are generally anticipated in the existing environment and the range of potential adverse effects is able to be identified in the Plan, so that the restriction on the Council's discretion is appropriate.

A1.7.4. Discretionary activity

Resource consent is required for a discretionary activity and may be granted or refused for any relevant resource management reason. An application for resource consent for a discretionary activity will be fully assessed in terms of the relevant provisions of the Plan, including all relevant objectives and policies, and the Resource Management Act 1991, including in particular Part 2.

Activities are classed as discretionary where they are not generally anticipated to occur in a particular environment, location or zone or where the character, intensity and scale of their environmental effects are so variable that it is not possible to prescribe standards to control them in advance. A full assessment is required to determine whether the activity, subject to any conditions, would be appropriate in terms of the provisions of the Plan, the effects of the activity on the environment and the suitability of the proposed location.

As well, any activity that is not specifically classed in a rule is deemed to be a discretionary activity under General rule [C1.7\(1\)](#).

A1.7.5. Non-complying activity

Resource consent is required for a non-complying activity. As threshold matters, the proposal must be assessed to determine whether its adverse effects on the environment will be no more than minor or whether it will not be contrary to the objectives and policies of the Plan. If the proposal is found not to breach one or other of those thresholds, then its merits may be considered on a broadly discretionary basis and consent may be granted (with or without conditions) or refused. If it is found to breach both thresholds, then consent must be refused.

Activities are classed as non-complying where greater scrutiny is required for some reason. This may include:

- where they are not anticipated to occur; or
- where they are likely to have significant adverse effects on the existing environment; or
- where the existing environment is regarded as delicate or vulnerable; or
- otherwise where they are considered less likely to be appropriate.

A1.7.6. Prohibited activity

An activity which is classed as prohibited cannot be the subject of an application for resource consent. Any proposal for a prohibited activity must first be the subject of a plan change to change the activity status (either generally or in respect of a particular proposal) to one of the other classes of activity.

Activities are classed as prohibited where they are expected to cause significant adverse effects on the environment which cannot be avoided, remedied or mitigated

by conditions of consent or otherwise where it may be appropriate to adopt a precautionary approach.

A1.7.7. Not applicable

Where an activity table states that an activity is 'not applicable' or 'NA' this means that the activity is not relevant in that particular part of the activity table.

Where an activity table for a precinct leaves the status for a particular activity blank, then the activity status in the relevant overlay, zone or Auckland-wide provision applies.

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A1.7.8. Abbreviation of activity classes

The Plan uses the following abbreviations to identify the class of activity:

Activity class abbreviation	Activity class abbreviation meaning
P	Permitted activity
C	Controlled activity
RD	Restricted discretionary activity
D	Discretionary activity
NC	Non-complying activity
Pr	Prohibited activity

B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form

Tāhuhu whakaruruhau ā-taone

The sheltering ridge pole

B2.1. Issues

Auckland's growing population increases demand for housing, employment, business, infrastructure, social facilities and services.

Growth needs to be provided for in a way that does all of the following:

- (1A) contributes to well-functioning urban environments;
- (1B) improves resilience to the effects of climate change;
- (1) enhances the quality of life for individuals and communities;
- (2) supports integrated planning of land use, infrastructure and development;
- (3) optimises the efficient use of the existing urban area;
- (4) encourages the efficient use of existing social facilities and provides for new social facilities;
- (5) enables provision and use of infrastructure in a way that is efficient, effective and timely;
- (6) maintains and enhances the quality of the environment, both natural and built;
- (7) maintains opportunities for rural production; ~~and~~
- (8) enables Mana Whenua to participate and their culture and values to be recognised and provided for; and
- (9) avoids or reduces the risk from natural hazards.

B2.2. Urban growth and form

B2.2.1. Objectives

- (1A) A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
- (1) A well-functioning urban environment with a quality compact urban form that enables all of the following:
 - (a) a higher-quality urban environment;
 - (b) greater productivity and economic growth;
 - (c) better use of existing infrastructure and efficient provision of new infrastructure;
 - (d) good accessibility for all people, including by improved and more efficient public or active transport;

- (e) greater social and cultural vitality;
 - (f) better maintenance of rural character and rural productivity;
 - (g) reduced adverse environmental effects; ~~and~~
 - (h) improved resilience to the effects of climate change; and
 - (i) avoidance of natural hazard risk where there is significant risk or a reduction in natural hazard risk where there is potentially tolerable risk or acceptable risk.
- (2) Urban growth is primarily accommodated within the urban area 2016 (as identified in [Appendix 1A](#)).
 - (3) Sufficient development capacity and land supply is provided to accommodate residential, commercial, industrial growth and social facilities to support growth.
 - (4) Urbanisation is contained within the Rural Urban Boundary, towns, and rural and coastal towns and villages.
 - (5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages:
 - (a) is integrated with the provision of appropriate infrastructure; ~~and~~
 - (b) improves resilience to the effects of climate change; and
 - (c) avoids natural hazard risk where there is significant risk or reduces natural hazard risk where there is potentially tolerable risk or acceptable risk.

B2.2.2. Policies

Development capacity and supply of land for urban development

- (1) Include sufficient land within the Rural Urban Boundary that is appropriately zoned to accommodate at any one time a minimum of seven years' projected growth in terms of residential, commercial and industrial demand and corresponding requirements for social facilities, after allowing for any constraints on subdivision, use and development of land.
- (2) Ensure the location or any relocation of the Rural Urban Boundary identifies land suitable for urbanisation in locations that contribute to a well-functioning urban environment and that:
 - (a) promote the achievement of a quality compact urban form
 - (b) enable the efficient supply of land for residential, commercial and industrial activities and social facilities;
 - (c) integrate land use and transport supporting a range of transport modes;
 - (d) support the efficient provision of infrastructure;
 - (e) provide choices that meet the needs of people and communities for a

range of housing types and working environments;

- (ee) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
 - (f) follow the structure plan guidelines as set out in [Appendix 1](#); while:
 - (g) protecting natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;
 - (h) protecting the Waitākere Ranges Heritage Area and its heritage features;
 - (i) ensuring that significant adverse effects from urban development on receiving waters in relation to natural resource and Mana Whenua values are avoided, remedied or mitigated;
 - (j) avoiding elite soils and avoiding where practicable prime soils which are significant for their ability to sustain food production;
 - (k) avoiding mineral resources that are commercially viable;
 - (l) ~~avoiding areas with significant natural hazard risks~~ or reduce the natural hazard risk where there is potentially tolerable risk or acceptable risk, and where practicable avoiding areas prone to natural hazards including coastal hazards and flooding, and including the effects of climate change ~~including and~~ sea level rise on the extent and frequency of hazards; and
 - (m) aligning the Rural Urban Boundary with:
 - (i) strong natural boundaries such as the coastal edge, rivers, natural catchments or watersheds, and prominent ridgelines; or
 - (ii) where strong natural boundaries are not present, then other natural elements such as streams, wetlands, identified outstanding natural landscapes or features or significant ecological areas, or human elements such as property boundaries, open space, road or rail boundaries, electricity transmission corridors or airport flight paths.
 - (n) limits or avoids urbanisation where a “qualifying matter” justifies that limitation or avoidance of urbanisation.
- (3) Enable rezoning of future urban zoned land for urbanisation following structure planning and plan change processes in accordance with [Appendix 1 Structure plan guidelines](#).

Quality compact urban form

- (4) Promote urban growth and intensification within the urban area 2016 (as identified in [Appendix 1A](#)), enable urban growth and intensification within the

Rural Urban Boundary, towns, and rural and coastal towns and villages, in a way that contributes to a well-functioning urban environment and avoid urbanisation outside these areas.

(4A) Avoid higher residential intensification in areas where there is significant risk from natural hazards.

(5) Enable higher residential intensification:

- (a) in and around centres;
- (b) along identified corridors; ~~and~~
- (c) close to public transport, social facilities (including open space) and employment opportunities; and
- (d) in areas where there is potentially tolerable risk from natural hazards or acceptable risk.

(6) Identify a hierarchy of centres that contributes to a well-functioning urban environment which supports a quality compact urban form:

- (a) at a regional level through the city centre, metropolitan centres and town centres which function as commercial, cultural and social focal points for the region or sub-regions; and
- (b) at a local level through local and neighbourhood centres that provide for a range of activities to support and serve as focal points for their local communities.

(7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that contribute to a well-functioning urban environment and that do all of the following:

- (a) support a quality compact urban form;
- (b) provide for a range of housing types and employment choices for the area;
- (c) integrate with the provision of infrastructure;
- (caa) provide good accessibility, including by way of efficient and effective public or active transport;
- (ca) incorporate resilience to the effects of climate change;
- (d) follow the structure plan guidelines as set out in [Appendix 1](#); and
- (e) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets.
- (f) avoid natural hazard risk where there is significant risk or reduce natural hazard risk where there is potentially tolerable risk or acceptable risk.

- (8) Enable the use of land zoned future urban within the Rural Urban Boundary or other land zoned future urban for rural activities until urban zonings are applied, provided that the subdivision, use and development does not hinder or prevent the future urban use of the land.
- (9) Apply a Rural Urban Boundary for Waiheke Island (identified in [Appendix 1B](#)) as a regional policy statement method.

B2.3. A quality built environment

B2.3.1. Objectives

- (1) A well-functioning urban environment with a quality built environment where subdivision, use and development do all of the following:
 - (a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;
 - (b) reinforce the hierarchy of centres and corridors;
 - (c) contribute to a diverse mix of choice and opportunity for people and communities;
 - (d) maximise resource and infrastructure efficiency;
 - (e) are capable of adapting to changing needs; ~~and~~
 - (f) has improved resilience to the effects of climate change; and
 - (g) avoids natural hazard risk where there is significant risk or reduces natural hazard risk where there is potentially tolerable risk or acceptable risk.
- (2) Innovative design to address environmental effects is encouraged.
- (3) The health and safety of people and communities are promoted.

B2.3.2. Policies

- (1) Manage the form and design of subdivision, use and development so that it contributes to a well-functioning urban environment and does all of the following:
 - (a) supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;
 - (b) contributes to the safety of the site, street and neighbourhood;
 - (c) develops street networks and block patterns that provide good access and enable a range of travel options;
 - (d) achieves a high level of amenity and safety for pedestrians and cyclists;
 - (e) meets the functional, and operational needs of the intended use;
 - (f) allows for change and enables innovative design and adaptive re-use; ~~and~~
 - (g) improves resilience to the effects of climate change; and

- (h) avoids natural hazard risk where there is significant risk or reduces natural hazard risk where there is potentially tolerable risk or acceptable risk.
- (2) Encourage subdivision, use and development to be designed to promote the health, safety and well-being of people and communities by all of the following:
 - (a) providing access for people of all ages and abilities;
 - (b) enabling walking, cycling and public transport and minimising vehicle movements; and
 - (c) minimising the adverse effects of discharges of contaminants from land use activities (including transport effects) and subdivision.
- (3) Enable a range of built forms to support choice and meet the needs of Auckland's diverse population.
- (4) Balance the main functions of streets as places for people and as routes for the movement of vehicles.
- (5) Mitigate the adverse environmental effects of subdivision, use and development through appropriate design including energy and water efficiency and waste minimisation.

B2.4. Residential growth

B2.4.1. Objectives

- (1) Residential intensification contributes to a well-functioning urban environment and supports a quality compact urban form.
- (1A) Residential intensification is limited in some areas to the extent necessary to give effect to identified qualifying matters and the risk from natural hazards.
- (2) Residential areas are attractive, healthy, safe and have improved resilience to the effects of climate change with quality development that is in keeping with the planned built character of the area.
- (3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.
- (4) An increase in housing capacity and the range of housing choice which meets the varied needs and lifestyles of Auckland's diverse and growing population.
- (5) Non-residential activities are provided in residential areas to support the needs of people and communities.
- (6) Sufficient, feasible development capacity for housing is provided, in accordance with Objectives 1 to 4 above, to meet the targets in Table B2.4.1 below:

Table B2.4.1: Minimum Dwelling Targets

Term	Short to Medium 1 - 10 years (2016 – 2026)	Long 11 - 30 years (2027 – 2046)	Total 1 – 30 years (2016 – 2046)
Minimum Target (number of dwellings)	189,800	218,500	408,300

Source: Development Strategy, Assessing Demand, Auckland Plan 2050.

B2.4.2. Policies

Residential intensification

- (1) Provide a range of residential zones that enable different housing types and intensity that are appropriate to the residential character of the area.
- (2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space, which contribute to a well-functioning urban environment.
- (3) Provide for medium residential intensities in area that are within moderate walking distance to centres, public transport, social facilities and open space.
- (4) Provide for lower residential intensity in areas:
 - (a) that are not close to centres and public transport;
 - (b) that are subject to high environmental constraints;
 - (c) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;
 - (d) where there is a suburban area with an existing neighbourhood character; and
 - (e) where there are other qualifying matters listed in Chapter A that justify that limitation.
- (5) Avoid intensification in areas:
 - (a) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character; or
 - (b) that are subject to significant natural hazard risks including where the frequency and extent of the natural hazards are being affected by climate change; or
 - (c) where there are other qualifying matters listed in Chapter A which justify avoidance of intensification;

where such intensification is inconsistent with the protection of the

scheduled natural or physical resources or with the avoidance of the risk from natural hazards where the risk is significant or mitigation of the natural hazard risks or is necessary to give effect to identified qualifying matters.

(5A) Enable higher residential intensities in areas subject to natural hazards where there is potentially tolerable risk from natural hazards or acceptable risk.

(6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification, including, as a qualifying matter, limiting intensification prior to upgrade of capacity in areas of known water and wastewater infrastructure constraints.

(7) Manage adverse reverse sensitivity effects from urban intensification on land with existing incompatible activities.

Residential neighbourhood and character

(8) Recognise and provide for existing and planned neighbourhood character through the use of place-based planning tools.

(9) Manage built form, design and development to achieve an attractive, healthy and safe environment that is in keeping with the descriptions set out in place-based plan provisions.

(10) Provide for non-residential activities and require them to be of a scale and form that are in keeping with the existing and planned built character of the area.

Affordable housing

(11) Enable a sufficient supply and diverse range of dwelling types, sizes and locations, that meet the housing needs of people and communities, including:

- (a) households on low to moderate incomes; and
- (b) people with special housing requirements.

B2.5. Commercial and industrial growth

B2.5.1. Objectives

(1) Employment and commercial and industrial opportunities meet current and future demands.

(2) Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that contribute to a well-functioning urban environment and a compact urban form.

(2A) Commercial and industrial activities are resilient to the effects of climate change and natural hazards

- (3) Industrial growth and activities are enabled in a manner that does all of the following:
- (a) promotes economic development;
 - (b) promotes the efficient use of buildings, land and infrastructure in industrial zones;
 - (c) manages conflicts between incompatible activities;
 - (d) recognises the particular locational requirements of some industries; and
 - (e) enables the development and use of Mana Whenua's resources for their economic well-being.

B2.5.2. Policies

- (1) Encourage commercial growth and development in the city centre, metropolitan and town centres, and enable retail activities on identified growth corridors, to provide the primary focus for Auckland's commercial growth.
- (2) Support the function, role and amenity of centres by encouraging commercial and residential activities within centres, ensuring development that locates within centres contributes to a well-functioning urban environment and the following:
 - (aa) a high-density urban form that responds to a centre's accessibility by public transport, commercial activity and community facilities;
 - (a) an attractive and efficient urban environment with a distinctive sense of place and quality public places;
 - (b) a diverse range of activities, with the greatest mix, concentration and density of activities in the city centre;
 - (c) a distribution of centres that provide for the needs of people and communities;
 - (d) employment and commercial opportunities;
 - (e) a character and form that supports the role of centres as focal points for communities and compact mixed-use environments;
 - (f) the efficient use of land, buildings and infrastructure;
 - (g) high-quality street environments including pedestrian and cycle networks and facilities;
 - (h) development does not compromise the ability for mixed use developments, or commercial activities to locate and expand within centres; and
 - (i) a scale and form of development that is necessary to achieve any relevant identified qualifying matters.

- (3) Enable the expansion of metropolitan and town centres having regard to whether it will do all of the following:
- (a) improve access to a range of facilities, goods and services in a convenient and efficient manner;
 - (b) maintain or enhance a compact mixed-use environment in the centre;
 - (c) retain or enhance the existing centre's function, role and amenity;
 - (d) support the existing network of centres and achieve a sustainable distribution of centres that is supported by sufficient population growth;
 - (e) manage adverse effects on the function, role and amenity of the city centre, and other metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (f) avoid, remedy or mitigate the effects of commercial activity on adjoining land uses;
 - (g) support medium to high intensity residential development; and
 - (h) support a safe and efficient transport system which is integrated with the centre.
- (4) Enable new metropolitan, town and local centres which contribute to a well-functioning urban environment following a structure planning process and plan change process in accordance with [Appendix 1 Structure plan guidelines](#), having regard to all of the following:
- (a) the proximity of the new centre to existing or planned medium to high intensity residential development;
 - (b) the existing network of centres and whether there will be sufficient population growth to achieve a sustainable distribution of centres;
 - (c) whether the new centre will avoid or minimise adverse effects on the function, role and amenity of the city centre, metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (d) the form and role of the proposed centre;
 - (e) any significant adverse effects on existing and planned infrastructure;
 - (f) a safe and efficient transport system which is integrated with the centre; and
 - (g) any significant adverse effects on the environment or on natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage special character, or other identified qualifying matter.
- (5) Enable retail activities, where appropriate, on identified growth corridors in

business zones, having regard to all of the following:

- (a) adverse effects on the function, role and amenity of the city centre, metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (b) adverse effects on the quality compact urban form including the existing and planned location of activities, facilities, infrastructure and public investment;
 - (c) effects on community social and economic wellbeing and accessibility;
 - (d) the efficient use and integration of land and infrastructure;
 - (e) effects on the safe and efficient operation of the transport network;
 - (f) effects of the development on the efficient use of any industrial land, in particular opportunities for land extensive industrial activities and heavy industry;
 - (g) avoiding conflicts between incompatible activities; and
 - (h) the effects on residential activity.
- (6) Enable commercial activities, where appropriate, in business zones in locations other than the city centre, metropolitan and town centres and identified growth corridors, having regard to all of the following:
- (a) the matters listed in Policy B2.5.2(5)(a) to Policy B2.5.2(5)(h) above;
 - (b) the extent to which activities would compromise the achievement of policies B2.5.2(1) and B.2.5.2(2): and
 - (c) the extent to which activities would compromise the hierarchy of locations identified in policies B2.5.2(1) to B.2.5.2(5).
- (7) Enable the supply of land for industrial activities, in particular for land-extensive industrial activities and for heavy industry in areas where the character, scale and intensity of the effects from those activities can be appropriately managed.
- (8) Enable the supply of industrial land which is relatively flat, has efficient access to freight routes, rail or freight hubs, ports and airports, and can be efficiently served by infrastructure.
- (9) Enable the efficient use of industrial land for industrial activities and avoid incompatible activities by all of the following:
- (a) limiting the scale and type of non-industrial activities on land zoned for light industry;
 - (b) preventing non-industrial activities (other than accessory activities) from establishing on land zoned for heavy industry; and
 - (c) promoting co-location of industrial activities to manage adverse effects and to benefit from agglomeration.
- (10) Manage reverse sensitivity effects on the efficient operation, use and development of existing industrial activities, including by preventing

inappropriate sensitive activities locating or intensifying in or adjacent to heavy industrial zones.

(10A) Require commercial, retail and industrial activities to be located, designed and developed with best practice resilience to the effects of climate change.

(11) Require commercial, retail and industrial activities to be located, designed and developed to avoid the risk from natural hazards where the risk is significant and reduce the risk where there is potentially tolerable or acceptable risk.

B2.6. Rural and coastal towns and villages

B2.6.1. Objectives

(1) Growth and development of existing or new rural and coastal towns and villages is enabled in ways that:

(a) avoid natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character unless growth and development protects or enhances such values; and

(b) avoid elite soils and avoid where practicable prime soils which are significant for their ability to sustain food production; and

(c) avoid areas with significant natural hazard risks or reduce the natural hazard risk where there is potentially tolerable risk or acceptable risk;

(ca) are resilient to the effects of climate change;

(d) are consistent with the local character of the town or village and the surrounding area; and

(e) enables the development and use of Mana Whenua's resources for their economic well-being.

(2) Rural and coastal towns and villages have adequate infrastructure.

B2.6.2. Policies

(1) Require the establishment of new or expansion of existing rural and coastal towns and villages to be undertaken in a manner that does all of the following:

(a) maintains or enhances the character of any existing town or village;

(b) incorporates adequate provision for infrastructure;

~~(c) avoids locations with significant natural hazard risks where those risks cannot be adequately remedied or mitigated;~~

(c) avoids areas with significant natural hazard risks or reduces the natural hazard risk where there is potentially tolerable risk or acceptable risk;

- (d) avoids elite soils and avoids where practicable prime soils which are significant for their ability to sustain food production;
 - (e) maintains adequate separation between incompatible land uses;
 - (f) is compatible with natural and physical characteristics, including those of the coastal environment;
 - (g) provides access to the town or village through a range of transport options including walking and cycling; and
 - (h) improves resilience to the effects of climate change.
- (2) Avoid locating new or expanding existing rural and coastal towns and villages in or adjacent to areas that contain significant natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character, unless the growth and development protects or enhances such resources including by any of the following measures:
- (a) the creation of reserves;
 - (b) increased public access;
 - (c) restoration of degraded environments;
 - (d) creation of significant new areas of biodiversity; or
 - (e) enablement of papakāinga, customary use, cultural activities and appropriate commercial activities.
- (3) Enable the establishment of new or significant expansions of existing rural and coastal towns and villages through the structure planning and plan change processes in accordance with Appendix 1 Structure plan guidelines.
- (4) Enable small-scale growth of and development in rural and coastal towns and villages without the need for structure planning, in a manner consistent with policies B2.6.2(1) and (2).
- (5) Enable papakāinga, marae, customary use, cultural activities and appropriate commercial activities on Māori land and on other land where Mana Whenua have collective ownership.

B2.7. Open space and recreation facilities

B2.7.1. Objectives

- (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities which contribute to a well-functioning urban environment.
- (2) Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.
- (3) Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.

- (4) Open space and recreation are resilient to the effects of climate change and natural hazards.

B2.7.2. Policies

- (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions and which contribute to a well-functioning urban environment.
- (2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.
- (3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.
- (4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.
- (5) Enable the development and use of existing and new major recreation facilities.
- (6) Encourage major recreation facilities in locations that are convenient and accessible to people and communities by a range of transportation modes.
- (7) Avoid, remedy or mitigate significant adverse effects of land use or development on open spaces and recreation facilities.
- (8) Avoid, remedy or mitigate significant adverse effects from the use of open spaces and recreational facilities on nearby residents and communities.
- (9) Enable public access to lakes, rivers, streams, wetlands and the coastal marine area by enabling public facilities and by seeking agreements with private landowners where appropriate.
- (10) Limit public access to and along the coastal marine area, lakes, rivers, streams and wetlands by esplanade reserves, esplanade strips or other legal mechanisms where necessary for health, safety or security reasons or to protect significant natural or physical resources.
- (11) Provide for improved resilience to the effects of climate change in open space and associated recreation and biodiversity management.
- (12) Avoid the risk from natural hazards to facilities on areas of public open space where the risk is significant or reduce the natural hazard risk where there is potentially tolerable risk or acceptable risk.

B2.8. Social facilities

B2.8.1. Objectives

- (1) Social facilities that meet the needs of people and communities, including enabling them to provide for their social, economic and cultural well-being and their health and safety and which contribute to a well-functioning urban

environment.

- (2) Social facilities located where they are accessible by an appropriate range of transport modes.
- (3) Reverse sensitivity effects between social facilities and neighbouring land uses are avoided, remedied or mitigated.
- (4) Social facilities are resilient to the effects of climate change and natural hazards.

B2.8.2. Policies

- (1) Enable social facilities that are accessible to people of all ages and abilities to establish in appropriate locations which contribute to a well-functioning urban environment as follows:
 - (a) small-scale social facilities are located within or close to their local communities;
 - (b) medium-scale social facilities are located with easy access to city, metropolitan and town centres and on corridors;
 - (c) large-scale social facilities are located where the transport network (including public transport and walking and cycling routes) has sufficient existing or proposed capacity.
- (2) Enable the provision of social facilities to meet the diverse demographic and cultural needs of people and communities.
- (3) Enable intensive use and development of existing and new social facility sites.
- (4) In growth and intensification areas identify as part of the structure plan process where social facilities will be required and enable their establishment in appropriate locations which contribute to a well-functioning urban environment.
- (5) Enable the efficient and flexible use of social facilities by providing on the same site for:
 - (a) activities accessory to the primary function of the site; and
 - (b) in appropriate locations, co-location of complementary residential and commercial activities.
- (6) Manage the transport effects of high trip-generating social facilities in an integrated manner..
- (7) Require social facilities to use best practice resilience to the effects of climate change.
- (8) Avoid the risk from natural hazards to social facilities where the risk is significant or reduce the natural hazard risk where there is potentially tolerable risk or acceptable risk.

B2.9. Explanation and principal reasons for adoption

A broad strategy is needed to address the resource management issues arising from the scale of urban growth in Auckland.

The National Policy Statement on Urban Development 2020 (NPSUD) includes objectives and policies on well-functioning urban environment and sets out matters that are to be addressed as a minimum, to achieve this. Achieving a well-functioning urban environment is reflected by a wide range of objectives and policies across the entire Regional Policy Statement (RPS). A well-functioning urban environment is a high-level concept and is an overarching objective of the RPS.

The objectives of a well-functioning urban environment and a quality compact urban form are supported by a primary policy approach of focussing the greatest levels of residential intensification in areas with good accessibility, including by public or active transport, and around commercial centres and transport nodes and along major transport corridors.

A compact urban form is one with clear boundaries where the residential and commercial areas are relatively close together. In Auckland, most urban growth is expected to be inside the Rural Urban Boundary:

- to promote efficient and timely provision of infrastructure;
- to protect natural and physical resources that have been scheduled for particular identified values; and
- to avoid urbanisation without appropriate structure planning.

The approach to natural hazards is to differentiate the risk based on the likelihood and consequences of the hazard and have different policy approaches applying depending on what the level of risk is. A three-tier approach is adopted as follows:

- avoid the hazard risk where the risk is significant
- reducing the hazard risk where the risk is potentially tolerable or acceptable

Where the risk from the hazard is significant the approach is to avoid development and limit further exposure to the hazard risk. Potentially tolerable risk applies to situations where the risk is medium, and the approach is to limit exposure to the hazard risk. Acceptable risk applies to situations where the risk is low and can be managed.

The location of the Rural Urban Boundary is a district plan land use rule pursuant to section 9(3) of the Resource Management Act 1991, other than for Waiheke Island where it is an interim regional policy statement method until it is considered as part of a plan change to incorporate the Auckland Council District Plan – Operative Hauraki Gulf Islands Section into the Unitary Plan.

A well-functioning urban environment and compact urban form can deliver a range of benefits for current and future generations by:

- enabling a range of housing choices in size, typology and price within neighbourhoods;
- protecting sites and areas with identified high environmental values;

- providing access to open space and social facilities;
- fostering productivity, creativity and social vitality by enabling social and business networks based on spatial proximity;
- limiting or avoiding intensification where there are qualifying matters that justify that limitation or avoidance of intensification;
- promoting an integrated approach to land use and transport;
- providing investment certainty about use and development strategies; and
- improving resilience to the effects of climate change and natural hazards.

A quality built environment is one which enhances opportunities for people's well-being by ensuring that new buildings respond to the existing built and natural environment in ways that promote the plan's objectives and maintain and enhance the amenity values of an area. In most areas this is regulated by permitted standards and by assessment where those standards are exceeded. In centres and where higher intensity development is enabled, the design and appearance of buildings is generally assessed on a restricted discretionary basis.

In addressing the effects of growth, and contributing to a well-functioning urban environment, a key factor is enabling sufficient development capacity in the urban area and sufficient land for new housing and businesses over the next 30 years. It is also important to ensure that urban environments have improved resilience to the effects of climate change. The objectives and policies guide the location of urban growth areas. They identify how greenfield land which is suitable for urbanisation will be managed until it is re-zoned for urban development. They encourage provision for Mana Whenua to develop and use their resources. They also set out the process to be followed to ensure that urban development is supported by infrastructure on a timely and efficient basis. They should be considered in conjunction with the Council's other principal strategic plans such as the Auckland Plan, the Long-term plan and the Regional Land Transport Plan. The strategies and asset management plans of infrastructure providers will also be highly relevant.

Housing affordability is a significant issue in Auckland. These objectives and policies, as one component of the many things that need to be done to address this issue, seek to enable urban growth, improve development capacity and encourage a variety of housing types, sizes and locations as resource management methods to improve housing affordability.

Urban growth in rural and coastal towns and villages is also anticipated and provided for, but at a much lesser scale than in the main urban areas. Extensions to towns and villages, and proposals for new towns or villages, must be considered against factors including ensuring compatibility with existing local character, the protection of areas with identified values (including areas of land containing elite soils) and the avoidance of areas with significant natural hazards. Changes of zoning to accommodate such growth will be the subject of structure planning processes, as for other plan changes.

Auckland has a large number of open spaces that covers a wide variety of environments. Open spaces and recreation facilities may be privately or publicly owned and operated. Auckland's streets, including shared spaces and street berms, are also an important

component of the open space network. The coastal marine area is a significant public open space and recreational resource. For additional policy direction on the coastal environment see section B8 Coastal environment.

Collectively these open spaces perform a wide range of functions including:

- providing opportunities for active and passive recreational activities, locally or Auckland-wide;
- enabling public access to the coastline, islands and beaches;
- maintaining and enhancing the amenity values and the quality of the environment around them;
- protecting and enhancing our natural and cultural heritage, landscapes and ecological values; and
- providing locations for social facilities used for sports, recreation and leisure and community activities.

With growth, new open spaces and social facilities will be required and the existing open space and social facilities will need to be expanded and upgraded to meet the needs of new residents and the increased level of use.

Social facilities include public and private facilities which provide for services such as education, health, justice, corrections, community and cultural facilities. They also contribute to the economy of Auckland and New Zealand in a variety of ways, both supporting other activities and by contributing to a high-value knowledge economy. This is particularly important for a growing city, as increasing numbers of people rely on these facilities to meet their needs and provide for their social, economic and cultural well-being.

The objectives and policies in this section of the regional policy statement must be read together with other relevant sections which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

B10. Ngā tūpono ki te taiao - Environmental risk

Kia o-whiti, kia mahara te ao tūroa

Vigilance and consideration of the natural environment.

B10.1. Issues

Natural hazards and climate change

Auckland is affected by a wide range of natural hazards, including flooding, coastal erosion (including the effects of sea level rise), freshwater erosion, landslides, wildfires volcano activity, tsunamis, earthquakes, liquefaction and other meteorologically induced hazards such as cyclones, tornadoes, and drought. All of these hazards can affect people, property and the wider environment.

The risk that these hazards pose is made up of factors including the nature, magnitude and extent of the potential event, the anticipated frequency or probability of the hazard event occurring and the exposure and vulnerability of the environment to the hazard. The 2023 weather events have highlighted the actual impacts, and potential future impacts, that natural hazards can have on the Auckland region.

Each of these factors needs to be considered to determine the most effective way to reduce or otherwise manage the risks from natural hazards. This chapter focusses on coastal erosion; coastal inundation; flooding, landslides; and wildfires.

Existing activities in areas prone to natural hazards may cause or worsen risk. New growth and intensification may also cause or worsen risk, depending on the degree to which natural hazards are avoided, mitigated or accepted during planning and development.

Growth and development need to be managed to ensure that the risk from natural hazards is not increased and, where practicable, reduced. More recent development and future development, in the face of housing supply pressure and desired intensification, will result in more public and private assets being exposed to this natural hazard risk if not managed appropriately.

~~Auckland's growth will increase pressure to develop areas more susceptible to natural hazards. There may be conflict between where people want to live and where they can live safely, particularly in some coastal areas. Some existing development, including infrastructure, is already located on land that may be subject to natural hazards. This needs managing to ensure that the risk is not increased.~~

Climate is changing, in both the short and long term. This creates significant risks, (including exacerbating natural hazards), uncertainties and challenges for Auckland. How the region manages land use in response to climate change will determine the resilience of Auckland's economy, environment, and communities in the future.

Despite Māori having similar exposure to climate hazards as the overall population, they are projected to face greater risks due to their geographical locations, the

industries they work in, and current socio-economic circumstances.¹ Research² found that of the top 30 statistical areas at highest socio-economic risk from climate change in the country, 50% of these are within Tāmaki Makaurau. This can be attributed to high concentrations of Māori households in the region, facing challenges relating to poverty, health disparities, justice and protection and adaptability issues.

Understanding the socio-economic circumstances and resilience of Māori exposed to various-hazards is required to inform natural hazard risk tolerance decision making and enable equitable solutions.

Hazardous substances

Auckland contains the largest quantities of hazardous substances of any region in New Zealand. In many instances, these are located close to residential areas and valued environmental areas such as the groundwater aquifer system, and the Waitematā and Manukau harbours.

If hazardous substances are not stored, handled, located or transported with proper care they can affect the health and safety of people working and living in these areas and the natural environment.

Contaminated land

The use of chemicals and hazardous substances in a range of industries and activities has resulted in the contamination of sites within the region.

Contamination of soil or groundwater can affect people's health and safety, limit land use, reduce land value, and degrade ecosystems.

Contaminated sites need to be identified, assessed, managed and where necessary remediated to minimise risks to public health and the environment.

Genetically modified organisms

The outdoor use of genetically modified organisms could adversely affect the environment, economy and social and cultural resources and values.

There is disagreement concerning the effects of genetically modified organisms in the environment and the level of risk of irreversible adverse effects.

There is also disagreement concerning the relationship between and demarcation of the management regimes for genetically modified organisms under the Hazardous Substances and New Organisms Act 1996 and the Resource Management Act 1991

Given the potentially broad range of possible genetically modified organisms, the range of risks could be substantial and may be irreversible.

In these circumstances a cautious approach to managing the risks associated with the outdoor use of genetically modified organisms is appropriate.

B10.2. Natural hazards and climate change

B10.2.1. Objectives

- (1) People and Communities, are more resilient to natural hazards and the effects of climate change.

¹ P4, "Understanding Climate Hazards for Hapori Māori", Te Puni Kōkiri, p12 (NZ wide, but contains stats nz data for Tāmaki Makaurau, there are 15 SA2 areas that demonstrate the impacts of natural hazards)

² Ibid

- ~~(2) The risks to people, property, infrastructure and the environment from natural hazards are not increased in existing developed areas.~~
- (2) Hazard risks to people, property, infrastructure and the environment resulting from existing use and development is reduced to a tolerable or acceptable level.
- (3) New subdivision, use and development ~~avoid significant the creation of new~~ risks to people, property, infrastructure ~~and the environment~~ and only occurs when the risk from natural hazards is tolerable or acceptable.
- (4) The effects of climate change on natural hazards, including effects on sea level rise, over at least 100 years, and on the frequency and severity of storm events, is recognised and provided for.
- (5) The natural hazard mitigation functions of natural systems, including floodplains and coastal features, are protected from inappropriate subdivision, use and development.
- (6) The natural hazards risks on Māori values, rights and interests are managed in accordance with te ao Māori, mātauranga, tikanga and kawa.

B10.2.2. Policies

Identification and risk assessment

- (1) Identify areas potentially affected by natural hazards from coastal erosion, coastal inundation, flooding, landslides and wildfires, giving priority to those where the risk is significant ~~at high risk of being affected~~, particularly in the coastal environment, ~~and including areas susceptible to coastal inundation and erosion as a result of sea level rise over at least 100 years~~, by assessing:
 - (a) the hazard type and characteristics;
 - (b) multiple and cascading hazards, where present;
 - (c) any cumulative effects;
 - (d) any effects of climate change;
 - (e) the likelihood of different hazard scenarios occurring, using the best available information; and
 - (f) any other exacerbating factors.
- (2) Undertake natural hazard identification and risk assessments as part of structure planning and plan change processes.
- (3) Ensure the potential effects of climate change, including cumulative effects, and the potential effects on Māori, are taken into account when undertaking natural hazard risk assessments.
- (4) Assess natural hazard risks in areas identified as being affected by natural hazards as:
 - (a) significant;
 - (b) potentially tolerable; or
 - (c) acceptable;

- (d) by using the best available and up-to-date hazard information; and
 - (e) across a range of probabilities of occurrence appropriate to the hazard, including, at least, a 100-year timeframe for evaluating flooding and coastal hazards; and
 - (f) by determining a range of landslide event scenarios and their potential consequences in accordance with the criteria set out in Appendix 24.
- (5) Manage subdivision, use and development of land subject to natural hazards based on all of the following:
- (a) the type and severity of potential events, including the occurrence of natural hazard events in combination;
 - (b) the ~~vulnerability~~ sensitivity of the activity to adverse effects, including the health and safety of people, ~~and communities~~ and on Māori, the resilience of property to damage and the effects on the environment; and
 - (c) the cumulative effects of locating activities on land subject to natural hazards and the effects on other activities and resources.
- (6) Adopt a precautionary approach to natural hazard risk assessment and management in circumstances where:
- (a) ~~the effects of natural hazards risks, either individually or cumulatively, and the extent to which climate change will exacerbate such effects risks, are uncertain or unknown,~~ but may be significant or irreversible, including the possibility of low-probability but high potential impact events; or
 - (b) the level of information on the probability and/or impacts of the hazard is limited.
- (7) Enable adaptation of existing activities and/or the continued use of existing buildings in natural hazard areas where risk is maintained at, or reduced as far as reasonably practicable, to a tolerable level.

Flooding and coastal hazards

- (8) Avoid subdivision, use and development in existing urbanised areas that gives rise to significant flood or significant coastal hazard risks.
- (9) Manage subdivision, use and development in existing urbanised areas that gives rise to potentially tolerable flood or potentially tolerable coastal hazard risks so that the risk is maintained at a tolerable level.
- (10) Avoid subdivision, use and development outside existing urbanised areas that gives rise to significant flood or significant coastal hazard risks.
- (11) Enable subdivision, use and development outside existing urbanised areas that give rise to potentially tolerable flood risk where these activities do not involve buildings or structures that exacerbate the flood hazard beyond the site.
- (12) Manage subdivision, use and development outside existing urbanised areas that gives rise to potentially tolerable coastal hazard risk.
- (13) Avoid new subdivision, use and development, including redevelopment,

in coastal hazard areas that would require raising the level of the land and/or coastal protection structures, including nature-based solutions, unless it is demonstrated that there is no practicable alternative, and the subdivision, use and development has a functional or operational need to be located in the coastal hazard area.

- (14) Enable coastal protection of existing subdivision, use and development, including the use of Māori Land, Treaty Settlement land, Marae, urupā and the management of mana whenua cultural heritage and values, with a preference for natural solutions, but if hard structures are required, avoid significant adverse effects on the natural environment, public access and heritage places and the above Māori values.

Landslide hazards

- (15) Avoid natural hazard sensitive and potentially sensitive activities in existing urbanised areas that give rise to significant landslide hazard risk, and, if avoidance is not reasonably practicable, reduce the risk to as low as reasonably practicable.
- (16) Avoid natural hazard sensitive and potentially sensitive activities on land outside existing urbanised areas that give rise to significant landslide hazard risk.
- (17) Minimise earthworks, vegetation alteration or removal, and stormwater and wastewater discharges in landslide hazard areas of high susceptibility and high landslide risk and reduce the risk to as low as reasonably practicable.
- (18) Manage natural hazard sensitive and potentially sensitive activities, earthworks, vegetation removal, and stormwater and wastewater discharges in landslide hazard areas of medium risk due to landslides so the risk is not increased, and where practicable, is reduced to an acceptable level.

Wildfires

- (19) Ensure that subdivision, development and vegetation management mitigate wildfire hazards to as low as reasonably practicable.

Māori and natural hazards

- (20) Provide for the active participation of Māori in the identification and decision-making over the management of natural hazard risks associated with their values, rights and interests in accordance with the criteria set out in Appendix X.
- (21) Enable integrated Māori Development on Māori land, Treaty Settlement land, and land held in general title identified as receiver sites for managed retreat through the following processes:
- (a) spatial planning, including through Māori adaptation plans;
 - (b) plan changes;

- (c) the use of the Special Purpose: Māori Purpose Zone or precincts;
- (d) transferable development rights to incentivise relocation.

(22) Require natural hazard identification and risk assessments to have regard to mātauranga Māori.

Role of natural systems and hard protection structures

(1423) Protect, strengthen and prioritise natural systems such as flood plains, vegetation and riparian margins, beaches and sand dunes in preference to using hard protection structures to manage natural hazards.

(24) Reduce the need for using hard protection structures and only use them where:

- (a) there are no reasonable alternatives to reduce the risk;
- (b) hard protection structures would not result in an increase in risk to people, communities, property, or prevent the continued use of Māori Land, Treaty Settlement land Marae, urupā and the management of mana whenua cultural heritage and values, including displacement of risk off-site; and
- (c) the adverse effects of the hard protection structures can be adequately mitigated to the extent practicable in the reasonably foreseeable long term or provides time for future adaptation methods to be implemented; or
- (d) the hard protection structure protects a lifeline utility.

Infrastructure in areas subject to natural hazards

(25) Enable the construction, operation, maintenance and upgrading of infrastructure, in areas subject to natural hazards where the infrastructure is functionally or operationally required to locate in hazard areas or it is not reasonably practicable that it be located elsewhere and risks to people, property and the environment are mitigated to the extent practicable.

~~(7) Avoid or mitigate the effects of activities in areas subject to natural hazards, such as earthworks, changes to natural and built drainage systems, vegetation clearance and new or modified structures, so that the existing risks of natural hazards are not increased.~~

~~(8) Manage the location and scale of activities that are vulnerable to the adverse effects of natural hazards so that the existing risks of natural hazards to people and property are not increased.~~

~~(9) Encourage activities that reduce, or do not increase, the risks posed by natural hazards including any of the following:~~

- ~~(a) protecting and restoring natural landforms and vegetation;~~
- ~~(b) managing retreat by relocation, removal or abandonment of structures;~~
- ~~(c) replacing or modifying existing development to reduce risk without using~~

hard protection structures;

(d) designing for relocatable or recoverable structures; or

(e) providing for low intensity activities that are less vulnerable to the effects of relevant hazards, including modifying their design and management.

(10) Encourage redevelopment on land subject to natural hazards to Reduce existing risks and ensure no new risks are created by using a range of measures such as any of the following:

(a) the design and placement of buildings and structures;

(b) managing activities to increase their resilience to hazard events; or

(c) change of use to a less vulnerable activity.

(12) Minimise Reduce the risks from natural hazards to new infrastructure which functions as a lifeline utility by:

(a) assessing the risks from a range of natural hazard events including low probability but high potential impact events such as tsunami, earthquake and volcanic eruptions;

(b) utilising design, location and network diversification to minimise the adverse effects on infrastructure and to minimise the adverse effects on the community from the failure of that infrastructure.; and

(c) relocating lifeline utilities away from areas of significant risk, where appropriate and practicable.

Coastal hazards

(13) Require areas potentially affected by coastal hazards over the next 100 years to:

(c) avoid changes in land use that would increase the risk of adverse effects from coastal hazards;

(d) not increase, or reduce, the intensity of activities that are vulnerable to the effects of coastal hazards beyond that enabled by the Plan;

(e) in the event of redevelopment, minimise natural hazard risks through the location and design of development; or

(f) where it is impracticable to locate infrastructure outside of coastal hazard areas, then ensure coastal hazard risks are mitigated.

B10.3. Land – hazardous substances

B10.3.1. Objectives

(1) The environment is protected from adverse effects associated with the storage, use, disposal and transport of hazardous substances.

- (2) The storage, use, disposal and transport of hazardous substances are provided for and the social and economic benefits of these activities are recognised.

B10.3.2. Policies

- (1) Manage the use and development of land for hazardous facilities and industrial or trade activities to avoid adverse effects on human health and the environment and remedy or mitigate these effects where they cannot be avoided.
- (2) Manage the use and development of land for hazardous facilities:
 - (a) so that such facilities are resilient to the effects of natural hazards, including sea level rise over at least 100 years;
 - (b) to avoid, remedy or mitigate adverse effects on people and property;
 - (c) to avoid as far as practicable the contamination of air, land, and water; and
 - (d) to minimise risks caused by natural hazards.
- (2) Manage the effects associated with use and development of land for hazardous facilities by all of the following:
 - (a) restricting the establishment of sensitive activities near hazardous facilities or areas identified for hazardous facilities if the activities are likely to be adversely affected by a hazardous facility or if they have the potential to limit the operation of the hazardous facility;
 - (b) ensuring new hazardous facilities are not located near sensitive activities unless significant adverse effects, including cumulative effects, are avoided and other adverse effects are mitigated; and
 - (c) providing areas for hazardous facilities away from sensitive activities so that the facilities may carry out their operations without unreasonable constraints.

B10.4. Land – contaminated

B10.4.1. Objective

- (1) Human health and the quality of air, land and water resources are protected by the identification, management and remediation of land that is contaminated.

B10.4.2. Policies

- (1) Identify land that is or may be contaminated based on:
 - (a) sites known to have supported contaminating land use activities in the past;
 - (b) sites with a significant potential risk to human health; or
 - (c) sites having significant adverse effects on the environment.

(2) Land which may be contaminated due to having supported contaminating land use activities in the past but has not been investigated will be identified as being potentially contaminated.

(3) Manage or remediate land that is contaminated where:

(a) the level of contamination renders the land unsuitable for its existing or proposed use; or

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- (b) the discharge of contaminants from the land is generating or is likely to generate significant adverse effects on the environment; or
- (c) development or subdivision of land is proposed.

B10.5. Genetically modified organisms

B10.5.1. Objective

- (1) The natural and physical resources of Auckland are protected from adverse effects of the outdoor use of genetically modified organisms.

B10.5.2. Policy

- (1) Adopt a cautious approach, including adaptive responses, to the outdoor use of genetically modified organisms.

B10.6. Explanation and principal reasons for adoption

Natural hazards and climate change

Auckland is affected by a wide range of natural hazards, including: those that occur frequently such as flooding, coastal erosion (including the effects of sea level rise), freshwater erosion, (coastal and freshwater) landslides, wildfires instability; and those that occur less frequently including volcano activity, tsunamis, earthquakes, liquefaction and other meteorologically induced hazards such as (cyclones, tornadoes, and drought) and fire.

All of these hazards can affect people, property and the wider environment.

The risk that these hazards pose is not just a reflection of the frequency of these events, rather it is made up of a number of factors including:

- the nature, magnitude and extent of the potential event (which gives the susceptibility of the site to the event) and likely scale of the hazard;
- the anticipated frequency or probability of the hazard event occurring (the hazard); likelihood of the hazard occurring; and
- the exposure and vulnerability of the environment to the hazard (resulting in the risk) things at risk — people, buildings, infrastructure or natural resources.

Predicted changes in climate could have an effect on the environmental processes that cause natural hazard events and should be taken into account when assessing these factors.

Each of these factors needs to be considered to determine the most effective way to reduce or otherwise manage the risks from natural hazards. Some risks can be effectively managed through land use planning and are addressed through objectives, policies and rules in the Unitary Plan or under the building control regime. Some are appropriately addressed through the provision of new or upgraded infrastructure.

At this time, the provisions in the Plan are focussed on coastal erosion; coastal inundation; flooding, landslides; and wildfires.

Other risks are better managed through public education, emergency preparedness, early warnings and insurance, (e.g. volcanic activity, tsunamis and earthquakes).

Existing ~~land use~~ activities in areas prone to natural hazards may cause or worsen risk. New growth and intensification may also cause or worsen risk, depending on the degree to which natural hazards are avoided, mitigated or accepted during planning and development.

The objectives and policies seek to ensure adequate spatial planning to reduce the risk from natural hazards. Risk assessment is a key means to identify and understand risks, and to determine which aspects of risk can be managed through appropriate land use planning tools and development methods. Both current and future risks (including the effects of climate change such as sea level rise) need to be considered.

A proportionate risk-based approach has been adopted to address the risks associated with natural hazards. A risk reduction approach applies to land that has been developed for urban use. A risk avoidance approach applies to development of land yet to be urbanised. A risk management approach also applies to infrastructure.

To assist with determining the consequences associated with natural hazards, activities have been allocated a sensitivity rating of “natural hazard sensitive”, “natural hazard potentially sensitive” and “natural hazard less sensitive”. These ratings refer to the potential impact due to these respective activities occurring within a natural hazard area. Risks are then categorised as significant, potentially tolerable and acceptable based on the sensitivity of the activity and the characteristics of the hazard. Where the risk is “significant” the risk is to be avoided and where it is “potentially tolerable” or “acceptable” the risk is to be managed or reduced.

~~They also seek to ensure that new development (including infrastructure) is located and designed to deal with the impacts from hazards that may be experienced over their lifetime.~~

Specific consideration of Māori, social, economic and cultural effects in assessing Natural Hazard Risk Tolerance and targeted policies in this chapter, provide the necessary methods to enhance adaptive capability, foster resilience and enable equitable solutions to managing risk for Māori within Tāmaki Makaurau.

More detailed analysis is currently underway by Auckland Council to understand this in a regional context to help inform how risks of natural hazards in the Māori economic, social and cultural context of Tāmaki Makaurau are responded to.

The Natural Hazard Risk Tolerance Framework is designed to assess risk from the perspective of an individual / household level consequences and at a community-level. It is based on the likelihood and consequences of events occurring and based on what different groups within the community are willing to accept.

Mana whenua take a te ao Māori: Māori world view approach to how they seek to manage risk. The Natural Hazard Risk Tolerance Framework provides the starting point for assessing risk from an individual / household level and at a community level for Māori.

It does not take into account the traditional relationships of mana whenua (iwi, hapū and whānau) who may have overlapping values, rights and interests associated with a particular natural or physical resource, and does not allow for the appropriate mātauranga, tikanga and kawa to be applied to how the resource is managed.

There are a number of resourcing, legislative and other barriers that may require a tailored adaptation approach to sustainably manage a resource in a way that:

- upholds the relationship of Māori with their ancestral lands, water, sites, wāhi tapu, and other taonga,

- upholds protected customary rights and outcomes of treaty settlements, and
- enables mana whenua to exercise kaitiakitanga over natural and physical resources within their rohe.

An integrated approach is needed in responding to the effects of natural hazards and climate change. Taking into account Treaty principles can provide guidance for robust decision-making, meaningful partnerships and collaboration between mana whenua and government, the private and third sectors. This is particularly relevant in response to managed retreat.

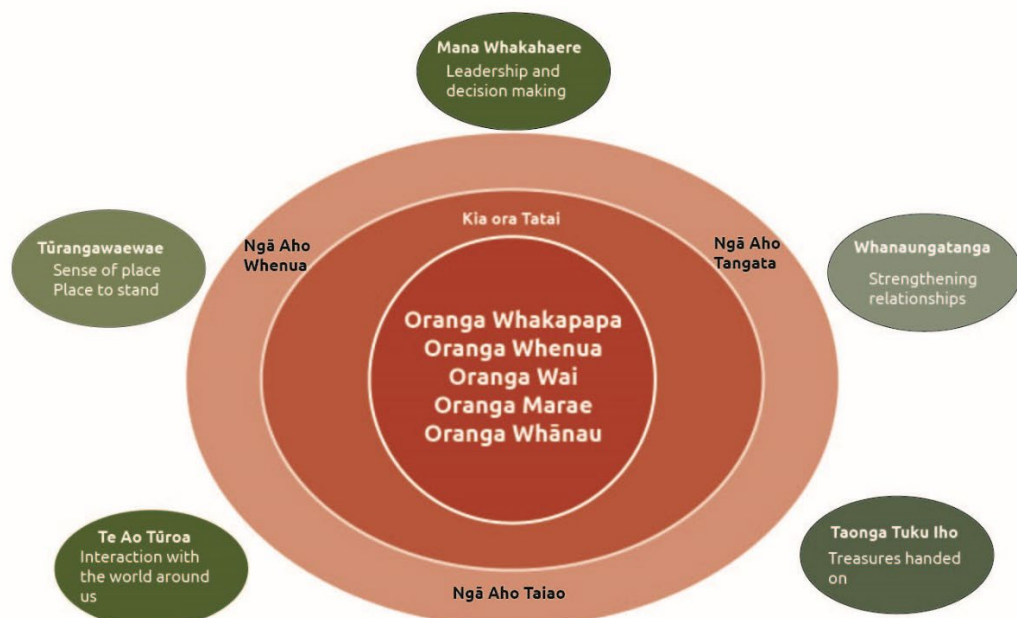
Te Ora ō Tāmaki Makaurau is the well-being framework developed by the Mana Whenua Kaitiaki Forum in response to Te Tāruke-ā-Tāwhiri, Auckland's Climate Plan.

The Te Ora ō Tāmaki Makaurau Wellbeing Framework provides guidance on relevant considerations from a te ao Māori lens for assessing the impacts of natural hazards on the wellbeing of whakapapa, whenua, wai, marae and whānau.

This allows for flexibility in how the Natural Hazard Risk Tolerance Framework is applied where mana whenua values, rights and interests associated with areas subject to natural hazards to be understood and tailored adaptation actions to be developed to address those risks, to enable matters of national importance to be sustainably managed for future generations.

Over time mana whenua may choose to develop more refined frameworks through Iwi Management Plans and other processes.

The Te Ora ō Tāmaki Makaurau Wellbeing Framework, Iwi Management Plans and Section B6. Mana Whenua, Issues of significance to iwi authorities of the region, must be considered alongside the Natural Hazards Risk Tolerance Framework where effects on mana whenua values, rights and interests are impacted by natural hazards.



Land - hazardous substances

Industry and commercial activities (including the energy sector), farms and homes

may all use, store, transport or dispose of hazardous substances, including fuels, fertilisers, agrichemicals, industrial and commercial gases, solvents, cleaners, oils and corrosive substances. Some of these activities rely on bulk storage and distribution facilities. All activities involving hazardous substances have the potential to create adverse effects if they escape into the environment, burn, explode, or react with each other. Adverse effects resulting from inadequate management or an accidental release or spill, can include contamination of water, soil and air, damage to ecosystems, human health and property.

The storage, use, disposal and transport of hazardous substances are subject to minimum performance requirements that are set by regulations under the Hazardous Substances and New Organisms Act 1996. These requirements apply regardless of circumstances such as activity and location.

Additional land use controls may also be made under the Resource Management Act 1991 for the prevention or mitigation of any adverse effects of the storage, use, disposal and transport of hazardous substances. Land use controls may manage the risk, likelihood and consequence, of adverse effects, such as those resulting from spills, fires and explosions, having regard to the site-specific circumstances of an activity.

To manage the effect of hazardous substances, the Unitary Plan focuses on the facilities and activities which use, store or dispose of hazardous substances, rather than on the substances themselves. New hazardous facilities should not be located near sensitive activities or other hazardous facilities where significant cumulative effects may occur.

Land - contaminated

Contaminated land is an area where the quality of the soil, groundwater or surface water has been compromised by human activities, usually from the manufacture, use, storage, transport and disposal of hazardous substances.

Land contamination can limit the use of land, cause corrosion that may threaten building structures, reduce land value, and directly endanger the health and safety of people through contact with contaminated soil, swallowing food or water from contaminated environments, or breathing vapours or contaminated dust.

Contaminants leaching from soil into groundwater or running off into surface water and eventually into the coastal marine area affect water quality, ecosystems and flora and fauna.

Auckland has a legacy of soil contamination from past activities including:

- use of agrichemicals;
- storage and use of petroleum products;
- timber treatment; and
- sheep-dipping.

Identification of contaminated sites is the first step in any management regime. Initial assessments conducted on behalf of the Ministry for the Environment suggest Auckland may have more than 1700 contaminated sites. This assessment has only targeted sites that are, or have been, occupied by activities historically associated with site contamination, rather than sites that have actually been confirmed as

contaminated. Systematic identification of sites needs to continue.

To protect human health, the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health was issued in January 2011. This has established soil contaminant standards that protect human health for a range of land uses. It aims to identify and assess land affected by contaminants in soil when the land use changes, or the land is being subdivided, and, if necessary, require the remediation of the site or the containment of the contaminants to make the land safe for human use.

Genetically Modified Organisms

Genetic modification refers to a set of techniques that alter genetic makeup by adding, deleting or moving genes (within or between species) to produce new and different organisms. Genetically modified organisms are products of genetic modification.

The benefits and risks of genetically modified organisms are continually being redefined as biotechnology advances. However, there remains disagreement about the potential adverse effects of genetically modified organisms on natural resources and ecosystems. The risks could be substantial and certain consequences could be irreversible. Once released into the environment, most genetically modified organisms would be very difficult to eradicate. For these reasons, the activity status of genetically modified organism field trials is discretionary and that of genetically modified organisms' releases is prohibited.

The regulation of genetically modified organisms in New Zealand is under the Hazardous Substances and New Organisms Act 1996. The Hazardous Substances and New Organisms Act 1996 establishes a framework for assessment of genetically modified organisms by the Environmental Protection Authority. This Act sets minimum standards for the creation and use of genetically modified organisms and enables the Environmental Protection Authority to set additional conditions for a particular genetically modified organism.

The Council also has jurisdiction under the Resource Management Act 1991 to control discharges of contaminants and land use, including genetically modified organism field trials and genetically modified organism releases. In exercising this jurisdiction, the Council will seek to ensure that adverse effects on the environment are appropriately avoided, remedied or mitigated, including:

- to ensure that those who are using land to release genetically modified organisms are fully accountable for all costs associated with the genetically modified organism activity including taking all practicable steps to avoid unintentional contamination, and to undertake appropriate clean-up, monitoring and remediation;
- to adopt a cautious approach to the management of potential risks (economic, environmental, social and cultural) associated with the outdoor use of genetically modified organisms;
- to address cultural concerns of Mana Whenua.

The Council does not seek to foreclose potential opportunities associated with a particular genetically modified organism that could benefit the community or the area. If it became evident during field trials or in light of new information that release would be of benefit to Auckland and that potential risks can be managed satisfactorily, the status of a particular activity involving a genetically modified organism could be assessed as part of a plan change.

C1. General rules

C1.1. General rules

- (1) The rules in this chapter apply across the entire Plan except for the regional policy statement and where a rule specifically provides otherwise.
- (2) No person may undertake any activity in a manner that contravenes a rule in the Plan unless the activity is expressly allowed by a national environmental standard or a resource consent or is an existing use allowed by section 10 or section 20A of the Resource Management Act 1991.

C1.2. Information requirements for resource consent applications

- (1) Every application for resource consent must include all of the following:
 - (a) the information specified in Schedule 4 to the Resource Management Act 1991;
 - (b) an assessment of the environmental effects of the proposal in accordance with Schedule 4 to the Resource Management Act 1991;
 - (c) a certificate of title not more than three months old and including any documents listed or identified on that title relating to restrictions on the use of the site;
 - (d) plans or drawings accurately showing what is existing and what is proposed at a scale of at least 1:100 or 1:200 or otherwise to a scale that shows sufficient detail of the proposal to determine its effects; and
 - (e) any specific information required by any other provision in the Plan.
- (2) The Council may, within 10 working days after an application is first lodged, determine that the application is incomplete if it does not include the required information and return it to the applicant.
- (3) An application for resource consent for a proposal must be in relation to all matters for which consent is required for that proposal under the Plan or must clearly set out the reason why the application is not in relation to all such matters.
- (4) Where an applicant for resource consent intends to give effect to the consent in stages, then the application must include details of the proposed staging and the conditions to be applied at each stage.

Note 1

Application forms and detailed guidance on making applications are available on the Council's website and at Council offices.

C1.3. Deferral pending application for additional consents

- (1) Where any other resource consent will also be required in respect of the proposal to which an application relates, the Council may determine not to proceed with

the notification or hearing of that application and defer the processing of the application until an application is made for the other resource consent.

C1.4. Applications on sites with multiple zones, overlays or precincts or on parts of sites

(1) Where a proposal will take place:

- (a) in two or more zones; or
- (b) where two or more overlays apply to it; or
- (c) on a site which is partially affected by an overlay or a precinct;

then the proposal must comply with the overlay, zone and precinct rules applying to the particular part of the site in which the relevant part of the proposal is located.

(2) Where a rule for an overlay, zone or precinct controls an activity by reference to a proportion or percentage of the site, the control will be limited to that part of the site to which the overlay, zone, or precinct applies.

C1.5. Applications for more than one activity

(1) Where a proposal:

- (a) consists of more than one activity specified in the Plan; and
- (b) involves more than one type of resource consent or requires more than one resource consent; and
- (c) the effects of the activities overlap;

the activities may be considered together.

(2) Where different activities within a proposal are subject to different parts (regional, coastal or district) of the Plan, each activity will be assessed in terms of the objectives and policies which are relevant to that activity.

(3) Where different activities within a proposal have effects which do not overlap, the activities will be considered separately.

C1.6. Overall activity status

(1) The overall activity status of a proposal will be determined on the basis of all rules which apply to the proposal, including any rule which creates a relevant exception to other rules.

(2) Subject to Rule C1.6(4), the overall activity status of a proposal is that of the most restrictive rule which applies to the proposal.

- (3) The activity status of an activity in an overlay takes precedence over the activity status of that activity in a precinct, unless otherwise specified by a rule in the precinct applying to the particular activity.
- (4) Where an activity is subject to a precinct rule and the activity status of that activity in the precinct is different to the activity status in the zone or in the Auckland-wide rules, then the activity status in the precinct takes precedence over the activity status in the zone or Auckland-wide rules, whether that activity status is more or less restrictive.

C1.6A Overlay and precinct rules

- (1) Where an activity is subject to a rule in an overlay, the overlay may specify whether the overlay rule replaces a zone rule, a precinct rule, or an Auckland-wide rule.
- (2) Where an activity is subject to a rule in a precinct, the precinct may specify whether the precinct rule replaces an overlay rule or a zone rule, or an Auckland-wide rule.

C1.7. Activities not provided for

- (1) Any activity that is not specifically classed in a rule as a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity is a discretionary activity unless otherwise specified by a rule for an overlay, zone or precinct or in an Auckland-wide rule.

C1.8. Assessment of restricted discretionary, discretionary and non-complying activities

- (1) When considering an application for resource consent for an activity that is classed as a restricted discretionary, discretionary or non-complying activity, the Council will consider all relevant overlay, zone, Auckland-wide and precinct objectives and policies that apply to the activity or to the site or sites where that activity will occur.
- (2) When considering an application for resource consent for an activity that is classed as a discretionary or non-complying activity, the Council will have regard to the standards for permitted activities on the same site as part of the context of the assessment of effects on the environment.
- (3) The absence of any specific reference to positive effects in the objectives, policies, matters of discretion or assessment criteria does not mean that any positive effects of allowing an activity are not relevant to the consideration of an application for resource consent for that activity.

C1.9. Infringements of standards

- (1) Every activity that is classed as a permitted, controlled and restricted discretionary activity must comply with all the standards applying to that activity.
- (2) An activity that is classed as a permitted, controlled or restricted discretionary activity but that does not comply with one or more of the standards applying to

that activity is a restricted discretionary activity unless otherwise specified by a rule applying to the particular activity.

- (3) When considering an application for a resource consent for a restricted discretionary activity for an infringement of a standard under Rule C1.9(2), the Council will restrict its discretion to all of the following relevant matters:

- (a) any objective or policy which is relevant to the standard;
- (b) the purpose (if stated) of the standard and whether that purpose will still be achieved if consent is granted;
- (c) any specific matter identified in the relevant rule or any relevant matter of discretion or assessment criterion associated with that rule;
- (d) any special or unusual characteristic of the site which is relevant to the standard;
- (e) the effects of the infringement of the standard; and
- (f) where more than one standard will be infringed, the effects of all infringements considered together.

C1.10. Activities to be read in conjunction with activity table headings

- (1) Each activity listed in an activity table must be read, interpreted and applied in conjunction with the relevant heading or sub-heading of the part of the activity table in which it is listed.

C1.11. Numerical limits

- (1) Where any rule specifies a numerical limit using the words “up to” or “greater than”, those words must be read to mean:
- (a) the words “up to” in relation to a number include that number; and
 - (b) the words “greater than” in relation to a number do not include that number.

C1.12. Fractional amounts

- (1) Where the calculation of any number, area or volume required by a rule results in a fractional amount:
- (a) any fraction that is less than one-half will be disregarded and the amount of the number, area or volume will be rounded down; and
 - (b) any fraction of one-half or more will be counted as one and the amount of the number, area or volume will be rounded up.
- (2) If there are different activities within a single proposal and more than one activity requires, for the same purpose, the calculation of a number, area or volume, then all such activities must be taken together prior to any calculation and rounding.

C1.13. Notification

- (1) An application for resource consent for a controlled activity will be considered without public or limited notification or the need to obtain written approval from affected parties unless:
 - (a) otherwise specified by a rule applying to the particular activity; or
 - (b) the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.
- (2) An application for resource consent for a restricted discretionary, discretionary or non-complying activity is subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991, unless otherwise specified by a rule applying to the particular activity.
- (3) When deciding:
 - (a) whether an activity will have or is likely to have adverse effects on the environment that are more than minor for the purposes of section 95D of the Resource Management Act 1991; and
 - (b) whether any person is affected in relation to an activity for the purposes of section 95E of the Resource Management Act 1991;

the Council will have regard to the standards for any permitted activity on the same site as part of the context of the assessment of effects on the environment.
- (4) When deciding whether any person is affected in relation to an activity for the purposes of section 95E of the Resource Management Act 1991, the Council will give specific consideration to the following entities with responsibility for any natural or physical resources which may be affected by the activity, including:
 - (a) in relation to infrastructure, the network utility operator which operates that infrastructure;
 - (b) in relation to historic heritage, Heritage New Zealand Pouhere Taonga;
 - (c) in relation to natural resources and the coastal environment, the Minister of Conservation;
 - (d) in relation to maunga, the Tūpuna Maunga Authority;
 - (e) in relation to sites of significance or value to Mana Whenua, the iwi authority in whose rohe the proposal is located; and
 - (f) in relation to an overlay to manage reverse sensitivity effects, the operator of the activity which is protected by the overlay from such effects.

D9. Significant Ecological Areas Overlay

D9.1. Background

Auckland's indigenous biodiversity is unique with a diverse range of ecosystems reflecting the complex physical environment of the region. Natural ecosystems and indigenous biological diversity contribute to the character and identity of Auckland and distinguish it from other regions of New Zealand.

Healthy and functioning ecosystems contribute to improved water quality, soil conservation and carbon sinks, as well as providing opportunities for our recreation, economic, and cultural use. However, development has resulted in the loss of habitats and a reduction of biodiversity. Urban expansion and development, changes in coastal and rural land uses, and the ongoing degradation from pest species continue to threaten the maintenance of indigenous biodiversity.

In order to protect and better provide for the management of areas that contribute significantly to Auckland's biodiversity it is important to spatially identify them as significant ecological areas, in accordance with [B7.2](#) Indigenous biodiversity. Significant ecological areas have been identified for terrestrial areas, and parts of the coastal marine area.

D9.1.1. Significant Ecological Areas – Terrestrial (SEA-T)

Significant Ecological Areas – Terrestrial are identified areas of significant indigenous vegetation or significant habitats of indigenous fauna located either on land or in freshwater environments. In order to maintain indigenous biodiversity these areas are protected from the adverse effects of subdivision, use and development.

This overlay has been identified as a qualifying matter within the following areas in accordance with sections XXX of the RMA:

- the walkable catchments of Maungawhau Station; Kingsland Station; and Morningside Station;
- the walkable catchments of existing and planned rapid transit stops; and walkable catchments around the edges of the City Centre and Metropolitan Centre zones; and
- Within and adjacent to Town Centre, Local Centre and Neighbourhood Centre zones.

[Schedule 3 Significant Ecological Areas – Terrestrial Schedule](#) identifies the factors used to determine Significant Ecological Areas – Terrestrial and the values of scheduled areas.

The management of vegetation and biodiversity outside of identified significant ecological areas is subject to the provisions in [E15 Vegetation management and biodiversity](#).

The management of fresh waterbodies and riparian margins are subject to the provisions of Section [E3 Lakes, rivers, streams and wetlands](#).

Objective E28.2.(2) is to be considered alongside Objectives D9.2.(1)-(3) in relation to Policy D9.3.(8A).

With respect to excavation of minerals in a Special Purpose – Quarry Zone, policy D9.3(8A) recognises that it is not practicable to avoid adverse effects on the values of a SEA at Brookby Quarry, which is shown in Figure E15.10.1 Brookby Quarry extent, and Drury Quarry (excluding SEA_T_5349), which is shown in Figure E15.10.2 Drury Quarry extent, and therefore these effects are required to be mitigated or offset.

D9.1.2. Significant Ecological Areas – Marine (SEA-M)

Significant Ecological Areas – Marine are identified areas of significant indigenous vegetation or significant habitats of indigenous fauna located in the coastal marine area.

[Schedule 4 Significant Ecological Areas – Marine Schedule](#) identifies the factors used to determine Significant Ecological Areas – Marine and the values of scheduled areas.

The following categories of significant ecological areas in the coastal marine area are identified in [Schedule 4 Significant Ecological Areas – Marine Schedule](#) and on the planning maps:

SEA-M: Significant Ecological Area – Marine

SEA-M1: Areas which, due to their physical form, scale or inherent values, are considered to be the most vulnerable to any adverse effects of inappropriate subdivision, use and development.

SEA-M2: Areas are of regional, national or international significance which do not warrant an SEA-M1 identification as they are generally more robust.

SEA-M1w, SEA-M2w: Areas that are identified as significant wading bird areas.

Coastal and marine ecosystems are subject to change, damage or destruction from inappropriate subdivision, use and development, as well as natural processes. The quality of the coastal environment is fundamentally determined by the presence of a diversity of ecosystems and by their ability to function as biological systems.

The management of indigenous biodiversity and marine ecosystems outside of scheduled significant ecological areas are subject to the objectives and policies in [E15 Vegetation management and biodiversity](#), and to the vegetation management provisions in Chapter F Coastal.

D9.1.3. Rules for significant ecological areas

The rules that apply to Significant Ecological Areas – Terrestrial are contained in:

- [E3 Lakes, rivers, streams and wetlands](#) (overlay rules);
- [E15 Vegetation management and biodiversity](#) (overlay rules);
- [E11 Land disturbance - Regional](#) (overlay rules); and
- [E26 Infrastructure](#) (overlay rules).

The rules that apply to Significant Ecological Areas – Marine are contained in:

- Chapter F Coastal (rules are through various activity sections).

D9.2. Objectives [rcp/rp/dp]

- (1) Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision, use and development.
- (2) Indigenous biodiversity values of significant ecological areas are enhanced.
- (3) The relationship of Mana Whenua and their customs and traditions with indigenous vegetation and fauna is recognised and provided for.

D9.3. Policies [rcp/rp/dp]

Managing effects on significant ecological areas – terrestrial and marine

- (1) Manage the effects of activities on the indigenous biodiversity values of areas identified as significant ecological areas by:
 - (a) avoiding adverse effects on indigenous biodiversity in the coastal environment to the extent stated in Policies D9.3(9) and (10);
 - (b) avoiding other adverse effects as far as practicable, and where avoidance is not practicable, minimising adverse effects on the identified values;
 - (c) remedying adverse effects on the identified values where they cannot be avoided;
 - (d) mitigating adverse effects on the identified values where they cannot be avoided or remediated; and
 - (e) considering the appropriateness of offsetting any residual adverse effects that are significant and where they have not been able to be mitigated, through protection, restoration and enhancement measures, having regard to [Appendix 8 Biodiversity offsetting](#).
- (2) Adverse effects on indigenous biodiversity values in significant ecological areas that are required to be avoided, remedied, mitigated or offset may include, but are not limited to, any of the following:
 - (a) fragmentation of, or a reduction in the size and extent of, indigenous ecosystems and the habitats of indigenous species;

- (b) fragmentation or disruption of connections between ecosystems or habitats;
 - (c) changes which result in increased threats from pests on indigenous biodiversity and ecosystems;
 - (d) loss of buffering of indigenous ecosystems;
 - (e) loss of a rare or threatened individual, species population or habitat;
 - (f) loss or degradation of originally rare ecosystems including wetlands, dune systems, lava forests, coastal forests;
 - (g) a reduction in the abundance of individuals within a population, or natural diversity of indigenous vegetation and habitats of indigenous fauna;
 - (h) loss of ecosystem services;
 - (i) effects which contribute to a cumulative loss or degradation of habitats, species populations and ecosystems;
 - (j) impacts on species or ecosystems that interact with other activities, or impacts that exacerbate or cause adverse effects in synergistic ways;
 - (k) loss of, or damage to, ecological mosaics, sequences, processes, or integrity;
 - (l) downstream effects on wetlands, rivers, streams, and lakes from hydrological changes further up the catchment;
 - (m) a modification of the viability or value of indigenous vegetation and habitats of indigenous fauna as a result of the use or development of other land, freshwater, or coastal resources;
 - (n) a reduction in the historical, cultural, and spiritual association held by Mana Whenua or the wider community;
 - (o) the destruction of, or significant reduction in, educational, scientific, amenity, historical, cultural, landscape, or natural character values;
 - (p) disturbance to indigenous fauna that is likely or known to increase threats, disturbance or pressures on indigenous fauna; or
 - (q) increases in the extinction probability of a species.
- (3) Enhance indigenous biodiversity values in significant ecological areas through any of the following:
- (a) restoration, protection and enhancement of threatened ecosystems and habitats for rare or threatened indigenous species;
 - (b) control, and where possible, eradication of plant and animal pests;

- (c) fencing of significant ecological areas to protect them from stock impacts;
 - (d) legal protection of significant ecological areas through covenants or similar mechanisms;
 - (e) development and implementation of management plans to address adverse effects;
 - (f) re-vegetating areas using, where possible, indigenous species sourced from naturally growing plants in the vicinity with the same climactic and environmental conditions; or
 - (g) providing for the role of Mana Whenua as kaitiaki and for the practical exercise of kaitiakitanga in restoring, protecting and enhancing areas.
- (4) Enable activities which enhance the ecological integrity and functioning of significant ecological areas including:
- (a) the management and control of pest species that threaten indigenous biodiversity; and
 - (b) managing works in the vicinity of kauri, such as deadwood removal or earthworks, to control kauri dieback disease by preventing the spread of soil and kauri plant material.

Vegetation management

- (5) Enable the following vegetation management activities in significant ecological areas to provide for the reasonable use and management of land:
- (a) trimming of vegetation;
 - (b) vegetation removal to maintain existing open areas, including tracks;
 - (c) vegetation removal to establish and maintain a reasonable cleared area around a building;
 - (d) vegetation removal required to maintain lawfully established activities, structures and buildings;
 - (e) vegetation removal necessary to provide for a dwelling on a site;
 - (f) vegetation removal necessary to provide for marae and papakainga on Māori land;
 - (g) vegetation removal in areas of high wildfire risk to manage this risk; and
 - (h) vegetation removal necessary to provide access and exit for emergency service vehicles.

- (6) While also applying Policies D9.3(9) and (10) in the coastal environment, avoid as far as practicable the removal of vegetation and loss of biodiversity in significant ecological areas from the construction of building platforms, access ways or infrastructure, through:
- (a) using any existing cleared areas on a site to accommodate new development in the first instance;
 - (b) assessing any practicable alternative locations and/or methods that would reduce the need for vegetation removal or land disturbance;
 - (c) retaining indigenous vegetation and natural features which contribute to the ecological significance of a site, taking into account any loss that may be unavoidable to create a single building platform for a dwelling and associated services, access and car parking on a site;
 - (d) designing and locating dwellings and other structures to reduce future demands to clear or damage areas of significant indigenous biodiversity, for example to provide sunlight or protect property;
 - (e) avoiding as far as practicable any changes in hydrology which could adversely affect indigenous biodiversity values;
 - (f) implementing measures to maintain existing water quality and not increase the amount of sediment entering natural waterways, wetlands and groundwater; and
 - (g) using techniques that minimise the effects of construction and development on vegetation and biodiversity and the introduction and spread of animal and plant pests.
- (7) Provide for the role of Mana Whenua as kaitiaki in managing biodiversity, particularly in Treaty Settlement areas, and for cultural practices and cultural harvesting in significant ecological areas where the mauri of the resource is sustained.
- (8) Manage the adverse effects from the use, maintenance, upgrade and development of infrastructure in accordance with the policies above, recognising that it is not always practicable to locate and design infrastructure to avoid significant ecological areas.

Significant Ecological Areas in the Special Purpose – Quarry Zone (Brookby and Drury Quarries only (excluding SEA_T_5349), which are shown in Figure E15.10.1 Brookby Quarry extent and Figure E15.10.2 Drury Quarry extent respectively).

(8A) Manage the removal of vegetation within significant ecological areas to provide for mineral extraction activities within a Special Purpose Quarry Zone (Brookby and Drury Quarries only (excluding SEA_T_5349)), provided that, any significant adverse effects:

- (a) from excavating minerals including removal of overburden are mitigated or offset; or
- (b) from other mineral extraction activities not within (a) are first avoided, and, if avoidance is not practicable having regard to the need to operate a safe and efficient quarry, are remedied, mitigated or offset;

while:

promoting where practicable the implementation of mitigation or offset planting or other measures prior to any removal of vegetation; and

- (i) having regard to matters 1 (noting that the activities described in 8A(a) above are only required to mitigate or offset significant adverse effects), 2 (in respect to additionality), 3, 4 and 5 in Appendix 8 Biodiversity Offsetting, including taking account of the environmental benefits of undertaking actions in advance of any vegetation removal.

Protecting significant ecological areas in the coastal environment

- (9) Avoid activities in the coastal environment where they will result in any of the following:
 - (a) non-transitory or more than minor adverse effects on:
 - (i) threatened or at risk indigenous species (including Maui's Dolphin and Bryde's Whale);
 - (ii) the habitats of indigenous species that are at the limit of their natural range or which are naturally rare;
 - (iii) threatened or rare indigenous ecosystems and vegetation types, including naturally rare ecosystems and vegetation types;
 - (iv) areas containing nationally significant examples of indigenous ecosystems or indigenous community types; or
 - (v) areas set aside for full or partial protection of indigenous biodiversity under other legislation, including the West Coast North Island Marine Mammal Sanctuary.
 - (b) any regular or sustained disturbance of migratory bird roosting, nesting and feeding areas that is likely to noticeably reduce the level of use of an area for these purposes; or
 - (c) the deposition of material at levels which would adversely affect the natural ecological functioning of the area.

- (10) Avoid (while giving effect to Policy D9.3(9) above) activities in the coastal environment which result in significant adverse effects, and avoid, remedy or mitigate other adverse effects of activities, on:
- (a) areas of predominantly indigenous vegetation;
 - (b) habitats that are important during the vulnerable life stages of indigenous species;
 - (c) indigenous ecosystems and habitats that are found only in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;
 - (d) habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes including fish spawning, pupping and nursery areas;
 - (e) habitats, including areas and routes, important to migratory species;
 - (f) ecological corridors, and areas important for linking or maintaining biological values; or
 - (g) water quality such that the natural ecological functioning of the area is adversely affected.
- (11) In addition to Policies D9.3(9) and (10), avoid subdivision, use and development in the coastal environment where it will result in any of the following:
- (a) the permanent use or occupation of the foreshore and seabed to the extent that the values, function or processes associated with any Significant Ecological Area – Marine is significantly reduced;
 - (b) any change to physical processes that would destroy, modify, or damage any natural feature or values identified for a Significant Ecological Area – Marine in more than a minor way; or
 - (c) fragmentation of the values of a Significant Ecological Area – Marine to the extent that its physical integrity is lost.
- (12) Manage the adverse effects of use and development on the values of Significant Ecological Areas – Marine, in addition to the policies above, taking into account all of the following:
- (a) the extent to which existing use and development already, and in combination with any proposal, impacts on the habitat, or impedes the operation of ecological and physical processes;

- (b) the extent to which there are similar habitat types within other Significant Ecological Areas – Marine in the same harbour or estuary or, where the significant ecological area - marine is located on open coast, within the same vicinity; and
 - (c) whether the viability of habitats of regionally or nationally threatened plants or animals is adversely affected, including the impact on the species population and location.
- (13) In addition to Policies D9.3(9) and (10), avoid structures in Significant Ecological Areas – Marine 1 (SEA-M1) except where a structure is necessary for any of the following purposes:
- (a) scientific and research purposes, or for public education, and will enhance the understanding and long-term protection of the significant ecological area;
 - (b) navigation and safety;
 - (c) habitat maintenance and enhancement; or
 - (d) to benefit the regional and national community, including structures for significant infrastructure where there is no reasonable or practicable alternative location on land, or elsewhere in the coastal marine area outside of a Significant Ecological Area – Marine 1 (SEA-M1).
- (14) In addition to Policies D9.3(9) and (10), avoid the extension to, or alteration of, any existing lawful structure in Significant Ecological Areas – Marine 1 (SEA-M1) unless all of the following can be demonstrated:
- (a) that the existing structure has no significant adverse effects on the values and ecological and physical processes operating in the significant ecological area;
 - (b) that the extension or alteration will not involve significant disturbance of foreshore or seabed, clearance of indigenous vegetation, or significantly increase the need to dredge in order to obtain access to the structure; and
 - (c) that the purpose of the extension cannot practicably be met by a land-based alternative.
- (15) Avoid mangrove removal within Significant Ecological Areas – Marine where it will threaten the viability or significance of the ecological values identified.
- (16) Avoid mangrove removal within Significant Ecological Areas – Marine 1 (SEA-M1) unless the removal is for any of the following purposes:
- (a) to maintain or enhance the ecological values of the significant ecological marine area, where it is demonstrated these values are being adversely affected by mangrove colonisation;

- (b) to maintain or restore the open nature of the wading bird feeding and roosting areas identified in Appendix 5 Wading bird areas;
 - (c) to enable the reasonable operation, maintenance and use of lawful structures and/or to allow for the efficient functioning of drainage systems; or
 - (d) to enable the provision, maintenance and use of public infrastructure, such as roads, walkways and drainage systems, and any associated public health and safety requirements, where there is no practicable alternative location outside the significant ecological area that would achieve a better environmental outcome.
- (17) Enable mangrove seedling removal in Significant Ecological Areas – Marine 1 (SEA-M1) that do not have significant values associated with mangroves and that are identified in [Schedule 5 Significant Ecological Areas – Marine where mangroves are a minor component or absent.](#)

D10. Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay

D10.1. Background

These provisions give effect to Policy 15(a) of the New Zealand Coastal Policy Statement 2010, and the Regional Policy Statement objectives and policies in [B4.2](#) Outstanding natural features and landscapes.

The objectives and policies in this chapter apply to all activities undertaken in areas identified in the Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay, both above and below mean high water springs.

The factors in Policy [B4.2.2\(4\)](#) have been used to determine the features that have outstanding natural feature values. Areas with outstanding natural feature values are shown on the Plan maps and identified in [Schedule 6: Outstanding Natural Features Overlay Schedule](#).

The factors in Policy [B4.2.2\(1\)](#) have been used to determine the areas with outstanding natural landscape value. Areas with outstanding natural landscape values are shown on the Plan maps and identified in [Schedule 7 Outstanding Natural Landscapes Overlay Schedule](#).

The rules that apply to use and development in areas scheduled as outstanding natural landscapes are contained in [D11 Outstanding Natural Character and High Natural Character Overlay](#).

This overlay has been identified as a qualifying matter within the following areas in accordance with sections XXX of the RMA:

- the walkable catchments of Maungawhau Station; Kingsland Station; and Morningside Station;
- the walkable catchments of existing and planned rapid transit stops; and walkable catchments around the edges of the City Centre and Metropolitan Centre zones; and
- Within and adjacent to Town Centre, Local Centre and Neighbourhood Centre zones.

D10.2. Objectives [rcp/dp]

(1) Auckland's outstanding natural features and outstanding natural landscapes are protected from inappropriate subdivision, use, and development.

(2) The ancestral relationships of Mana Whenua with outstanding natural features and outstanding natural landscapes are recognised and provided for.

(3) Where practicable the restoration and enhancement of outstanding natural features and outstanding natural landscapes, including in the Waitākere Ranges Heritage Area and the Hauraki Gulf /Te Moana-nui o Toi/Tīkapa Moana, is promoted.

(4) Existing rural production activities are recognised as part of landscape values including in outstanding natural features and outstanding natural landscapes.

D10.3. Policies [rcp/dp]

(1) Protect the physical and visual integrity of outstanding natural landscapes by:

- (a) avoiding the adverse effects of inappropriate subdivision, use and development on the natural characteristics and qualities that contribute to the values of the outstanding natural landscape;
- (b) maintaining the visual coherence and integrity of the outstanding natural landscape;
- (c) maintaining natural landforms, natural processes and vegetation areas and patterns;
- (d) maintaining the visual or physical qualities that make the landscape iconic or rare; and
- (e) maintaining high levels of naturalness in outstanding natural landscapes that are also identified as outstanding natural character or high natural character areas.

(2) Protect the physical and visual integrity of outstanding natural landscapes while taking into account the following matters:

- (a) the extent of anthropogenic changes to the natural elements, patterns, processes or characteristics and qualities;
- (b) the presence or absence of structures, buildings or infrastructure;
- (c) the temporary or permanent nature of any adverse effects;
- (d) the physical and visual integrity and the natural processes of the location;
- (e) the physical, visual and experiential values that contribute significantly to the natural landscape's values;
- (f) the location, scale and design of any proposed development; and
- (g) the functional or operational need of any proposed infrastructure to be located in the outstanding natural landscape area.

(3) Protect the physical and visual integrity of outstanding natural features, including volcanic features that are outstanding natural features, by:

- (a) avoiding the adverse effects of inappropriate subdivision, use and development on the natural characteristics and qualities that contribute to an outstanding natural feature's values;
- (b) ensuring that the provision for, and upgrading of, public access, recreation and infrastructure is consistent with the protection of the values of an outstanding natural feature; and
- (c) avoiding adverse effects on Mana Whenua values associated with an outstanding natural feature.

(4) Protect the physical and visual integrity of outstanding natural features, while taking into account the following matters:

(a) the value of the outstanding natural feature in its wider historic heritage, cultural, landscape, natural character and amenity context;

(b) the educational, scientific, amenity, social or economic value of the outstanding natural feature;

(c) the historical, cultural and spiritual association with the outstanding natural feature held by Mana Whenua;

(d) the extent of anthropogenic changes to the natural characteristics and qualities of the outstanding natural feature;

(e) the presence or absence of structures, buildings or infrastructure;

(f) the temporary or permanent nature of any adverse effects;

(g) the physical and visual integrity and the natural processes of the location;

(h) the physical, visual and experiential values that contribute significantly to the outstanding natural feature's values;

(i) the location, scale and design of any proposed subdivision, use or development; and

(j) the functional or operational need of any proposed infrastructure to be located within the outstanding natural feature.

(5) Enable use and development that maintains or enhances the values or appreciation of an outstanding natural landscape or outstanding natural feature.

(6) Provide for appropriate rural production activities and related production structures as part of working rural and coastal landscapes in outstanding natural landscape and outstanding natural feature areas.

(7) Encourage the restoration and enhancement of outstanding natural landscapes and outstanding natural features where practical, and where this is consistent with the values of the feature or area.

D10.4. Activity Table

Table D10.4.2 Activity table specifies the activity status for use and development in areas identified as outstanding natural features on land above mean high water springs pursuant to section 9(3) of the Resource Management Act 1991.

The rules that apply to use and development in outstanding natural features and outstanding natural landscape areas below mean high water springs are contained in Chapter F Coastal.

The rules that apply to use and development in outstanding natural landscape areas are contained in [D11 Outstanding Natural Character Overlay and High Natural Character Overlay](#).

The rules that apply to land disturbance activities in outstanding natural features and outstanding natural landscape areas are contained in [E12 Land disturbance - District](#).

The rules that apply to vegetation management in outstanding natural features and outstanding natural landscape areas are contained in [E15 Vegetation management and biodiversity](#).

The rules that apply to network utilities in outstanding natural features and outstanding natural landscape areas are contained in [E26 Infrastructure](#).

Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

If any activity listed in rules (including standards) D10.4.2 to D10.6 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to the Outstanding Natural Features Overlay (“ONF”).

Where there is a rule in the plan that relates to an ONF then the plan rule will apply. In the event that there is any conflict between the rules in the plan and the NESPF in relation to an ONF, the most restrictive rule will prevail.

If the NESPF does not regulate an activity then the plan rules apply.

Table D10.4.1 Outstanding Natural Feature Code for activity tables applying to outstanding natural features

Feature code	Feature Type	Brief Description
A1	Large landforms in working rural environments	Landforms that are sufficiently large and robust to withstand small-scale land disturbance or constructions without significant impact and which are currently used in working rural environments.
A	Large landforms	Landforms that are sufficiently large and robust to withstand small-scale land disturbance or constructions without significant impact.
V (V1 and V2)	Large volcanic landforms	V1: The publicly owned and mainly unmodified portions of the scoria cones, explosion craters and tuff rings of the Auckland and South Auckland volcanic fields, including all areas zoned as open space. V2: The privately owned and partially modified portions of the scoria cones, explosion craters and tuff rings of the Auckland and South Auckland volcanic fields.
B	Smaller more fragile landforms	Small landforms or other features that could be damaged or destroyed by relatively small-scale land disturbance or constructions.

C	Dynamic landforms and features	Landforms or features that rely on the continuation of natural physical processes beyond the feature for their continued existence such as shell spit, sand dune, and spring.
D	Exposures of geological material	Natural or man-made exposures that are sufficiently large and robust that small-scale land disturbance or rock sampling will have no significant impact, such as coastal cliffs.
E	Fragile exposures of geological material	Small, natural or man-made exposures or high value portions of exposures that could be damaged or destroyed by small-scale, land disturbance, sampling or construction.
F (F1 and F2)	Caves	Caves, such as lava and sea caves and their entrances, may, depending upon their depth underground, be susceptible to damage from significant land disturbance or constructions above them, or from changes in their catchments. Caves are divided into interior areas within 5 metres of the entrance F1, and exteriors F2.

Table D10.4.2 Activity table

Activity		Activity Status									
		A1	A	V1	V2	B	C	D	E	F1	F2
Development											
(A1)	Buildings and structures	P	RD	RD	RD	NC	NC	NC	NC	NC	RD
Use											
Rural											
(A2)	Farming not otherwise provided for in this table	P	P	P	P	P	P	P	P	P	P
(A3)	Grazing of sheep and goats	P	P	P	P	RD	RD	P	RD	NC	P
(A4)	Grazing of other stock	P	RD	RD	RD	RD	RD	RD	RD	NC	P
(A5)	Fences (post and wire)	P	P	RD	RD	RD	RD	RD	RD	NC	NC
(A6)	Fences (except post and wire)	RD	RD	RD	RD	RD	RD	RD	RD	NC	NC
(A7)	Existing forestry	P	P	P	P	RD	RD	RD	RD	NC	RD
(A8)	New forestry	P	RD	RD	RD	RD	RD	RD	RD	NC	RD
(A9)	Quarries – farm or forestry	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr

D10.5. Notification

(1) Any application for resource consent for an activity listed in Table D10.4.2 Activity table 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\(4\)](#).

D10.6. Standards

There are no standards in this section.

D10.7. Assessment – controlled activities

There are no controlled activities in this section.

D10.8. Assessment – Restricted discretionary activities

D10.8.1. Matters of discretion

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

- (1) The nature, form and extent of proposed works.
- (2) Effects on the landscape values of the feature.
- (3) The degree of geological modification.
- (4) The need for, or purpose of, the proposed use or development
- (5) Alternative methods and locations.
- (6) Protection or enhancement of the feature.
- (7) Effects on Mana Whenua values.

D10.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below.

- (1) The extent to which the nature, form and extent of the proposed use or development adversely affects the criteria or values for which the feature was scheduled taking into account all of the following:
 - (a) whether the use or development will result in increased erosion, of the feature;
 - (b) whether the use or development will result in increased compaction or erosion of the feature, or changes to the vegetation will adversely affect the values for which the feature is scheduled;
 - (c) whether the use or development will result in ground disturbance or earthworks that will affect the values for which the feature is scheduled; and
 - (d) whether the use or development will interfere with natural processes associated with the feature.

- (2) The extent to which the proposed use or development will cause adverse visual effects, or adversely affect landscape values associated with the feature.
- (3) The extent to which the proposed use or development will cause any significant loss of geological value of a feature, taking into account the extent a feature has already been modified and whether further modification will cumulatively result in a significant loss of geological value.
- (4) The extent to which modification of a feature is necessary to provide for the proposed use or development and the proposed structure has a functional or operational need to be in the location proposed.
- (5) The extent to which the proposed use or development has a specific connection or relationship to the scheduled feature.
- (6) Whether there are alternative methods and locations available to undertake the use or development that will not affect a scheduled feature.
- (7) Whether any site/s resulting from a subdivision can be developed without adversely affecting the values for which the feature is scheduled.
- (8) The extent to which the proposed works will protect the feature from damage, such as providing for erosion protection, or remediate previous damage, excluding any damage resulting from the use or development itself.
- (9) The extent to which the proposed use or development will adversely affect Mana Whenua values.
- (10) The extent to which, having had regard to the objectives and policies in [E20 Māori Land](#), the proposed use and development provides for Mana Whenua, matauranga and tikanga values.

D10.9. Special information requirements

- (1) Any application for resource consent must be accompanied by a site plan showing the location of the Outstanding Natural Feature Overlay and the location of the proposed activity.

D12. Waitākere Ranges Heritage Area Overlay

D12.1. Background

The Waitākere Ranges Heritage Area Overlay gives effect to the purpose and objectives of the Waitākere Ranges Heritage Area Act 2008, and to section [B4.4](#) of the regional policy statement. The overlay applies to the area identified in Schedule 1 of the Waitākere Ranges Heritage Area Act 2008 and is shown on the planning maps.

The Waitākere Ranges Heritage Area Act 2008 recognises the national, regional, and local significance of the heritage area and promotes the protection and enhancement of its heritage features for present and future generations. The heritage features described in section 7 of the Waitākere Ranges Heritage Area Act 2008 include a range of ecological, landscape, historical, cultural, rural character and natural character values as well as the area's distinctive local communities.

This overlay has been identified as a qualifying matter in accordance with section 771(a) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, for an area within the walkable catchment area surrounding the Swanson RTN Railway Station. The walkable catchment area is subject to policy 3(c) of the National Policy Statement – Urban Development (NPS-UD) which requires areas within a walkable catchment of a RTN Railway Station be further intensified to increase the future development capacity of Auckland City.

All other areas of the Waitākere Ranges Heritage Area overlay are subject to the provisions contained within this overlay chapter.

Sites Properties located outside the Rural Urban Boundary (RUB) within the Waitākere Foothills are zoned Rural – Waitākere Foothills Zone and those in the Waitākere Ranges are zoned Rural – Waitākere Ranges Zone. Residential properties in the coastal villages are zoned Residential – Rural and Coastal Settlement Zone. Properties used for business purposes are zoned Business - Neighbourhood Centre Zone. Within the RUB Residential properties sites in Titirangi – Laingholm are zoned Residential – Large Lot Zone and residential properties within the edge of the Waitākere Ranges Heritage Area are zoned Residential – Single House Zone, Residential – Mixed Housing Suburban Zone or Special Purpose – School Zone. ~~those in the coastal villages are zoned Residential – Rural and Coastal Settlement Zone.~~ Where sites properties are used for business purposes, these are zoned Business – Local Centre Zone and Business – Neighbourhood Centre Zone.

The Te Henga, Waimanu and Bethells precincts relate to a number of large sites where unique cultural, historic and ecological values have been identified. The subdivision rules for these areas are located within the precinct provisions. The objectives and policies of the Waitākere Ranges Heritage Area Overlay also apply to these precincts.

The objectives, policies and rules of this overlay apply to subdivision, use and development in the Waitākere Ranges Heritage Area Overlay. The areas and sites identified in the Subdivision Scheduled Areas/Sites prescribe additional subdivision standards when subdividing in the specified areas/sites. The objectives, policies and

standards in [E38 Subdivision – Urban](#) and [E39 Subdivision – Rural](#) also apply to subdivision in these areas unless otherwise specified.

D12.1.1. Subdivision Scheduled Areas/Sites

The following provides an overview for the area/sites which are subdivision scheduled areas/sites in the Waitākere Ranges Heritage Area Overlay. These areas/sites are subject to additional subdivision standards.

D12.1.1.1. Ōrātia (Foothills)

Ōrātia (Foothills) is characterised by low-density settlement with few urban-scale activities. Buildings in Ōrātia still reflect the area's rural history and are subservient to the natural and rural landscapes. There is a clear distinction between the character of urban Auckland and rural Ōrātia which is viewed as a 'gateway' or edge to the Waitākere Ranges.

The area's settlement pattern is in transition through the implementation of the former Ōrātia Structure Plan, which enabled the establishment of small rural holdings throughout the settlement area.

Ōrātia is significant to Mana Whenua, notably Te Kawerau a Maki who have a long history of occupation and use of the land.

The area is identified in Figure D12.10.1 Overlay Subdivision Plan 1 – Ōrātia (Foothills). Its zone is the Rural – Waitākere Foothills Zone. A limited number of properties within the RUB are zoned Residential – Single House Zone.

D12.1.1.2. Swanson South (Foothills)

Swanson South (Foothills) comprises that part of the former Swanson Structure Plan area that falls within the heritage area. It is characterised by low-density settlement and rural and natural landscape character. The Swanson South area is valued for its vineyards and pastoral landscape elements.

The area is identified in Figure D12.10.2 Overlay Subdivision Plan 2 - Swanson (Foothills). Its is predominantly zoned Rural – Waitākere Foothills Zone, with an area inside the RUB zoned Residential – Large Lot Zone (7-11 Christian Road).

D12.1.1.3. Rural Bush Living (Ranges)

The Rural Bush Living (Ranges) area includes those parts of the Rural – Waitākere Ranges Zone where natural features dominate, but settlement has substantially fragmented the bush. A partly residential but nonetheless 'non-urban' character predominates as a result.

The area is identified in Figures D12.10.7 – D12.10.14 Overlay Subdivision Plans 7a – 7g – Rural Bush Living (Ranges). Its zone is the Rural – Waitākere Ranges Zone.

D12.1.1.4. Ōrātia (Ranges)

The Ōrātia (Ranges) area is located in the Upper Ōrātia catchment and is generally characterised by bush-clad landscapes which contain buildings that do not dominate the extensive bush area. It contains areas of sparse population with

some more intensive settlement and has a feeling of peaceful quietness despite proximity to the city. The capacity for subdivision and development in the area is limited, and restricted to areas outside the Significant Ecological Area Overlay and the Outstanding Natural Landscape Overlay. Beyond that level, subdivision is generally prohibited.

The area is identified in Figure D12.10.15 Overlay Subdivision Plan 8 – Ōrātia (Ranges). Its zone is the Rural – Waitākere Ranges Zone.

D12.1.1.5. Titirangi – Laingholm (North, South and West)

Titirangi – Laingholm North is located north of a line running along the ridge at Scenic Drive/Titirangi Road/Rangiwai Road and Godley Road. The land drains north and is mostly oriented towards the urban parts of the city. The density of subdivision enabled in this area recognises the proximity of the area to the urban environment.

Titirangi – Laingholm South drains towards the Manukau Harbour and is located further from urban areas. It contains many large sites and areas of intact vegetation. The residential density is less in this area and subdivision is limited to avoid fragmentation of intact vegetation.

Titirangi – Laingholm West covers a narrow strip of land bounded by the Waitākere Ranges Regional Park to the west, and Victory Road and Kauri Point Road to the east. The area generally forms a buffer between the regional park and the urban parts of Titirangi – Laingholm.

The area is identified in Figure D12.10.16 Overlay Subdivision Plan 9 – Titirangi – Laingholm North, Figure D12.10.17 Overlay Subdivision Plan 10 – Titirangi – Laingholm South, Figure D12.10.18 Overlay Subdivision Plan 11 – Titirangi – Laingholm West. Its zone is Residential – Large Lot Zone. The area includes Residential – Large Lot Zone, Residential – Single House Zone, Residential – Mixed Housing Suburban Zone and Special Purpose – School Zone.

Titirangi Village is not subject to this subdivision schedule. The village and its supporting Open Space zoned areas are subject to the objectives, policies and standards of their underlying zones – Business – Local Centre Zone and Open Space – Community Zone unless otherwise stated.

D12.2. Objectives

- (1) The heritage area and its features described in section 7 of the Waitākere Ranges Heritage Area Act 2008 are protected, restored and enhanced.
- (2) A range of activities are enabled in order for people to work, live and recreate within the heritage area.
- (3) The limited capacity of the heritage area to provide for growth is recognised.
- (4) Subdivision in the heritage area is of an appropriate scale and intensity and complements the character and landscape of the heritage area.

- (5) The quality and diversity of landscapes in the heritage area identified as having local, regional or national significance are maintained.
- (6) Subdivision, use and development in the heritage area is subservient to the natural and rural landscape and character.
- (7) Risks and uncertainties associated with subdivision, use and development that could threaten serious or irreversible damage to a heritage feature of the heritage area are recognised and considered.
- (8) The water supply catchments and their related supply functions are protected.
- (9) Infrastructure and related activities are enabled, provided that the heritage features of the area are protected.

Waitākere Foothills

- (10) The Waitākere Foothills retain a rural character with low-density settlement and few urban-scale activities.
- (11) The Waitākere Foothills provide a rural buffer between urban Auckland and the forested landscape of the Waitākere Ranges and the coasts.

Ōrātia (Foothills)

- (12) Subdivision and development retains and enhances local rural character and amenity values.
- (13) Subdivision and development is designed to maintain and enhance rural character and natural landscape qualities, including watercourses and significant native vegetation and fauna habitats.

Swanson South (Foothills)

- (14) Swanson South's rural character, with low-density settlement and few urban-scale activities, is protected.
- (15) The ecological and landscape values of the area are protected from inappropriate subdivision and development.
- (16) The effects of subdivision and associated development are managed to retain a buffer between the bush-clad and urban parts of the city.

Rural Bush Living (Ranges)

- (17) The forested character and natural landscape qualities of the surrounding environment, including prominent ridgelines, watercourses, native vegetation and fauna habitats are maintained and enhanced.

Ōrātia (Ranges)

- (18) The rural character and natural landscape qualities of the Ōrātia area, including watercourses and native vegetation and fauna habitats are maintained and enhanced.

Titirangi – Laingholm (North, South and West)

- (19) The unique settlement pattern and landscape qualities of the residential areas of Titirangi – Laingholm are maintained and enhanced.
- (20) The forested character and natural qualities of the surrounding landscape which includes a low-density residential setting, prominent ridgelines, coastal areas and native vegetation and fauna habitats are maintained and enhanced.

D12.3. Policies

- (1) Limit subdivision and development within the heritage area to protect its heritage features.
- (2) Manage the scale, design, and location of subdivision so that it is consistent with section 8 of the Waitākere Ranges Heritage Area Act 2008.
- (3) Protect the different natural landforms and landscape within the heritage area.
- (4) Protect the distinctive natural and rural character of the heritage area.
- (5) Protect the quietness and darkness of the Waitākere Ranges and the coastal part of the area.
- (6) Recognise that people live in distinct communities by enabling appropriate residential, business and community activities.
- (7) Protect the Waitākere Ranges Regional Park for the benefit, use and enjoyment of people and communities and maintain the quietness and wilderness of the regional park.
- (8) Manage subdivision, use and development within the area to ensure all of the following:
- (a) areas identified in the Outstanding Natural Character and High Natural Character Overlay, the Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay, and the Significant Ecological Areas Overlay and are protected, restored or enhanced;
 - (b) heritage features are not adversely affected;
 - (c) rural landscape and character is retained; and
 - (d) degraded landscapes are restored and enhanced.
- (9) Manage built development so that it is integrated and is subservient to the natural and rural landscape and the heritage features of the area.

- (10) Adopt a precautionary approach when assessing subdivision, use and development that could threaten serious or irreversible damage to a heritage feature.

Waitākere Foothills

- (11) Maintain a clear contrast between the urban parts of the city and the Waitākere Ranges foothills through the design and location of subdivision, use and development which maintains and enhances rural character and amenity values.
- (12) Provide for limited subdivision and development that:
 - (a) protects and enhances streams, lakes, watercourses, and wetlands and their margins;
 - (b) restores low-quality areas of vegetation or carries out revegetation of bare areas along waterway margins; and
 - (c) minimises vegetation clearance by locating buildings and development in areas of lower ecological value.
- (13) Require subdivision design to:
 - (a) incorporate on-site native vegetation planting;
 - (b) retain or link significant vegetation and fauna habitat areas; and
 - (c) avoid adversely affecting the visual, historical, cultural, or spiritual significance of heritage features.
- (14) Provide for legal and physical protection of native vegetation to ensure these areas are protected for perpetuity, including, where necessary requiring fencing to achieve permanent stock exclusion.

Ōrātia (Foothills)

- (15) Provide for limited subdivision and development that:
 - (a) protects where possible significant and outstanding native vegetation and fauna habitat;
 - (b) minimises adverse effects arising from placement of structures, driveways, and other infrastructure, on the overall resilience, biodiversity and integrity of ecosystems;
 - (c) retains, enhances and maintains native vegetation and fauna habitat and stream margins; and
 - (d) retains and enhances rural landscapes through the management of existing vegetation and replanting of exotic and native vegetation where appropriate.

Swanson South (Foothills)

- (16) Provide for limited subdivision and development that:
 - (a) protects and enhances streams, watercourses, and wetlands;

- (b) avoids where possible the need to clear native vegetation and restores areas of vegetation or re-vegetates areas of land along watercourses;
- (c) avoids, remedies or mitigates adverse effects on rural character and amenity values;
- (d) retains or links native vegetation and fauna habitat areas; and
- (e) avoids where possible development on natural landscape elements and heritage features.

Titirangi – Laingholm (North, South and West)

(17) Provide for limited subdivision and development that:

- (a) avoids where practicable, or otherwise minimises the need for clearance of native vegetation and maintains the dominance of the natural environment;
- (b) includes planting of native vegetation to improve the natural environment;
- (c) protects native vegetation through legal protection mechanisms and fences;
- (d) ensures buildings and structures will not be visually prominent, particularly on ridgelines, or through the removal of native vegetation;
- (e) enables practical vehicle access to a road which maintains safety but does not modify the site to an extent that adversely affects the character of the surrounding landscape; and
- (f) is consistent with the existing pattern of residential density in the area.

Ōrātia (Ranges) and Rural Bush Living (Ranges)

(18) Provide for limited subdivision and development that:

- (a) protects significant and outstanding native vegetation and fauna habitat, and where possible avoids clearance of, or damage to, this resource;
- (b) minimises adverse effects arising from the placement of structures on the overall resilience, biodiversity and integrity of ecosystems; and
- (c) recognises the natural values of native vegetation and fauna habitat areas and the linkages between these areas.

D12.4. Activity table

Table D12.4.1 specifies the activity status of land use and subdivision activities in the Waitākere Ranges Heritage Area Overlay pursuant to sections 9(3) and 11 of the Resource Management Act 1991.

Table D12.4.2 specifies the activity status of subdivision of sites in the subdivision scheduled areas/sites in the Waitākere Ranges Heritage Area Overlay pursuant to section 11 of the Resource Management Act 1991.

The standards for subdivision in [E38 Subdivision – Urban](#) or [E39 Subdivision – Rural](#) apply unless otherwise specified in the following Activity Tables D12.4.1 and D12.4.2.

[new text to be inserted]

Table D12.4.1 Activity Table – Land use and subdivision activities within the Waitākere Ranges Heritage Area Overlay

Activity		Activity status
Use		
(A1)	Filming that complies with Standard D12.6.1	P
(A2)	Minor dwelling within the Residential – Rural and Coastal Settlement Zone or Residential – Large Lot Zone that complies with Standard D12.6.2	RD
(A3)	Minor dwelling within the Residential – Rural and Coastal Settlement Zone or Residential – Large Lot Zone that does not comply with Standard D12.6.2	D
(A3A)	<u>Minor dwelling within the Residential – Single House Zone</u>	<u>NC</u>
(A4)	Conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings in the Residential – Rural and Coastal Settlement Zone	NC
Subdivision		
(A5)	Subdivision of a minor dwelling from the principal dwelling where the proposed sites do not comply with the minimum site size requirement for subdivision in the applicable zone	Pr
(A6)	Subdivision of a converted dwelling established from the conversion of a principal dwelling existing as at 30 September 2013 where the proposed sites do not comply with the minimum site size requirement for subdivision in the applicable zone	Pr
(A6A)	<u>Further subdivision of 112 Simpson Road, Henderson Valley (Part Allot 277 SO 17864 Waipareira)</u>	<u>D</u>

Table D12.4.2 specifies the activity status of subdivision of sites in the subdivision scheduled areas/sites in the Waitākere Ranges Heritage Area Overlay pursuant to section 11 of the Resource Management Act 1991.

The standards for subdivision in E38 Subdivision – Urban or E39 Subdivision – Rural apply unless otherwise specified in Table D12.4.2.

Table D12.4.2 Activity table - Subdivision of sites in the subdivision scheduled areas/sites

Activity		Activity status
Subdivision of sites within scheduled areas		
(A7)	Subdivision in Figure D12.10.1 Overlay Subdivision Plan 1 – Ōrātia (Foothills) that complies with Standard D12.6.3.1	RD
(A8)	Subdivision in Figure D12.10.1 Overlay Subdivision Plan 1 – Ōrātia (Foothills) that does not comply with Standard D12.6.3.1	D

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(A9)	Subdivision in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson (Foothills) that complies with Standard D12.6.3.2	RD
(A9A)	Subdivision in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson (Foothills) that does not comply with Standard D12.6.3.2(2)-(10)	NC
(A10)	Subdivision of sites without a lot allocation as shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson (Foothills) creating a minimum site size less than 4ha in site area. <u>This excludes the property at 7-11 Christian Road, Henderson Valley (Part Allot 124 PSH of Waipareira) which is provided for in (A66) and (A67) below.</u>	Pr
(A11)	Subdivision in Figures 12.10.7 – D12.10.14 Overlay Subdivision Plans 7a – 7g – Rural Bush Living (Ranges) that comply with Standard D12.6.3.3	D
(A12)	Subdivision in Figures 12.10.7 – D12.10.14 Overlay Subdivision Plans 7a – 7g – Rural Bush Living (Ranges) that does not comply with Standard D12.6.3.3	Pr
(A13)	Subdivision in Figure D12.10.15 Overlay Subdivision Plan 8 – Oratia (Ranges) that complies with Standard D12.6.3.7	NC
(A13 A)	Subdivision in Figure D12.10.15 Overlay Subdivision Plan 8 – Oratia (Ranges) that does not comply with Standard D12.6.3.7	Pr
(A14)	Subdivision in Figure D12.10.16 Overlay Subdivision Plan 9 – Titirangi – Laingholm (North) that complies with Standard D12.6.3.4	D
(A15)	Subdivision in Figure D12.10.16 Overlay Subdivision Plan 9 – Titirangi – Laingholm (North) that does not comply with Standard D12.6.3.4	NC
(A16)	Subdivision in Figure D12.10.17 Overlay Subdivision Plan 10 – Titirangi – Laingholm (South) that complies with Standard D12.6.3.5	D
(A17)	Subdivision in Figure D12.10.17 Overlay Subdivision Plan 10 – Titirangi – Laingholm (South) that does not comply with Standard D12.6.3.5	NC
(A18)	Subdivision in Figure D12.10.18 Overlay Subdivision Plan 11 – Titirangi – Laingholm (West) complying with Standard D12.6.3.6	D
(A19)	Subdivision in Figure D12.10.18 Overlay Subdivision Plan 11 – Titirangi – Laingholm (West) that does not comply with Standard D12.6.3.6	Pr
Subdivision of scheduled sites		
(A20)	Subdivision of the following sites that comply with Standard D12.6.4.1: <ul style="list-style-type: none"> • 24 Christian Road, Swanson (Lot 5 DP 158819) • 37 O' Neills Road, Swanson (Lot 1 DP 179784) 	C
(A21)	Subdivision of the following sites that do not comply with Standard D12.6.4.1:	NC

	<ul style="list-style-type: none"> • 24 Christian Road, Swanson (Lot 5 DP 158819) • 37 O' Neills Road, Swanson (Lot 1 DP 179784) 	
(A22)	Subdivision of the following sites that comply with Standard D12.6.4.2: <ul style="list-style-type: none"> • 12-14 Gum Road, Henderson Valley (Lots 1 and 2 DP 49129) • 233 Forrest Hill Road, Waiatarua (Lot 5 DP 59154) 	RD
(A23)	Subdivision of the following sites that do not comply with Standard D12.6.4.2: <ul style="list-style-type: none"> • 12-14 Gum Road, Henderson Valley (Lots 1 and 2 DP 49129) • 233 Forrest Hill Road, Waiatarua (Lot 5 DP 59154) 	NC
(A24)	Subdivision of the following sites that comply with Standard D12.6.4.3: <ul style="list-style-type: none"> • 47-51 Holdens Road, Henderson (Lot 14 DP 86225) • 15 Holdens Road, Henderson (Lot 1 DP 63568) 	RD
(A25)	Subdivision of the following sites that do not comply with Standard D12.6.4.3(2)–(10): <ul style="list-style-type: none"> • 47-51 Holdens Road, Henderson (Lot 14 DP 86225) • 15 Holdens Road, Henderson (Lot 1 DP 63568) 	D
(A26)	Subdivision of the following sites which creates more than a total of five lots and does not comply with Standard D12.6.4.2(1): <ul style="list-style-type: none"> • 47-51 Holdens Road, Henderson (Lot 14 DP 86225) • 15 Holdens Road, Henderson (Lot 1 DP 63568) 	NC
(A27)	Subdivision of the following site that complies with Standard D12.6.4.4: <ul style="list-style-type: none"> • 43 O'Neills Road (Lot 2 DP 78994) 	D
(A28)	Subdivision of the following site that does not comply with Standard D12.6.4.4: <ul style="list-style-type: none"> • 43 O'Neills Road (Lot 2 DP 78994) 	NC
(A29)	Subdivision of the following site that complies with Standard D12.6.4.5: <ul style="list-style-type: none"> • 39 Awhiorangi Promenade (Lot 4 DP 137580) 	RD
(A30)	Subdivision of the following site that does not comply with Standard D12.6.4.5: <ul style="list-style-type: none"> • 39 Awhiorangi Promenade (Lot 4 DP 137580) 	NC
(A31)	Subdivision of the following site that complies with Standard D12.6.4.6: <ul style="list-style-type: none"> • 144 Candia Road, Henderson Valley (Part Allot 275 PSH OF Waipareira) 	RD
(A32)	Subdivision of the following that does not comply with Standard D12.6.4.6: <ul style="list-style-type: none"> • 144 Candia Road, Henderson Valley (Part Allot 275 PSH OF Waipareira) 	NC
(A33)	Subdivision of the following site that complies with Standard D12.6.4.7:	RD

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	<ul style="list-style-type: none"> • 32 Christian Road, Swanson (Lot 1 DP 53766) 	
(A34)	Subdivision of the following site that does not comply with Standard D12.6.4.7: <ul style="list-style-type: none"> • 32 Christian Road, Swanson (Lot 1 DP 53766) 	NC
(A35)	Subdivision of the following site that complies with Standard D12.6.4.8: <ul style="list-style-type: none"> • 42 Christian Road, Swanson (Lot 1 DP 80978) 	RD
(A36)	Subdivision of the following site that does not comply with Standard D12.6.4.8: <ul style="list-style-type: none"> • 42 Christian Road, Swanson (Lot 1 DP 80978) 	NC
(A37)	Subdivision of the following site that complies with Standard D12.6.4.9: <ul style="list-style-type: none"> • 46 Christian Road, Swanson (Lot 1 DP 425696) 	RD
(A38)	Subdivision of the following site that does comply with Standard D12.6.4.9: <ul style="list-style-type: none"> • 46 Christian Road, Swanson (Lot 1 DP 425696) 	NC
(A39)	Subdivision of the following site that complies with Standard D12.6.4.10: <ul style="list-style-type: none"> • 56 Christian Road, Swanson (Lot 2 DP 161541) 	RD
(A40)	Subdivision of the following site that does not comply with Standard D12.6.4.10: <ul style="list-style-type: none"> • 56 Christian Road, Swanson (Lot 2 DP 161541) 	NC
(A41)	Subdivision of the following site that complies with Standard D12.6.4.11: <ul style="list-style-type: none"> • 33-35 Coulter Road, Henderson Valley (Allot 232 PSH of Waipareira) 	RD
(A42)	Subdivision of the following site that does not comply with Standard D12.6.4.11: <ul style="list-style-type: none"> • 33-35 Coulter Road, Henderson Valley (Allot 232 PSH of Waipareira) 	NC
(A43)	Subdivision of the following site that complies with Standard D12.6.4.12: <ul style="list-style-type: none"> • 40 Coulter Road, Henderson Valley (Lot 1 DP 61729) 	RD
(A44)	Subdivision of the following site that does not comply with Standard D12.6.4.12: <ul style="list-style-type: none"> • 40 Coulter Road, Henderson Valley (Lot 1 DP 61729) 	NC
(A45)	Subdivision of the following site that complies with Standard D12.6.4.13: <ul style="list-style-type: none"> • 70 Coulter Road, Henderson Valley 	RD
(A46)	Subdivision of the following site that does not comply with Standard D12.6.4.13: <ul style="list-style-type: none"> • 70 Coulter Road, Henderson Valley 	NC
(A47)	Subdivision of the following site that does not comply with Standard D12.6.4.14:	RD

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	<ul style="list-style-type: none"> • 78 Coulter Road, Henderson Valley (Lot 1 DP 485454) 	
(A48)	Subdivision of the following site that does not comply with Standard D12.6.4.14: <ul style="list-style-type: none"> • 78 Coulter Road, Henderson Valley (Lot 1 DP 485454) 	NC
(A49)	Subdivision of the following site that complies with Standard D12.6.4.15: <ul style="list-style-type: none"> • 163 Simpson Road, Henderson Valley (Lot 2 DP 426324) 	RD
(A50)	Subdivision of the following site that does not comply with Standard D12.6.4.15: <ul style="list-style-type: none"> • 163 Simpson Road, Henderson Valley (Lot 2 DP 426324) 	NC
(A51)	Subdivision of the following site that complies with Standard D12.6.4.16: <ul style="list-style-type: none"> • 780 Swanson Road, Swanson (Lot 1 DP 196223) 	RD
(A52)	Subdivision of the following site that does not comply with Standard D12.6.4.16: <ul style="list-style-type: none"> • 780 Swanson Road, Swanson (Lot 1 DP 196223) 	NC
(A53)	Subdivision of the following site that complies with Standard D12.6.4.17: <ul style="list-style-type: none"> • 790 and 792 Swanson Road, Swanson (Lot 3 DP 185681 and Lot 2 DP 185681) 	RD
(A54)	Subdivision of the following site that does not comply with Standard D12.6.4.17: <ul style="list-style-type: none"> • 790 and 792 Swanson Road, Swanson (Lot 3 DP 185681 and Lot 2 DP 185681) 	NC
(A55)	Subdivision of the following site that complies with Standard D12.6.4.18: <ul style="list-style-type: none"> • 40 Tram Valley Road, Swanson (Lot 6 DP 60454). 	RD
(A56)	Subdivision of the following site that does not comply with Standard D12.6.4.18: <ul style="list-style-type: none"> • 40 Tram Valley Road, Swanson (Lot 6 DP 60454). 	NC
(A57)	Subdivision within the area bounded by Holdens Road, Forest Hill Road, Pine Avenue and Parrs Cross Road that complies with Standard D12.6.4.19	D
(A58)	Subdivision within the area bounded by Holdens Road, Forest Hill Road, Pine Avenue and Parrs Cross Road that does not comply with Standard D12.6.4.19	NC
(A59)	Subdivision of sites listed in Table D12.4.2 activities (A27) – (A58) creating sites exceeding the lot allocation as shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Foothills (Swanson)	Pr
(A60)	Subdivision of the following site that complies with Standard D12.6.4.20: <ul style="list-style-type: none"> • 205A Godley Road, Titirangi (Part Lot 3 DP 30902) 	D
(A61)	Subdivision of the following site that does not comply with Standard D12.6.4.20:	NC

	<ul style="list-style-type: none"> • 205A Godley Road, Titirangi (Part Lot 3 DP 30902) 	
(A62)	Subdivision of the following site that complies with Standard D12.6.4.21: <ul style="list-style-type: none"> • 333 Laingholm Drive, Laingholm (parcels contained in certificate of Title 91D/282) 	D
(A63)	Subdivision of the following site that does not comply with Standard D12.6.4.21: <ul style="list-style-type: none"> • 333 Laingholm Drive, Laingholm (parcels contained in certificate of Title 91D/282) 	NC
(A64)	Subdivision of the following site that complies with Standard D12.6.4.22: <ul style="list-style-type: none"> • 175A Laingholm Drive, Laingholm (Certificate of Title 37B/232) 	D
(A65)	Subdivision of the following site that does not comply with Standard D12.6.4.22: <ul style="list-style-type: none"> • 175A Laingholm Drive, Laingholm (Certificate of Title 37B/232) 	NC
(A66)	Subdivision of the following site in accordance with Figure 12.10.19 Overlay Subdivision Plan 12 and that complies with Standard D12.6.4.23: <ul style="list-style-type: none"> • 7-11 Christian Road, Henderson Valley (Part Allot 124 PSH OF Waipareira) 	D
(A67)	Subdivision of the following site not in accordance with Figure 12.10.19 Overlay Subdivision Plan 12 or that does not comply with Standard D12.6.4.23: <ul style="list-style-type: none"> • 7-11 Christian Road, Henderson Valley (Part Allot 124 PSH OF Waipareira) 	NC

Qualifying matter as per s77l(a) and s77(d) of the RM

D12.5. Notification

- (1) Any application for resource consent for an activity listed in Table D12.4.1 or Table D12.4.2 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\(4\)](#).

D12.6. Standards

All activities in Table D12.4.1 and Table D12.4.2 must comply with the following standards.

D12.6.1. Filming

- (1) The activity must not involve any filming activity longer than six months from start to finish, irrespective of whether the activity is carried out in different years.
- (2) The activity must not involve vehicle movements exceeding 200 per day.

- (3) The site used for filming activity must be restored to its original state on completion of filming activities.
- (4) Associated car parking must be off-road except for any filming activity undertaken pursuant to an approval granted under the Auckland Council Trading and Events in Public Places Bylaw 2015.

D12.6.2. Minor dwelling

Purpose:

- To provide accommodation that is limited in size and secondary to the principal dwelling on a site;
- to ensure that sufficient outdoor living space is provided for the minor dwelling; and
- to ensure there is no more than one minor dwelling on each site.

- (1) The minor dwelling must be located on a site with a minimum net site area of 1,500m².
- (2) A minor dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling;
 - (b) at least 1.8m in depth; and
 - (c) directly accessible from the minor dwelling.
- (3) There must be no more than one minor dwelling per site.

D12.6.3. Subdivision in subdivision scheduled areas

The subdivision standards in [E38 Subdivision – Urban](#) and [E39 Subdivision – Rural](#) apply unless otherwise specified below.

D12.6.3.1. Subdivision within Figure D12.10.1 Overlay Subdivision Plan 1 - Ōrātia (Foothills)

- (1) Subdivision must comply with the following:
 - (a) creates sites that generally coincide with the location of proposed site boundaries as identified in Figure D12.10.1 Overlay Subdivision Plan 1 – Ōrātia (Foothills); or
 - (b) subdivision must be in accordance with or less than the lot densities identified for each existing site as identified in Figure D12.10.1 Overlay Subdivision Plan 1 – Ōrātia (Foothills).
- (2) The required planting as identified in Figure D12.10.1 Overlay Subdivision Plan 1 – Ōrātia (Foothills) as enhancement areas must be established and be protected by way of covenant, encumbrance or consent notice.

D12.6.3.2. Subdivision within Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills)

- (1) The number of sites created on each existing site must not exceed the total lot allocation for the site as identified in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) All stock must be permanently removed from the Indicative Enhancement Area and the Ecological Areas identified in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills), and these areas must be adequately fenced to prevent stock entering these areas.
- (3) Any new fences to be established on proposed sites must not be located within any Indicative Enhancement Area identified in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills) unless the fence is required to limit stock accessing the Indicative Enhancement Area.
- (4) Weeds must be removed from any Indicative Enhancement Area and Ecological Areas identified in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (5) The Indicative Enhancement Area and Ecological Areas identified on Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills) must be kept substantially weed-free for a period of 10 years.
- (6) A management plan including vegetation planting for the Indicative Enhancement Area must be provided as part of any subdivision consent application. The vegetation planting must be provided at a ratio of 0.125m² per 1m² of the site (excluding any existing Ecological Area) as shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (7) If the sum of the Indicative Enhancement Area is less than the area required to be planted in Standard D12.6.3.2(6), the difference must be made up by planting on any area outside the Ecological Area as shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (8) Any planting which dies prior to effective canopy closure being established must be replaced.
- (9) Where a second dwelling is located greater than 15m from a dwelling on the same site, either the second dwelling is to be placed on a separate proposed site to the existing dwelling or it must be removed from the site.
- (10) Subdivision of sites involving an indicative Public Walkway Linkage identified in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills) must provide a public walkway and it is to be protected by registering a right of way as an easement in gross on the title in favour of the Auckland Council.

**D12.6.3.3. Subdivision within Figure 12.10.7 – Figure 12.10.14 Overlay
Subdivision Plans 7a – 7g – Rural Bush Living (Ranges)**

(1) Subdivision must meet one of the following:

- (a) creating sites with minimum net site area of 2,000m² where:
 - (i) the average site area exceeds 4,000m² measured over the net site area of the site as it existed on 14 October 1995;
 - (ii) each proposed site contains a building platform outside the Significant Ecological Areas Overlay; and
 - (iii) each proposed site will be provided with a connection to a reticulated wastewater disposal system.
- (b) creating sites with minimum net site area of 8,000m² where:
 - (i) a building platform is situated within the Significant Ecological Areas Overlay;
 - (ii) no more than one new site is created for each site existing on 14 October 1995; and
 - (iii) each proposed site will be provided with a connection to a reticulated wastewater disposal system.
- (c) creating sites with minimum net site area of 4ha.

**D12.6.3.4. Subdivision within Figure D12.10.16 Overlay Subdivision Plan 9 –
Titirangi – Laingholm (North)**

(1) Subdivision must meet one of the following:

- (a) creating sites with building platforms and driveways located wholly outside the Significant Ecological Areas Overlay and complying with all of the following:
 - (i) the average net site area of all proposed sites must exceed 2000m². This is calculated from the existing site area at 30 September 2013; where 50 per cent or more of the existing site area is outside the Significant Ecological Areas Overlay, an area at least equivalent to the total area covered by the proposed building platform and driveway, (including car parking, access and manoeuvring areas) must be permanently planted on the existing site with native vegetation; and
 - (ii) areas identified in the Significant Ecological Areas Overlay required to be planted in Standard D12.6.3.4(1)(a)(i) within a proposed site are to be permanently protected by an appropriate legal mechanism to be registered on the title. The protected area excludes any vegetation consented for removal; or

- (b) creating sites with building platform and driveways partially or wholly inside the Significant Ecological Areas Overlay complying with all of the following:
- (i) the minimum net site area for the proposed site containing the existing dwelling must be 2000m² provided the existing site has a minimum net site area of 6000m² and there is no more than one additional site created which is less than 4000m² in net site area;
 - (ii) the average net site area of all proposed sites must exceed 3000m². This is calculated from the existing site area;
 - (iii) no more than 500m² of native vegetation may be removed to provide for any proposed dwelling, and driveway, (including car parking, access and manoeuvring areas) within each proposed site;
 - (iv) all remaining native vegetation must be permanently protected by appropriate legal mechanism registered on the title. This excludes any vegetation consented for removal;
 - (v) any driveway exceeding 10m in length must not exceed an average slope of 1 in 5; and
 - (vi) no new road may be created.

D12.6.3.5. Subdivision within Figure D12.10.17 Overlay Subdivision Plan 10 – Titirangi – Laingholm (South)

- (1) Subdivision must meet one of the following:
- (a) subdivision providing for building platforms and driveways wholly outside the Significant Ecological Areas Overlay complying with all of the following:
 - (i) the average net site area of all proposed sites must exceed 4000m². This is calculated from the existing site area;
 - (ii) where a proposed site is partially located within the Significant Ecological Areas Overlay, a minimum of 1000m² of the net site area must be located outside the Significant Ecological Areas Overlay;
 - (iii) where 50 per cent or more of the existing site area is outside the Significant Ecological Areas Overlay, an area at least equivalent to the total area covered by the proposed building platform and driveway, (including car parking, access and manoeuvring areas) must be permanently planted on the existing site with native vegetation; and
 - (iv) areas identified in the Significant Ecological Areas Overlay required to be planted in Standard D12.6.3.5(1)(a)(iii) within a

proposed site are to be permanently protected by an appropriate legal mechanism to be registered on the title. The protected area excludes any vegetation consented for removal.

- (b) subdivision providing for proposed building platforms and driveways partially or wholly within the Significant Ecological Areas Overlay complying with all of the following:
 - (i) the minimum net site area of a proposed site containing an existing dwelling must be 4000m² provided the existing site has a minimum net site area of 1.4ha and there is no more than one additional site created that is less than 1ha net site area;
 - (ii) the average net site area of all proposed sites must exceed 1ha. This is calculated from the existing site area;
 - (iii) no more than 500m² of native vegetation may be removed to provide for any proposed dwelling, and driveway, (including car parking, access and manoeuvring areas) within a proposed site;
 - (iv) all remaining native vegetation on-site must be permanently protected by appropriate legal mechanism registered on the title. This excludes any vegetation consented for removal;
 - (v) any driveway exceeding 10m in length must not exceed an average slope of 1 in 5; and
 - (vi) no new road may be created.

D12.6.3.6. Subdivision within Figure 12.10.18 Overlay Subdivision Plan 11 – Titirangi – Laingholm (West)

- (1) Subdivision must meet one of the following
 - (a) creating sites with minimum net site area of 2,000m² and complying with all of the following:
 - (i) the average net site area must exceeds 4000m² when calculated over the net site area of the site as it existed on 14 October 1995; and
 - (ii) each proposed site contains a building platform located wholly outside the Significant Ecological Areas Overlay; or
 - (b) creating sites with minimum net site area of 8,000m² and complying with all of the following:
 - (i) any part of a building platform is situated within the Significant Ecological Areas Overlay;
 - (ii) no more than one new site is created per site existing on 14 October 1995; and
 - (iii) each proposed site is provided with a connection to a reticulated water system; or

- (c) subdivision creating sites with a minimum net site area of 4ha.

**D12.6.3.7 Subdivision within Figure 12.10.15 – Figure 12.10.15 Overlay
Subdivision Plan 8 – Oratia (Ranges)**

- (1) Subdivision must comply with the following

- (a) Subdivision must not create development or establishment of buildings within land areas identified in the Significant Ecological Areas Overlay and Outstanding Natural Landscapes Overlay

D12.6.4. Subdivision in scheduled subdivision sites

The subdivision standards in [E38 Subdivision – Urban](#) or in [E39 Subdivision – Rural](#) apply unless otherwise provided for in the following standards.

D12.6.4.1. Subdivision at 24 Christian Road and 37 O’Neills Road, Swanson

- (1) The minimum net site area for each proposed site is 7,000m².
(2) The average site area must be greater than 1ha.

D12.6.4.2. Subdivision at 12 – 14 Gum Road, Henderson Valley (Lots 1 and 2 DP 49129) and 233 Forrest Hill Road, Waiaatarua (Lot 5 DP 59154)

- (1) The total land area includes the land parcels legally described as lots 1 and 2 DP 49129 and lot 5 DP 59154.
(2) The minimum net site area is 2ha.
(3) The average net site area exceeds 4ha across the total land area.
(4) The total number of sites over the total land area is limited to 24.
(5) An ecological assessment and a landscape assessment identifying areas of ecological and landscaping opportunity and enhancement must be provided. This must include any areas where buildings are not to be constructed.
(6) A planting plan taking into account the site’s ecological and landscape assessments identified in Standard D12.6.4.2(5) must be provided. This must include weed management, and any planting for stormwater mitigation, visual amenity, and privacy.
(7) A public walking trail must be provided to connect Forest Hill Road and Gum Road at the time of the first subdivision of Lots 1 and 2 DP 49129 and Lot 5 DP 59154.

D12.6.4.3. Subdivision at 47-51 Holdens Road, Henderson (Lot 14 DP 86225) and 15 Holdens Road, Henderson (Lot 1 DP 63568)

- (1) No more than three additional sites (i.e. five sites in total) may be created on the site. This excludes any lot for the purpose of access that may be created.

- (2) The area within 47-51 Holdens Road, Henderson legally described as Lot 14 DP 86225 may be subdivided into two sites along the boundary of the Residential – Single House Zone and the Rural – Waitākere Foothills Zone provided that the proposed site subject to the Rural – Waitākere Foothills Zone has a net site area exceeding 1ha and cannot be subdivided further. A consent notice must be registered on the title to give effect to this requirement.
- (3) The minimum net site area is 1ha, excluding any joint access lots.
- (4) The subdivision must not create any new road.
- (5) Any driveway exceeding 10m in length must not exceed an average slope of 1 in 5.
- (6) No new buildings may be located within 25m of the Holdens Road frontage along the southern boundary of 15 Holdens Road, Henderson legally described as Lot 1 DP 63658.
- (7) Access from Holdens Road to any new site created by the subdivision of 15 Holdens Road, Henderson legally described as Lot 1 DP 63658 will provide a maximum of one additional driveway.
- (8) A landscaping strip no less than 5m in depth must be provided along the Holdens Road boundary (not including the eastern boundary of 15 Holdens Road, Henderson legally described as Lot 1 DP 63658 and vehicle access provided for in D12.6.3.4(7)). The strip must consist of densely planted vegetation including species that reach a height of no less than 3m, and may incorporate the existing shelter belt. The planting must be established prior to the issue of a certificate under section 224(c) of the Resource Management Act 1991.
- (9) The landscaping strip must be maintained at a minimum height of 3m and be protected by way of a covenant, encumbrance or consent notice on the title.
- (10) A consent notice will be registered against the titles to all parts of the land, excluding the area within 47-51 Holdens Road, Henderson legally described as lot 14 DP 86225 on completion of subdivision on the site, to record the following:
 - (a) the density of subdivision provided for in Standard D12.6.4.3(1) has been utilised in full; and
 - (b) there will be no further subdivision of the land previously comprised of Lot 14 DP 86225 and Lot 1 DP 63658.

D12.6.4.4. Subdivision at 43 O’Neills Road (Lot 2 DP 78994)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) A fenced, 20m wide planted strip incorporating the public walkway linkage as shown in Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills) along the northern boundary of the site must be provided and protected by a registered right of way as an easement in gross.

D12.6.4.5. Subdivision at 39 Awhiorangi Promenade (Lot 4 DP 137580)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must ensure that any existing pine trees (*Pinus* sp) and wattle trees (*Acacia* sp) are removed from the site in accordance with an approved management plan prior to the issue of a certificate under section 224 of the Resource Management Act 1991.
- (3) Subdivision must ensure there are no further residential buildings, other than replacements, constructed on the site containing the existing second dwelling.

D12.6.4.6. Subdivision at 144 Candia Road, Henderson Valley (Part Allot 275 PSH OF Waipareira)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must ensure no less than 1ha of the southwest corner of the site is planted and fenced.
- (3) Subdivision must ensure that no further residential buildings may be erected within the Ridgeline Protection Overlay. This must be protected in perpetuity by way of an encumbrance, covenant or consent notice to be registered on the title.

D12.6.4.7. Subdivision at 32 Christian Road, Swanson (Lot 1 DP 53766)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must include a fenced, 20m wide planted strip incorporating a public walkway linkage as shown in Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills) along the northern boundary of the

site, which must be protected by a registered right-of-way as an easement in gross registered on the title.

- (3) Subdivision must ensure any proposed site has vehicle access from the existing driveway.

D12.6.4.8. Subdivision at 42 Christian Road, Swanson (Lot 1 DP 80978)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must ensure any proposed site has vehicle access from the existing driveway.
- (3) Subdivision must ensure vehicle access to any new dwelling is from O’Neills Road and is protected by a registered right of way or other appropriate legal mechanism registered on the title.
- (4) Subdivision must ensure any new dwelling is located within the permitted building area identified in Figure D12.10.3 Overlay Subdivision Plan 3 – Permitted Building Area for 42 Christian Road, Swanson.

D12.6.4.9. Subdivision at 46 Christian Road, Swanson (Lot 1 DP 425696)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must ensure any proposed dwelling is located in the southeast corner of the site and gains vehicle access from O’Neills Road only.
- (3) Subdivision must provide for the complete removal of any monkey-apple trees (*Acmena smithii*), conifers (*Pinus* sp) and wattles (*Acacia* sp).

D12.6.4.10. Subdivision at 56 Christian Road, Swanson (Lot 2 DP 161541)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must ensure that the existing dwelling and studio are on separate lots.

D12.6.4.11. Subdivision at 33-35 Coulter Road, Henderson Valley (Allot 232 PSH of Waipareira)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).

- (2) Subdivision must ensure any new dwelling is located within the permitted building area shown in Figure D12.10.4 Overlay Subdivision Plan 4 – Permitted Building Area - 33 – 35 Coulter Road, Henderson Valley.

D12.6.4.12. Subdivision at 40 Coulter Road, Henderson Valley (Lot 1 DP 61729)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must ensure vehicle access to any proposed dwelling is from the existing driveway.
- (3) Subdivision must provide for the complete removal of any monkey-apple (*Acmena* sp) trees from the site.

D12.6.4.13. Subdivision at 70 Coulter Road, Henderson Valley

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must ensure that any proposed dwelling is set back from the Coulter Road boundary and located outside the Ridgeline Protection Overlay.
- (3) Subdivision must provide for the complete removal, or demolition of the existing minor dwelling.

D12.6.4.14. Subdivision at 78 Coulter Road, Henderson Valley (lot 1 DP 485484)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must ensure that there is no net increase in building coverage on the site.
- (3) Subdivision must ensure that no further dwelling is established on any proposed site that contains the existing dwelling and that this is provided for by way of covenant, encumbrance or consent notice registered on the title.
- (4) Subdivision must ensure that the location of any replacement dwelling(s) is restricted to the area adjacent to Coulter Road above the 90m contour line.
- (5) No further dwellings may be constructed on the site or the resulting two lots after subdivision.

D12.6.4.15. Subdivision at 163 Simpson Road, Henderson Valley (Lot 2 DP 426324)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must ensure that no further dwellings are located within the Ridgeline Protection Overlay on the site.
- (3) The existing minor dwelling must be located on the same site as the existing dwelling.
- (4) Access to the proposed site must be from the existing vehicle crossing at Simpson Road in the north eastern part of the site.

D12.6.4.16. Subdivision at 780 Swanson Road, Henderson Valley (Lot 1 DP 196223)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure 12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must comply with all of the following:
 - (a) any new dwelling is located within the permitted building area as shown in Figure D12.10.5 Overlay Subdivision Plan 5 – Permitted Building Area – 780 Swanson Road, Swanson;
 - (b) no building exceeds 6m in height;
 - (c) prohibits the establishment of any second dwelling (including any minor dwelling) on any proposed site and this must be guaranteed in perpetuity by way of an encumbrance, covenant or consent notice registered on the title;
 - (d) any proposed lot has vehicle access from the existing driveways;
 - (e) landscaping strips are provided and/or retained along the boundary of any proposed lot which adjoins either Swanson Road or Christian Road (with the exception of existing driveway entrances);
 - (f) planting within the landscaping strips must be maintained at a minimum height of 3m; and
 - (g) existing planting adjacent to the stream is fenced.
- (3) The requirements in D12.6.4.16(2)(b) – (g) must be guaranteed in perpetuity by way of an encumbrance, covenant or consent notice registered on the title.

- (4) An ecological assessment and a landscape assessment identifying areas of ecological and landscaping opportunity and enhancement must be provided.

D12.6.4.17. Subdivision at 790 and 792 Swanson Road, Swanson (Lot 3 DP 185681 and Lot 2 DP 185681)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) 790 and 792 Swanson Road must be amalgamated prior to subdivision.

D12.6.4.18. Subdivision at 40 Tram Valley Road, Swanson (Lot 6 DP 60454)

- (1) Subdivision must comply with the Standard D12.6.3.2 for subdivision within Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).
- (2) Subdivision must ensure that any new dwelling is located within the permitted building area as shown in Figure D12.10.6 Overlay Subdivision Plan 6 – Permitted Building Area – 40 Tram Valley Road, Swanson.

D12.6.4.19. Subdivision of any site within the area bounded by Holdens Road, Forest Hill Road, Pine Avenue and Parrs Cross Road

- (1) *[deleted]*
- (2) The average net site area must exceed 1.6ha. This is calculated from the existing site area.
- (3) The minimum net site area is 4000m².
- (4) The subdivision must not create new roads.
- (5) any driveway exceeding 10m in length must not exceed an average slope of 1 in 5.

D12.6.4.20. Subdivision at 205A Godley Road, Titirangi (Part Lot 3 DP 30902)

- (1) Subdivision must not create more than a total of four sites. This includes any balance lot but excludes any reserve or access lot.
- (2) Any proposed building platform and driveways must be located wholly outside the Significant Ecological Areas Overlay.

D12.6.4.21. Subdivision at 333 Laingholm Drive, Laingholm (Certificate of Title 91D/282)

- (1) Subdivision must not create a total of more than 22 lots on the site.

- (2) No more than 500m² of native vegetation within a proposed site may be removed to provide for any proposed dwelling, and driveway, (including car parking, access and manoeuvring areas).
- (3) All remaining native vegetation on-site must be permanently protected by an appropriate legal mechanism registered on the title. This excludes any vegetation consented for removal.
- (4) any driveway exceeding 10m in length must not exceed an average slope of 1 in 5.
- (5) No new road is to be created.

D12.6.4.22. Subdivision at 175A Laingholm Drive (Certificate of Title 37B/232)

- (1) Subdivision must not create a total of more than three lots on the site.
- (2) The clearance of native vegetation required for any proposed dwelling and driveway (including car parking, access and manoeuvring areas) must not exceed 300m² for every lot created excluding that area for the existing driveway.
- (3) Any areas within the Significant Ecological Areas Overlay on the site must be permanently protected by legal mechanism registered on the title. This excludes any vegetation consented for removal.

D12.6.4.23. Subdivision at 7-11 Christian Road, Henderson Valley (Part Allot 124 PSH OF Waipareira)

- (1) Subdivision must be undertaken in accordance with Figure D12.10.19 Overlay Subdivision Plan 12 – 7-11 Christian Road, Henderson Valley.
- (2) Sites identified in the Figure D12.10.19 Overlay Subdivision Plan 12 – 7-11 Christian Road, Henderson Valley as subject to 600m² minimum lot size must have a net site area of not less than 600m².
- (3) Sites identified in Figure D12.10.19 Overlay Subdivision Plan 12 – 7-11 Christian Road, Henderson Valley as subject to 1200m² minimum lot size must have a net site area of not less than 1200m².
- (4) Sites identified in the Figure D12.10.19 Overlay Subdivision Plan 12 – 7-11 Christian Road, Henderson Valley as subject to 2000m² minimum lot size must have a net site area of not less than 2000m².
- (5) The subdivision must ensure that the maximum height limit for dwellings and buildings to be constructed on sites with a net site area of between 1200m² and 2000m² must not be greater than 6m high. A consent notice shall be registered against the titles of all such sites to ensure ongoing compliance with this rule.

Qualifying
matter as per
s771(a) and
771(d) of the
RMA

- (6) Subdivision to provide a through road between Christian and Tram Valley Roads as identified in Figure D12.10.19 Overlay Subdivision Plan 12 – 7-11 Christian Road, Henderson Valley.
- (7) Vehicle access from the new sites must be through the new internal roads as identified in Figure D12.10.19 Overlay Subdivision Plan 12 – 7-11 Christian Road, Henderson Valley.
- (8) The drainage and green network identified in Figure D12.10.19 Overlay Subdivision Plan 12 – 7-11 Christian Road, Henderson Valley must be provided. The width of this network must be 20m.
- (9) The area identified for a 10m wide planted covenant in the Figure D12.10.19 Overlay Subdivision Plan 12 – 7-11 Christian Road, Henderson Valley must be provided and permanently protected by legal mechanism registered on the title.
- (10) The 'no build' area identified in Figure D12.10.19 Overlay Subdivision Plan 12– 7-11 Christian Road, Henderson Valley must be permanently protected by legal mechanism registered on the title.

D12.7. Assessment – controlled activities

D12.7.1. Matters of control

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

- (1) subdivision at 24 Christian Road, Swanson (Lot 5 DP 158819) and 37 O'Neills Road, Swanson (Lot 1 DP 179784):
 - (a) the design, size and location of sites and site boundaries;
 - (b) the design, location, construction and alignment of driveways and roads;
 - (c) provision for landscape treatment and enhancement planting;
 - (d) protection of natural features and enhancement planting; and
 - (e) the location, design and construction of infrastructure.

D12.7.2. Assessment criteria

The Council will consider the relevant assessment criteria for controlled activities from the list below:

- (1) subdivision at 24 Christian Road, Swanson (Lot 5 DP 158819) and 37 O'Neills Road, Swanson (Lot 1 DP 179784):
 - (a) the extent to which the design, scale and layout of the subdivision is compatible with the character and amenity of the Rural – Waitākere Foothills Zone;

- (b) the extent to which the subdivision individually or cumulatively adversely affects the rural character and amenity values of the Rural – Waitākere Foothills Zone;
- (c) the extent to which the design, location, construction and alignment of driveways and roads will create no more than minor adverse effects on the environment;
- (d) whether the subdivision provides adequate measures including enhancement planting to retain and enhance landscape of the area;
- (e) whether the subdivision avoids, remedies and mitigates adverse effects on natural features; and
- (f) whether sufficient infrastructure is provided and its location, design and construction does not adversely affect the rural character and amenity values of the area.

D12.8. Assessment – restricted discretionary activities

D12.8.1. Matters of discretion

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

- (1) minor dwelling:
 - (a) rural character and amenity values;
 - (b) the scale and intensity of buildings and activities;
 - (c) retention and maintenance of vegetation;
 - (d) landscape treatment of sites; and
 - (e) parking, access and traffic movement.
- (2) subdivision within the area identified in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills):
 - (a) the design, size and location of sites and site boundaries;
 - (b) the design, location, construction and alignment of driveways and roads;
 - (c) the design and scale of and the location of building platforms;
 - (d) provision for landscape treatment and enhancement planting;
 - (e) provision for works intended to protect and enhance vegetation;
 - (f) driveway construction between road carriageways and individual sites;
 - (g) the adequacy of any management plan for the maintenance and enhancement of Ecological Area and Indicative Enhancement Area within the site as shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills);

- (h) the extent of any Ecological Area and Indicative Enhancement Area within the site as shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills);
 - (i) the location of fence lines;
 - (j) the mitigation of adverse effects on landscape and amenity values that may arise as a result of the future dwellings;
 - (k) the location and formation of indicative public walkway linkages shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills); and
 - (l) the possible removal or relocation of any existing second dwellings or other accessory buildings.
- (3) subdivision within the area identified in Figure D12.10.1 Overlay Subdivision Plan 1 – Ōrātia (Foothills):
- (a) the matters in D12.8.1(2)(a) – (f); and
 - (b) the adverse effects resulting from increases in proposed lot numbers.
- (4) subdivision at 12-14 Gum Road, Henderson Valley (Lots 1 and 2 DP 49129) and 233 Forrest Hill Road, Waatarua (Lot 5 DP 59154):
- (a) the matters in D12.8.1(2)(a) – (f);
 - (b) the protection and enhancement of vegetation, drainage works and other infrastructure works;
 - (c) re-vegetation and/or protection of any ecological linkage opportunity areas from the establishment of any new buildings or groups of buildings;
 - (d) the mitigation of potential adverse effects on landscape, amenity values and rural character; and
 - (e) provision for a public walkway through the site using a walking trail or trails.
- (5) subdivision at 47-51 Holdens Road, Henderson (Lot 14 DP 86225) and 15 Holdens Road, Henderson (Lot 1 DP 63568) and the areas bounded by Holdens Road, Forest Hill Road, Pine Avenue and Parrs Cross Road:
- (a) the matters in D12.8.1(2)(a) – (f);
 - (b) the effects of subdivision on rural character;
 - (c) the extent of any proposed planting; and
 - (d) the effects of subdivision on heritage features of the heritage area.
- (6) subdivision at 39 Awhiorangi Promenade (Lot 4 DP 137580):
- (a) the matters in D12.8.1(2)(a) – (f); and
 - (b) the adequacy of any management plan provided for the complete removal of any existing pine (*Pinus* sp) and wattle trees (*Acacia* sp) from the site.

(7) subdivision at 144 Candia Road (Part Allot 275 PSH of Waipareira):

- (a) the matters in D12.8.1(2)(a) – (f);
- (b) the species to be planted in the area required to be planted; and
- (c) the extent of the area to be fenced and maintained weed free until canopy closure.

(8) subdivision at 32 Christian Road, Swanson (Lot 1 DP 53766):

- (a) the matters in D12.8.1(2)(a) – (f); and
- (b) the adequacy of the planted strip along the northern boundary of the site.

(9) subdivision at 46 Christian Road, Swanson (Lot 1 DP 425696):

- (a) the matters in D12.8.1(2)(a) – (f); and
- (b) the location of any proposed dwelling platform and adverse effects on visual or aural amenity values.

(10) subdivision at 33-35 Coulter Road, Henderson Valley (Allot 232 PSH of Waipareira)

- (a) the matters in D12.8.1(2)(a) – (f); and
- (b) location of any proposed dwelling relative to the road boundary, the eastern edge of the Ridgeline Protection Overlay identified onsite, the area within the Ridgeline Protection Overlay identified onsite, the area west of the indicative enhancement area, as shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).

(11) subdivision at 40 Coulter Road, Henderson Valley (Lot 1 DP 61729):

- (a) the matters in D12.8.1(2)(a) – (f); and
- (b) the vehicle access to any existing or proposed site.

(12) subdivision at 70 Coulter Road, Henderson Valley:

- (a) the matters in D12.8.1(2)(a) – (g);
- (b) the location of any proposed dwelling platform in the south-western part of the site relative to the Coulter Road boundary and the Ridgeline Protection Overlay on the site; and
- (c) any adverse effects on the visual and aural amenity of the neighbours at 66 Coulter Road.

(13) subdivision at 78 Coulter Road, Henderson Valley (lot 1 DP 485484):

- (a) the matters in D12.8.1(2)(a) – (f); and
- (b) the extent of any increase in the existing building coverage on the site resulting from any subdivision.

(14) subdivision at 163 Simpson Road, Henderson Valley (Lot 2 DP 426324):

- (a) the matters in D12.8.1(2)(a) – (f);
- (b) the location of any further dwelling platforms relative to the Ridgeline Protection Overlay identified on the site; and
- (c) the location and nature of vehicle access to any proposed site relative to the Indicative Enhancement Area shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills).

(15) subdivision at 780 Swanson Road, Henderson Valley (Lot 1 DP 196223):

- (a) the matters in D12.8.1(2)(a) – (f);
- (b) the potential effects of any proposed dwelling platform and its adverse visual or landscape effects on the surrounding neighbourhood; and
- (c) the screening of any proposed dwelling platform from Swanson Road and Tram Valley Road.

(16) subdivision at 40 Tram Valley Road, Swanson (Lot 6 DP 60454):

- (a) the matters in D12.8.1(2)(a) – (f); and
- (b) the location of proposed dwelling platforms(s) relative to the cleared areas south of the existing minor dwelling.

D12.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

(1) minor dwelling:

- (a) the extent to which the scale and intensity of buildings and activities adversely affect rural character and amenity values;
- (b) the extent to which the proposed minor dwelling avoids, remedies or mitigates any adverse effects on the landscape;
- (c) whether the proposal will retain and maintain vegetation; and
- (d) whether landscape treatment of sites is provided.

(2) subdivision within the area identified in Figure D12.10.1 Overlay Subdivision Plan 1 – Ōrātia (Foothills):

- (a) assessment criteria in D12.8.2(3)(a)-(f); and
- (b) the extent to which the subdivision avoids, remedies or mitigates any adverse effects (including any cumulative adverse effects) generated by any change in lot boundaries on or by an increase in the number of proposed lots in relation to all of the following:
 - (i) landscape character;
 - (ii) amenity values;

- (iii) natural features;
 - (iv) protection and/or enhancement of vegetation generally as shown on Figure D12.10.1 Overlay Subdivision Plan 1 - Ōrātia (Foothills).
 - (v) access;
 - (vi) native vegetation and ecological corridors;
 - (vii) streams and the quality of water containing on the site;
 - (viii) the ability of each proposed site, and the entire Ōrātia Foothills catchment affected by any increase in the number of proposed sites, to treat and dispose of stormwater;
 - (ix) the ability of each proposed site to treat and dispose of wastewater; and
 - (x) heritage sites, buildings and trees.
- (3) Subdivision within the Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson South (Foothills):
- (a) whether the proposed lot is of a useable shape;
 - (b) the extent to which the proposed subdivision identifies a stable building platform and stable vehicle access within each proposed lot;
 - (c) whether the proposed subdivision will or will likely be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source;
 - (d) the extent to which the subsequent use of the proposed lot likely to be made will not accelerate, worsen, or result in material damage to that land, other land, or structure, by erosion, falling debris, subsidence, slippage or inundation from any source;
 - (e) the extent to which the subdivision contributes to the achievement of the planned character and amenity values of the local area.
 - (f) the extent to which the subdivision provides measures that remedy or mitigate adverse effects on the landscape;
 - (g) whether the proposed subdivision provides for works intended to protect and enhance vegetation;
 - (h) the extent to which the subdivision requires driveway construction and how it avoids, remedies and mitigates adverse effects on the heritage features;
 - (i) the extent to which the proposed subdivision avoids, remedies or mitigates any adverse effects on the landscape arising from existing or future multiple clusters of buildings, and associated accessways;

- (j) whether the proposed subdivision avoids the potential for further development of existing building areas within visually sensitive landscapes;
- (k) whether the proposed subdivision retains the rural character of the environment, taking into account any cumulative effects arising in association with existing buildings on the site and on surrounding sites;
- (l) whether the proposed subdivision retains the characteristic open spaciousness of the rural environment, rural amenity values and the amenity of neighbours;
- (m) whether the proposed subdivision locates any new building platforms in a more appropriate location than any existing building or whether the proposed subdivision will remove any existing poorly placed buildings from inappropriate locations e.g. sensitive ridgelines;
- (n) whether the proposed subdivision provides for public access to and alongside streams, lakes and wetlands and for any public walkway linkages shown in Figure D12.10.2 Overlay Subdivision Plan 2 - Swanson South (Foothills).
- (o) whether the proposed subdivision includes a management plan that adequately addresses the following:
 - (i) areas of vegetation to be removed;
 - (ii) the number, location, grade, size and species of plants to be planted;
 - (iii) weed control measures;
 - (iv) replacement of any planting which dies prior to effective canopy closure; and
 - (v) the management of natural regeneration.
- (p) whether where any proposed subdivision creates fewer lots than the allocation shown in Figure D12.10.2 Overlay Subdivision Plan 2 - Swanson South (Foothills), the proposed subdivision scheme plan ensures an appropriate design layout is provided which:
 - (i) anticipates future subdivision up to the full allocation shown in Figure D12.10.2 Overlay Subdivision Plan 2 Swanson South (Foothills);
 - (ii) provides for the future location of building platforms;
 - (iii) establishes the size of any proposed lot(s) appropriate to the landscape character of the area;
 - (iv) limits the extent of impervious surface(s) through the use of shared driveways;

- (v) provides for the protection of any Significant Ecological Areas and the establishment of any required planting in any Indicative Enhancement Area(s) over the whole site as shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson (Foothills);
 - (vi) provides for the management of stormwater runoff over the whole site; and
 - (vii) provides for any indicative walkway linkages shown in Figure D12.10.2 Overlay Subdivision Plan 2 – Swanson (Foothills).
- (4) subdivision at 12-14 Gum Road, Henderson Valley (Lots 1 and 2 DP 49129) and 233 Forrest Hill Road, Waiaatarua (Lot 5 DP 59154):
- (a) the assessment criteria in D12.8.2(3)(a)-(f);
 - (b) whether the proposed subdivision provides for the protection and enhancement of vegetation, drainage works and other infrastructure works;
 - (c) the extent to which the proposed subdivision implements infrastructure, including roads and driveways that have a rural scale and character;
 - (d) the extent to which the proposed subdivision retains and/or enhances rural character through the pattern of the proposed subdivision and location of buildings platforms;
 - (e) the extent to which the proposed buildings are located in a manner that maintains spacious rural views and rural landscape of the area;
 - (f) the extent to which the subdivision provides for a public walkway using a walking trail or trails between Forrest Hill Road and Gum Road;
 - (g) whether an ecological assessment and a landscape assessment identifying areas of ecological and landscaping opportunity and enhancement is provided including any areas where buildings are not to be constructed; and
 - (h) whether a planting plan taking into account the site's ecological and landscape assessments identified in D12.6.4.2(5) is provided. This must include weed management, and any planting for stormwater mitigation, visual amenity, and privacy.
- (5) subdivision at 47-51 Holdens Road, Henderson (Lot 14 DP 86225) and 15 Holdens Road, Henderson (Lot 1 DP 63568) and the areas bounded by Holdens Road, Forest Hill Road, Pine Avenue and Parrs Cross Road:
- (a) the assessment criteria in D12.8.2(3)(a)-(f);
 - (b) the extent to which the proposed subdivision locates any proposed building(s) away from Holdens Road so the rural character of the area is protected;

- (c) the extent to which the proposed subdivision avoids blurring the boundary between the metropolitan area and the rural landscape;
 - (d) the extent to which the proposed subdivision retains the rural character of the environment, taking into account any cumulative effects arising in association with existing buildings on the site;
 - (e) whether the proposed plantings screen proposed building(s) from Holdens Road; and
 - (f) whether the proposal protects, restores and enhances heritage features, streams, wetlands and indigenous vegetation within the site.
- (6) subdivision at 37 Awhiorangi Promenade (Lot 2 DP 462556):
- (a) the assessment criteria in D12.8.2(3)(a)-(f); and
 - (b) the extent to which any approved management plan provides for the complete removal of any existing pine (*Pinus* sp) and wattle trees (*Acacia* sp) from the site.
- (7) subdivision at 144 Candia Road (Part Allot 275 PSH of Waipareira):
- (a) the assessment criteria in D12.8.2(3)(a)-(f); and
 - (b) the extent to which the required area to be planted is planted with species appropriate to the landscape and ecology of the area, fenced and maintained weed free until canopy closure.
- (8) subdivision at 32 Christian Road, Swanson (Lot 1 DP 53766):
- (a) the assessment criteria in D12.8.2(3)(a)-(f); and
 - (b) the extent to which the required 20m-wide planted strip is established along the northern boundary of the site, and will create a buffer between the site and the adjoining land to the north.
- (9) subdivision at 46 Christian Road, Swanson (Lot 1 DP 425696):
- (c) the assessment criteria in D12.8.2(3)(a)-(f); and
 - (d) the extent to which the location of any proposed dwelling avoids any adverse effects on the visual or aural amenity values of any adjacent or surrounding sites.
- (10) subdivision at 33 – 35 Coulter Road, Henderson Valley (Allot 232 PSH of Waipareira):
- (a) the assessment criteria in D12.8.2(3)(a)-(f); and
 - (b) the extent to which the location of any proposed dwelling avoids the visible face above Coulter Road between the road boundary and the eastern edge of the Ridgeline Protection Overlay identified onsite, the area within Ridgeline Protection Overlay identified onsite, and the area

west of the indicative enhancement area, as shown in Figure D12.10.2
Overlay Subdivision Plan 2 – Swanson South (Foothills).

(11) subdivision at 40 Coulter Road, Henderson Valley (Lot 1 DP 61729):

- (a) the assessment criteria in D12.8.2(3)(a)-(f); and
- (b) the extent to which vehicle access to any existing or proposed site uses the existing driveway.

(12) subdivision at 70 Coulter Road, Henderson Valley:

- (a) assessment criteria in D12.8.2(3)(a)-(f); and
- (b) the extent to which any proposed dwelling in the south-western part of the site is sufficiently set back from the Coulter Road boundary to be clear of the Ridgeline Protection Overlay onsite and avoids adverse effects on the visual and aural amenity of the neighbours at 66 Coulter Road.

(13) subdivision at 78 Coulter Road, Henderson Valley (lot 1 DP 485484):

- (a) assessment criteria in D12.8.2(3)(a)-(f); and
- (b) the extent to which there is no net increase in the existing building coverage on the site resulting from any subdivision.

(14) subdivision at 163 Simpson Road, Henderson Valley (Lot 2 DP 426324):

- (a) assessment criteria in D12.8.2(3)(a)-(f);
- (b) the extent to which further residential building within the Ridgeline Protection Overlay onsite is avoided and protected by way of covenant, encumbrance or consent notice; and
- (c) the extent to which vehicle access to any proposed site avoids any Indicative Enhancement Area shown in Overlay Subdivision Plan 2 – Swanson South (Foothills).

(15) subdivision at 780 Swanson Road, Henderson Valley (Lot 1 DP 196223):

- (a) assessment criteria in D12.8.2(3)(a)-(f);
- (b) the extent to which any proposed dwelling avoids any adverse visual or landscape effects on the surrounding neighbourhood; and
- (c) the extent to which any proposed dwelling is screened from Swanson Road and Tram Valley Road.

(16) subdivision at 40 Tram Valley Road, Swanson (Lot 6 DP 60454):

- (a) assessment criteria in D12.8.2(3)(a)-(f); and
- (b) the extent to which any proposed dwelling(s) within any proposed site(s) are located within the cleared areas south of the existing minor dwelling.

D12.9. Special information requirements

~~There are no special information requirements in this overlay.~~

An ecological assessment and landscape assessment prepared by a suitably qualified specialist may be required as part of a subdivision application, commensurate with the scale and likely effects of the proposed development.

Qualifying
matter as
per s77l(a)
and
s77l(d) of
the RMA

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D12.10. Overlay subdivision plans

Figure D12.10.1 Overlay Subdivision Plan 1 - Ōrātia (Foothills)

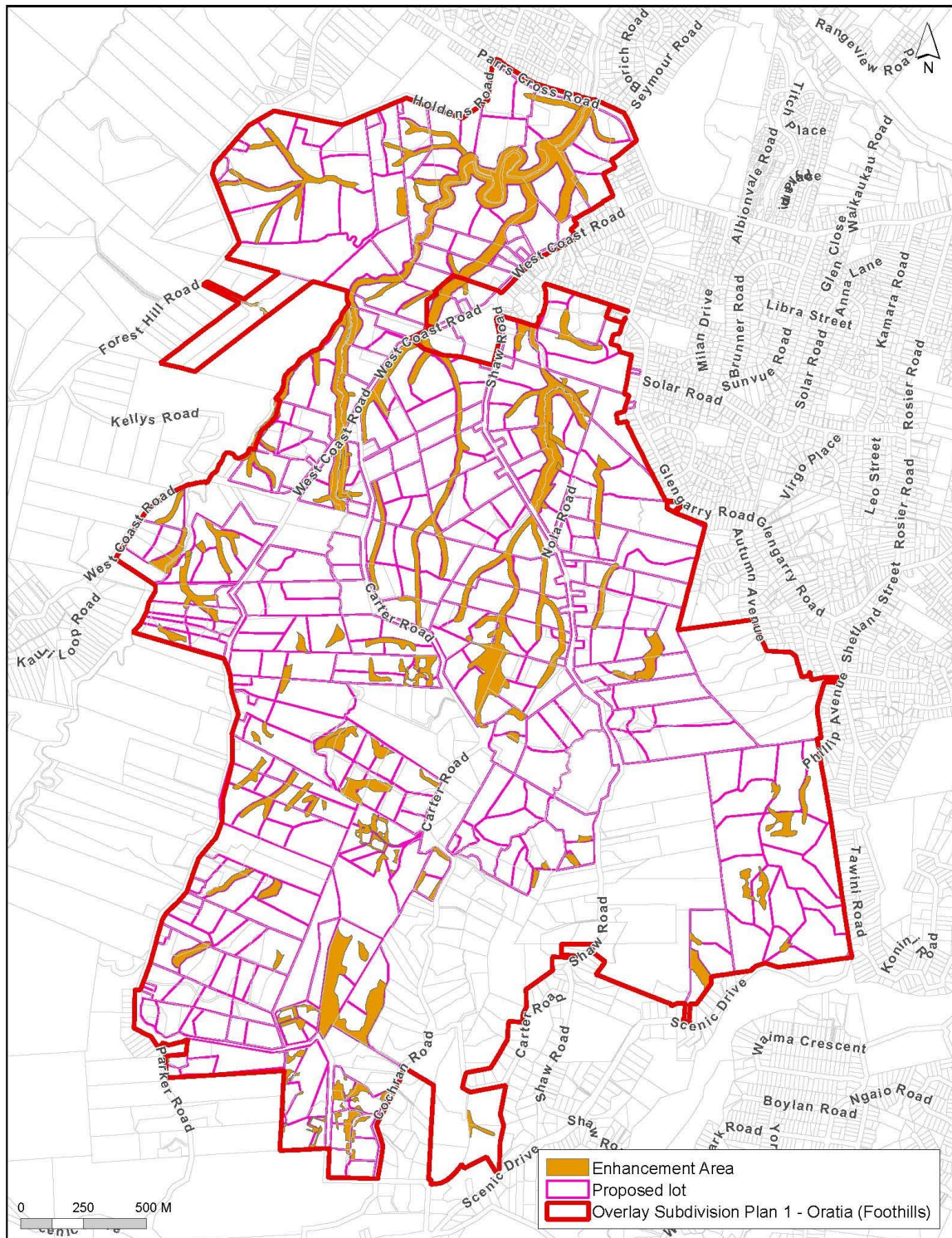


Figure D12.10.2: Overlay Subdivision Plan 2 - Swanson South (Foothills)

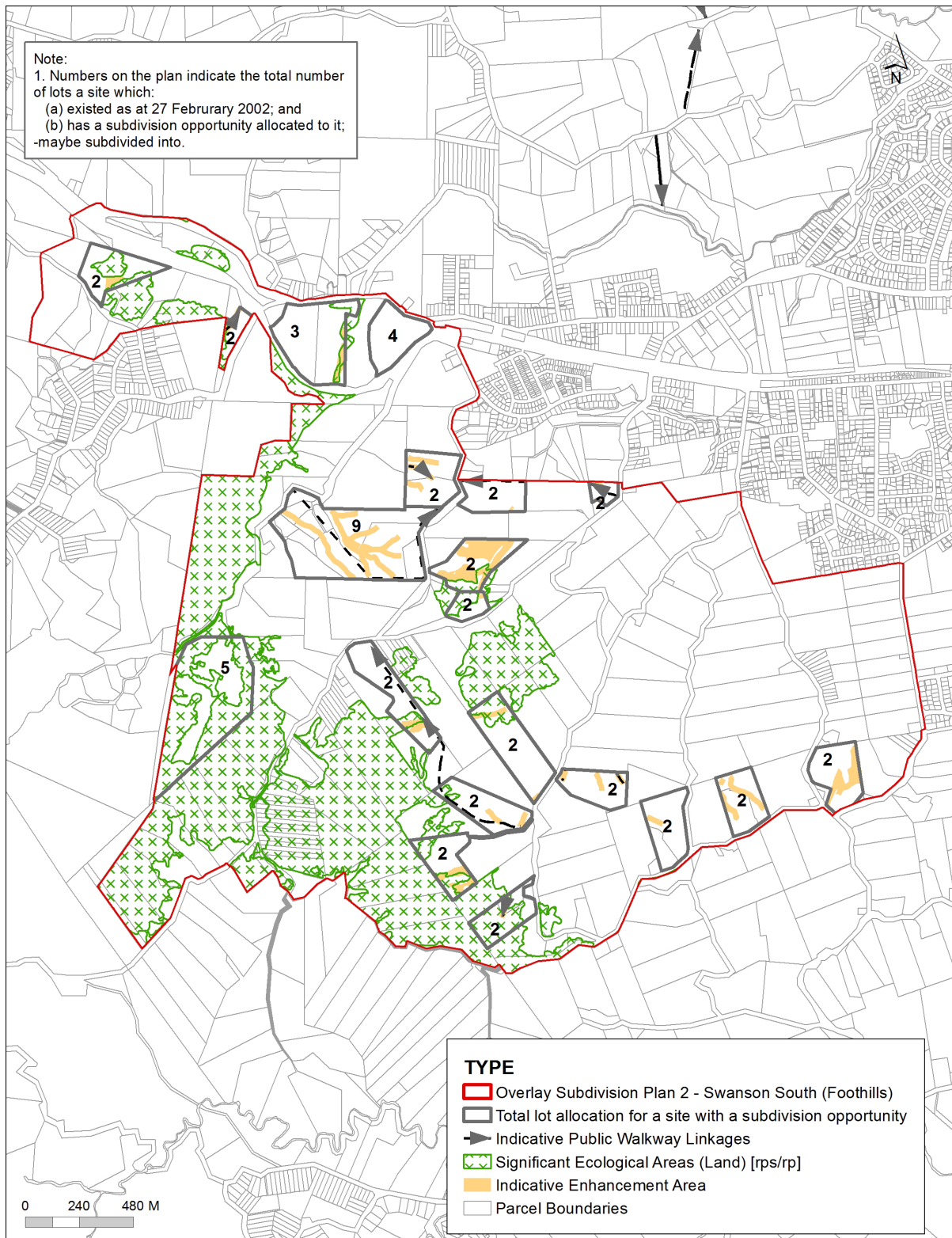


Figure D12.10.3: Overlay Subdivision Plan 3 – Permitted Building Area for 42 Christian Road, Swanson



Figure D12.10.4 Overlay Subdivision Plan 4 – Permitted Building Area for 33-35 Coulter Road, Henderson Valley



Figure D12.10.5 Overlay Subdivision Plan 5 – Permitted Building Area for 780 Swanson Road, Swanson



Figure D12.10.6 Overlay Subdivision Plan 6 – Permitted Building Area for 40 Tram Valley Road, Swanson

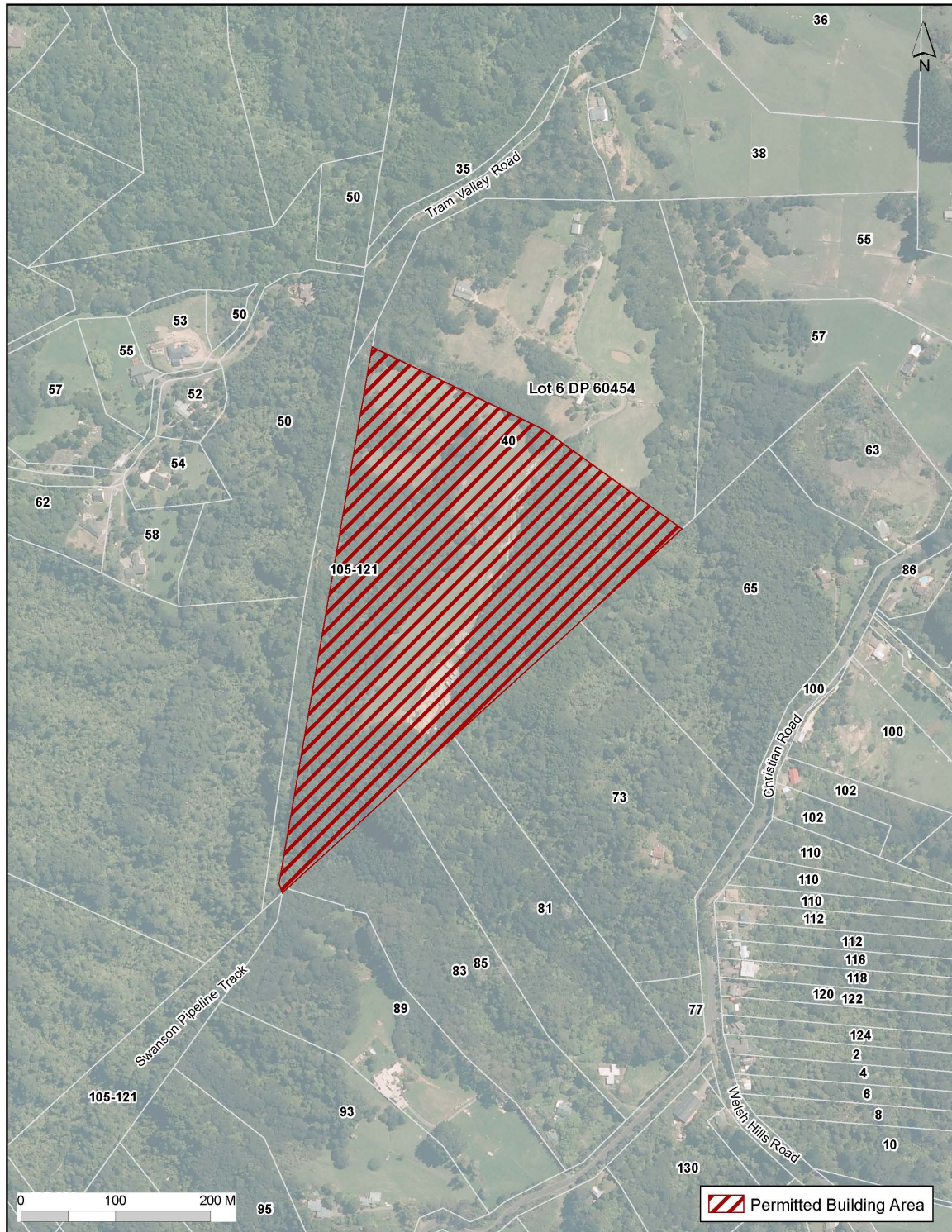


Figure D12.10.7 Overlay Subdivision Plan 7a – Bush Living (Ranges)



Figure D12.10.8 Overlay Subdivision Plan 7b – Bush Living (Ranges)

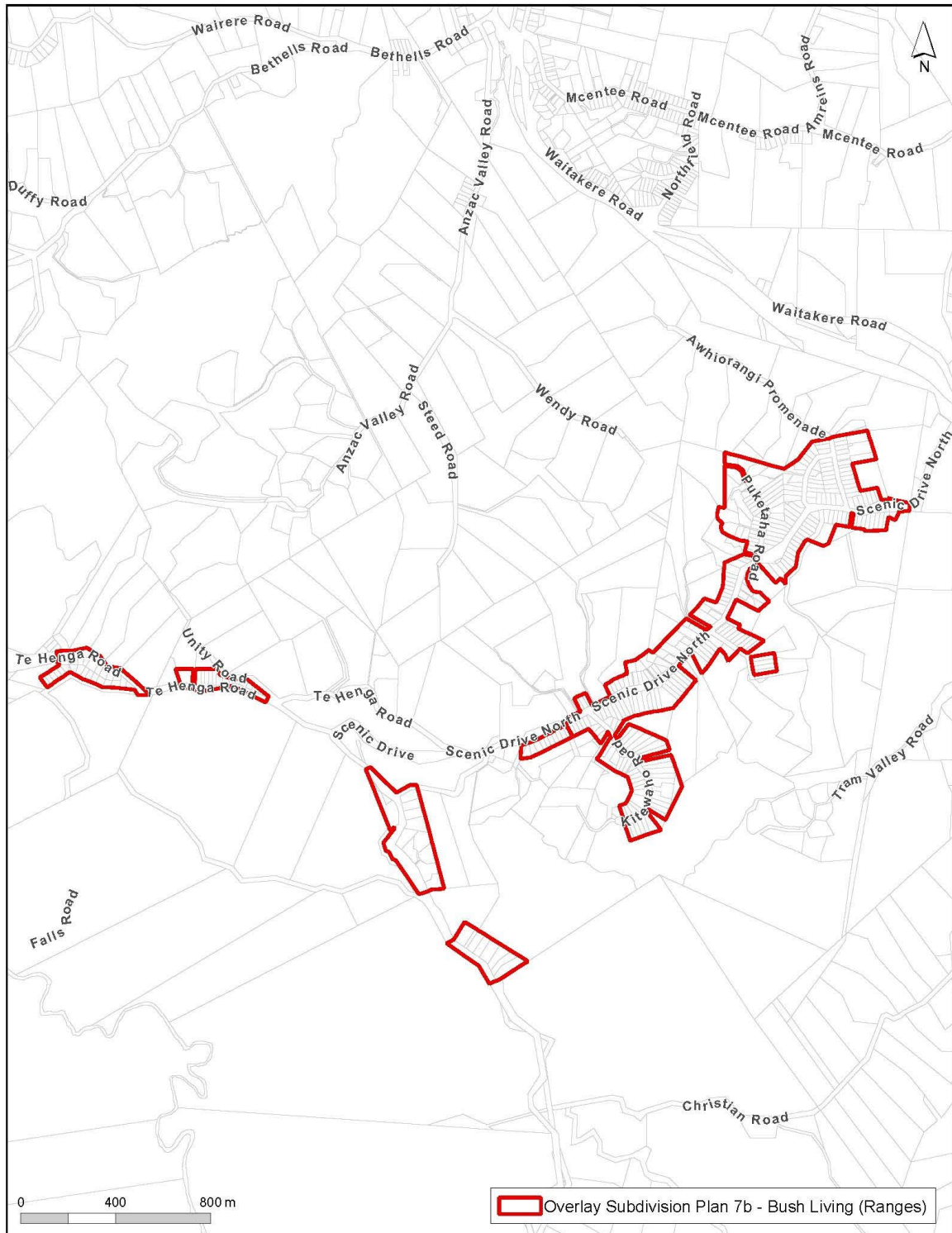


Figure D12.10.9 Overlay Subdivision Plan 7c – Bush Living (Ranges)

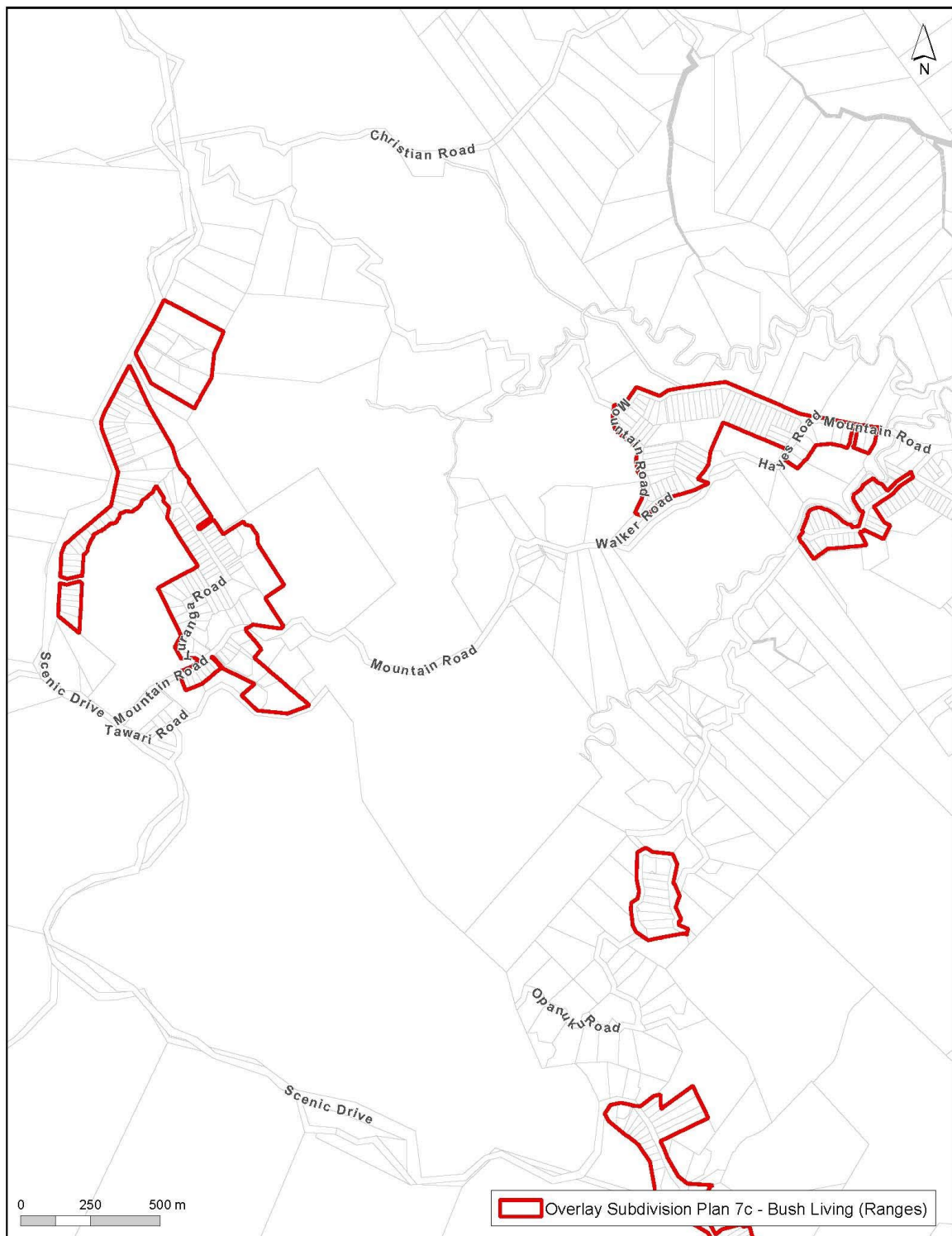


Figure D12.10.10

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Figure D12.10.11 Overlay Subdivision Plan 7d – Bush Living (Ranges)

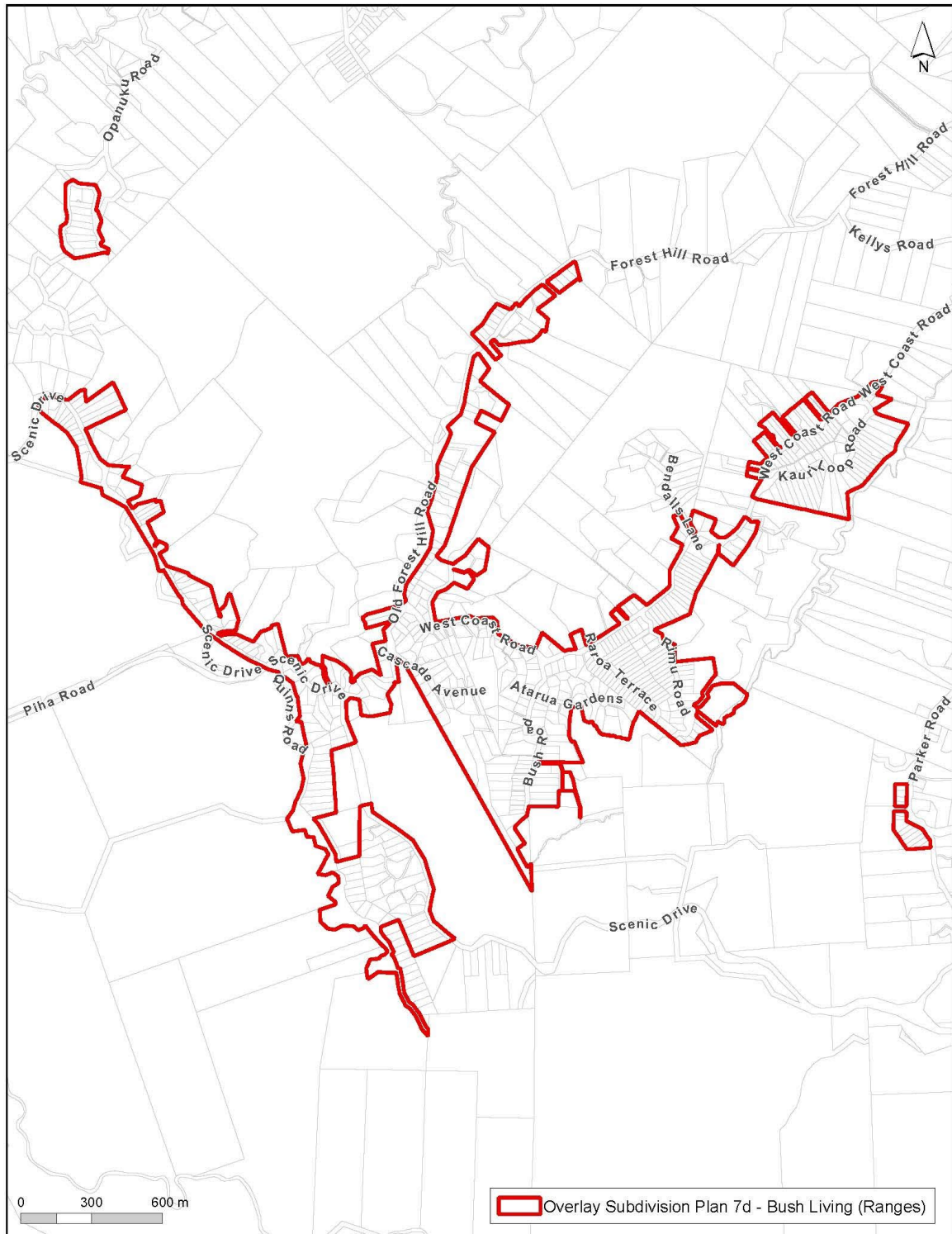


Figure D12.10.12 Overlay Subdivision Plan 7e – Bush Living (Ranges)

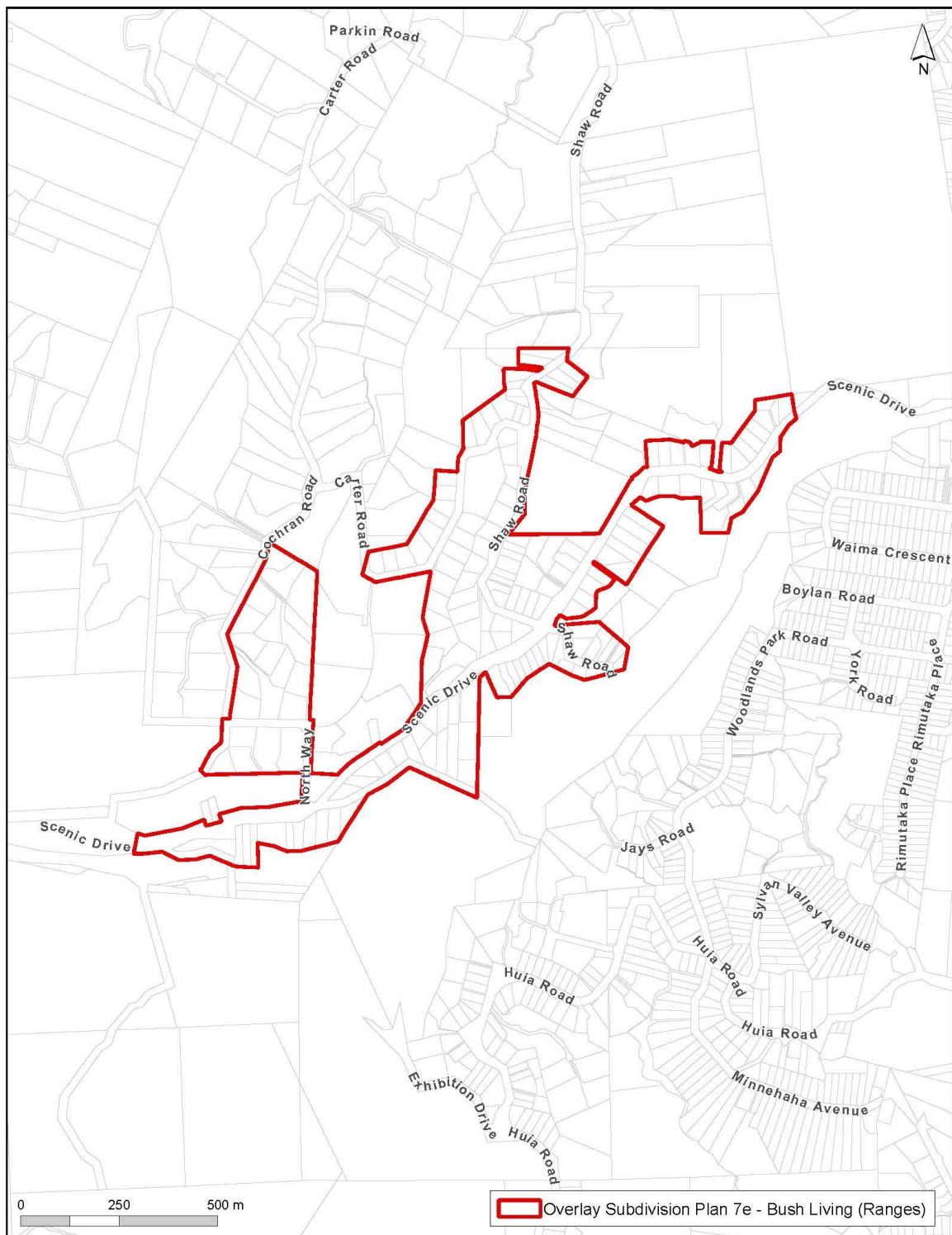


Figure D12.10.13 Overlay Subdivision Plan 7f – Bush Living (Ranges)



Figure D12.10.14 Overlay Subdivision Plan 7g – Bush Living (Ranges)



Figure D12.10.15 Overlay Subdivision Plan 8 - Ōrātia (Ranges)

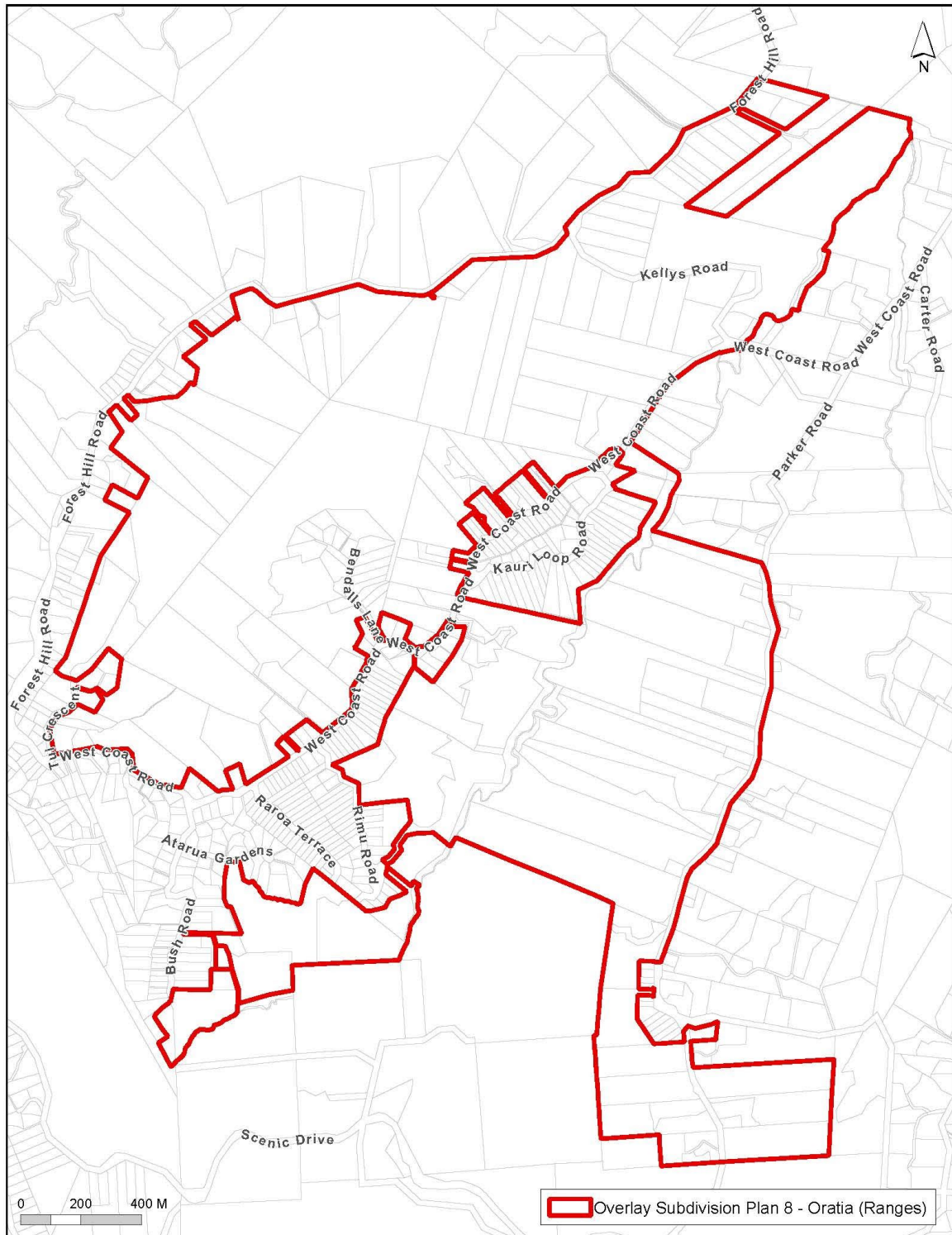


Figure D12.10.16 Overlay Subdivision Plan 9 – Titirangi – Laingholm (North)

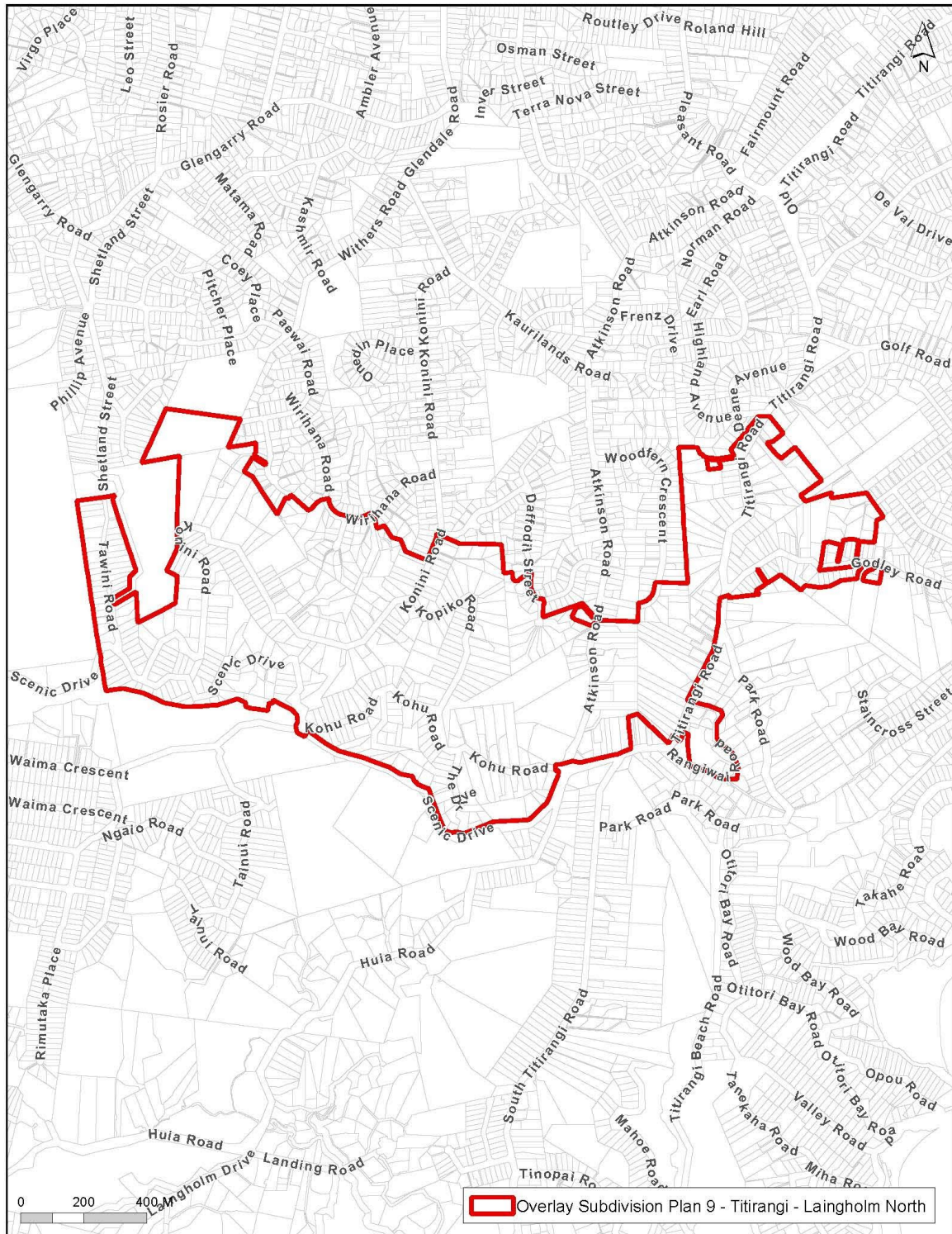


Figure D12.10.18 Overlay Subdivision Plan 11 – Titirangi – Laingholm (West)

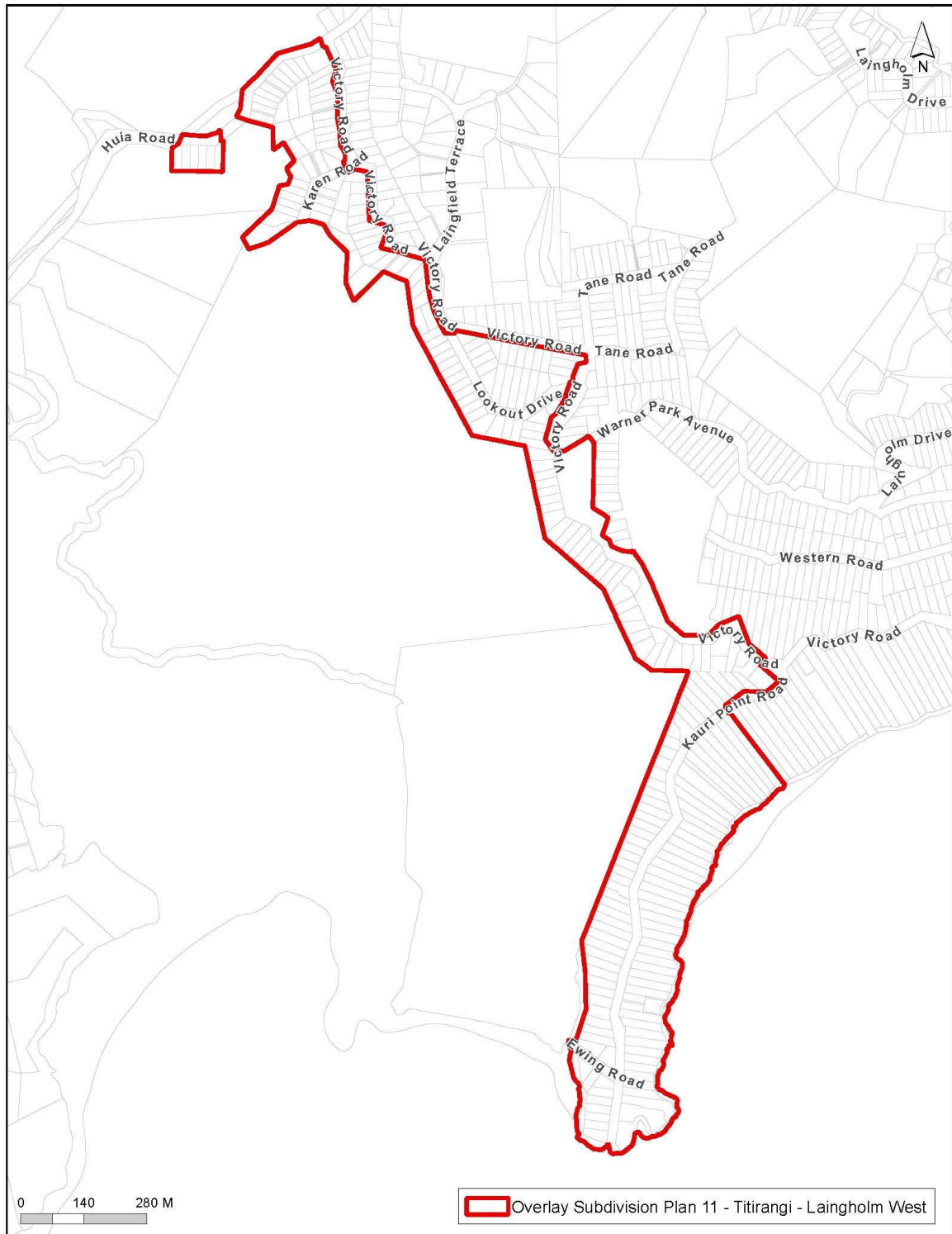
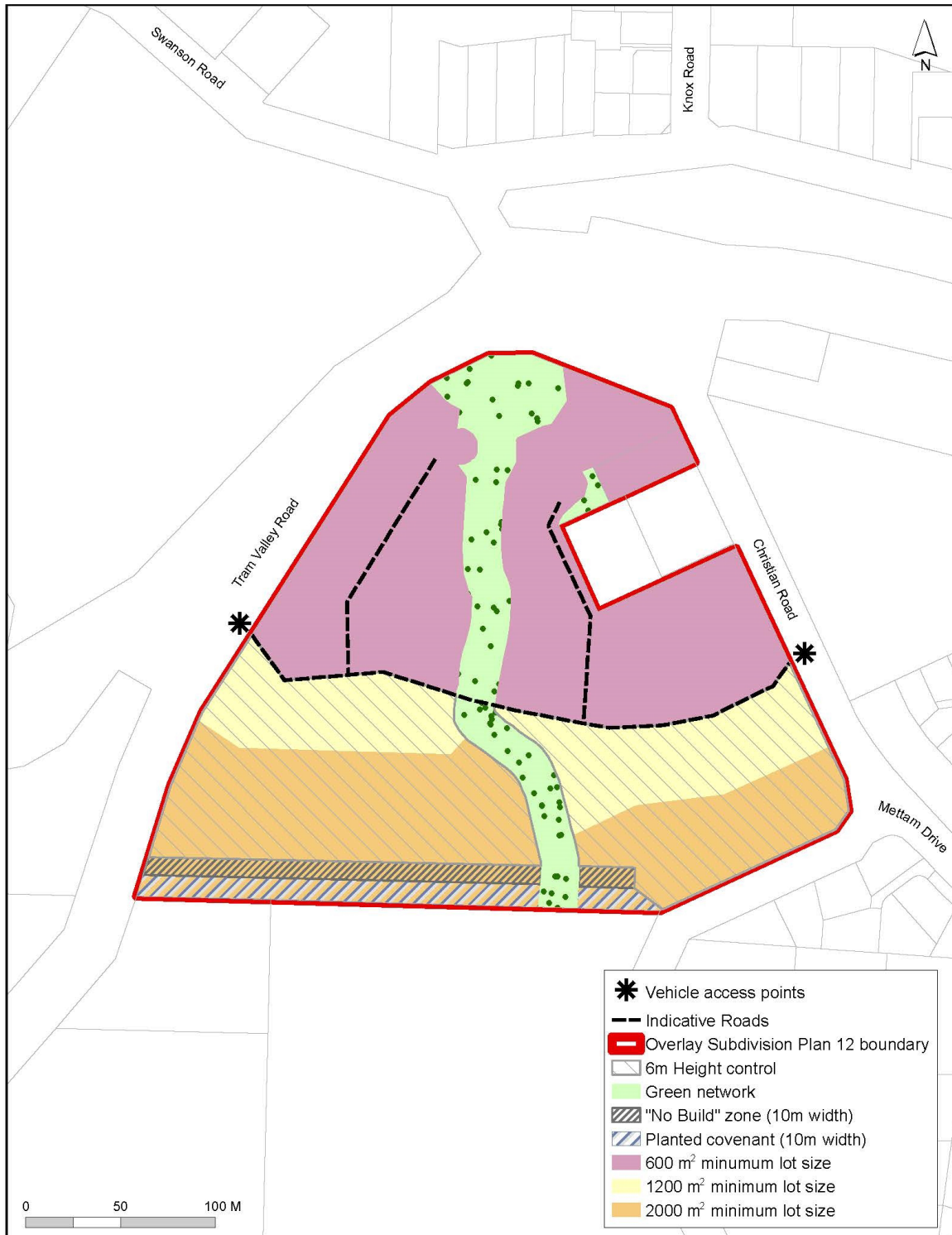


Figure D12.10.19 Overlay Subdivision Plan 12 – 7 – 11 Christian Road, Henderson Valley



D13. Notable Trees Overlay

D13.1. Background

The Notable Trees Overlay is a qualifying matter with respect to the greater height or density enabled under Schedule 3C of the RMA and Policy 3 NPS-UD. It is a qualifying matter for those notable trees that have historic heritage values under section 6 of the RMA as authorised by sections 77I(a) and 77O(a) of the RMA. It is also a qualifying matter for all notable trees due to their amenity values under section 7 of the RMA as authorised by sections 77I(j) and 77O(j) of the RMA.

The purpose of the Notable Trees Overlay is to protect notable trees and notable groups of trees from danger or destruction resulting from development.

The provisions of this overlay may mean the intensity or scale of development anticipated in the underlying zone will not be able to be achieved on some sites.

Individual trees and groups of trees that have been scheduled as notable trees are considered to be among the most significant trees in Auckland. These trees have been specifically identified to ensure that the benefits they provide are retained for future generations.

The legal description of sites on which a notable tree or group of trees in Schedule 10 Notable Trees Schedule are located will be updated automatically (without a plan change under Schedule 1 of the RMA) where a subdivision occurs and where any part of a subdivided lot contains any part of the Notable Trees Overlay, including any lots which qualify as an urban environment allotment under s76(4C) of the Act.

Similarly, where there is evidence that a tree or group of trees has been physically removed as a result of consent processes or emergency works, the notable tree or group of trees will be automatically removed from Schedule 10 Notable Trees Schedule without a plan change under Schedule 1 of the RMA.

If a new tree or group of trees is proposed to be included in Schedule 10 Notable Trees Schedule, a plan change under Schedule 1 of the RMA will be required.

D13.2. Objective

- (1) Notable trees and notable groups of trees are retained and protected from inappropriate subdivision, use and development.

D13.3. Policies

- (1) Provide education and advice to encourage the protection of notable trees and notable groups of trees in rural and urban areas.
- (2) Require notable trees and notable groups of trees to be retained and protected from inappropriate subdivision, use and development, by considering:
 - (a) the specific attributes of the tree or trees including the values for which the tree or trees have been identified as notable;

- (b) the likelihood of significant adverse effects to people and property from the tree or trees;
- (c) the degree to which the subdivision, use or development can accommodate the protection of the tree or groups of trees;
- (d) the extent to which any trimming, alteration or removal of a tree is necessary to accommodate efficient operation of the road network, network utilities or permitted development on the site;
- (e) alternative methods that could result in retaining the tree or trees on the site, road or reserve;
- (f) whether minor infringements of the standards that apply to the underlying zone would encourage the retention and enhancement of the tree or trees on the site;
- (g) whether the values that would be lost if the tree or trees are removed can be adequately mitigated;
- (h) whether the proposal is consistent with best arboricultural practice;
- (i) methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material; and
- (j) the provision of a tree management or landscape plan.

D13.4. Activity table

Table D13.4.1 Activity table specifies the activity status for land use activities related to tree management in the Notable Trees Overlay pursuant to section 9(3) of the Resource Management Act 1991.

- The rules that apply to network utilities and electricity generation are located in Section [E26 Infrastructure](#).

Reference to 'trees' includes trees, groups of trees and the protected root zone.

The legal description associated with a notable tree or group of trees in Schedule 10 Notable Trees Schedule (including on lots which qualify as an urban allotment under s76(4C) of the RMA) will be corrected and updated to refer to the new legal description of a lot where the following has occurred:

- a) the lots contain any part of the Notable Trees Overlay; and
- b) a subdivision of the site has occurred; and
- c) any part of a subdivided lot contains any part of the Notable Trees Overlay.

The Notable Trees Schedule rules cease to have effect and Schedule 10 Notable Trees Schedule and the maps will be corrected and updated accordingly where:

- a) a tree or group of trees has been physically removed as a result of consent processes; or
- b) a tree or group of trees has been physically removed as a result of emergency works; and the following has occurred:
- c) the council has sighted the resource consent or other approval authorising the physical removal of the tree or group of trees; and
- d) the council has given written notice to the owners of the property from which the overlay will be removed.

In circumstances where a new tree or group of trees is proposed to be included in Schedule 10 Notable Trees Schedule, a plan change under Schedule 1 of the RMA will be required.

Table D13.4.1 Activity Table

Activity		Activity status
(A1)	Biosecurity tree works	P
(A2)	Dead wood removal undertaken by a qualified arborist	P
(A3)	Dead wood removal not undertaken by a qualified arborist	C
(A4)	Emergency tree works	P
(A5)	Tree trimming or alteration	P
(A6)	Tree trimming or alteration that does not comply with Standard D13.6.1	RD
(A7)	Tree removal	D
(A8)	Works within the protected root zone to enable trenchless methods at a depth greater than 1m below ground level	P
(A9)	Work within the protected root zone not otherwise provided for	RD

D13.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table D13.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table D13.4.1 Activity table and which is not listed in D13.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) 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\(4\)](#).

D13.6. Standards

All permitted, controlled and restricted discretionary activities in Table D13.4.1 must comply with the following standards.

D13.6.1. Tree trimming or alteration

- (1) The maximum branch diameter must not exceed 50mm at severance.
- (2) No more than 10 per cent of live growth of the tree may be removed in any one calendar year.
- (3) The works must meet best arboricultural practice.
- (4) All trimming or alteration must retain the natural shape, form and branch habit of the tree.

D13.6.2. Works within the protected root zone to enable trenchless methods at a depth greater than 1m below ground level

- (1) Excavation must be undertaken by hand-digging, air spade, hydro vac or drilling machine, within the protected root zone at a depth of 1m or greater.
- (2) The surface area of a single excavation must not exceed 1m².
- (3) Works involving root pruning must not be on roots greater than 35mm in diameter at severance.
- (4) Works must not disturb more than 10 per cent of the protected root zone.
- (5) Any machines used must operate on top of paved surfaces and/or ground protection measures.
- (6) Any machines used must be fitted with a straight blade bucket.
- (7) All works must be undertaken under the direction of a qualified arborist.

D13.7. Assessment – controlled activities

D13.7.1. Matters of control

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

- (1) for deadwood removal not undertaken by a qualified arborist:
 - (a) the extent of the alteration of the tree; and
 - (b) the method to be employed.

D13.7.2. Assessment criteria

The Council will consider the relevant assessment criteria for controlled activities from the list below:

- (1) for deadwood removal not undertaken by a qualified arborist:
 - (a) the extent of the alteration of the tree and the method to be employed:

- (i) the tree will not be unduly damaged or its health endangered through removal of deadwood;
- (ii) the timing of the deadwood removal;
- (iii) the size of the wounds; and
- (iv) the position of the wounds.

D13.8. Assessment – restricted discretionary activities

D13.8.1. Matters of discretion

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

- (1) all restricted discretionary activities:
 - (a) consideration of alternatives available to avoid trimming or alteration of the tree;
 - (b) any effect on the values of the tree or trees for which they were scheduled;
 - (c) any tree works plan, reserve management plan, or landscape plan relevant to the tree or groups of trees;
 - (d) any loss or reduction of amenity values provided by the tree or trees;
 - (e) consistency with best arboricultural practice;
 - (f) methods to control plant pathogens;
 - (g) any mitigation proposed;
 - (h) the risk of damage to people or property;
 - (i) the functional and operational needs of infrastructure;
 - (j) the benefits derived from the infrastructure;
 - (k) for tree trimming or alteration not meeting Standard D13.6.1:
 - (i) the methods proposed to reduce any adverse effects; and
 - (ii) the extent of the alteration of the tree or trees.
 - (l) for work within the protected root zone not meeting Standard D13.6.2:
 - (i) the methods proposed to reduce any adverse effects of the works, including the depth of the works; and
 - (ii) the extent of area of the protected root zone or zones that is affected.

D13.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

(1) all restricted discretionary activities:

- (a) the extent to which alternative methods that could result in avoiding alteration of the tree or trees have been considered;
- (b) the specific values of the tree or trees including any ecological values with respect to water and soil conservation, ecosystem services, stability, ecology, habitat for birds and amelioration of natural hazards;
- (c) the extent to which effects on the values of the tree or trees including any effects on the natural shape, form and branch habit and the root network can be minimised;
- (d) the extent to which any impact on the immediate or long-term health and stability of the tree or trees is able to be minimised or avoided;
- (e) the loss of any amenity values that the tree or trees provided;
- (f) the risk of actual damage to people and property from the tree or trees including the extent to which adverse effects on the health and safety of people have been addressed;
- (g) the degree to which any proposed mitigation adequately responds to the effects on the tree or trees;
- (h) the degree to which the proposal is consistent with best arboricultural practice guidelines for tree management;
- (i) methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material;
- (j) the provision of a tree works plan, to address:
 - (i) the effects on the tree or trees;
 - (ii) the proposed methods to be used;
 - (iii) the extent to which the proposed works are consistent with best arboricultural practice;
 - (iv) for tree alteration, the methods proposed to reduce any adverse effects and the extent of the alteration of the tree or trees; and
 - (v) for works within the protected root zone, the methods proposed to reduce any adverse effects on the tree or trees, including the depth of the works, and the extent of area of the protected root zone or zones that is affected.
- (k) the need for the direction and supervision of a qualified arborist while the works are being carried out;
- (l) the functional and operational requirements of infrastructure; and

(m) the benefits derived from infrastructure.

D13.9. Special information requirements

There are no special information requirements for the Notable Tree Overlay.

Draft

D14. Maunga Viewshafts and Height and Building Sensitive Areas Overlay

D14.1. Overlay description

The purpose of the Maunga Viewshafts and Height and Building Sensitive Areas Overlay is to appropriately protect significant views of Auckland's maunga through the use of viewshafts and height and building sensitive areas. The maunga viewshafts and height and building sensitive areas are identified on the planning maps.

This overlay contributes to Auckland's unique identity by protecting the natural and cultural heritage values of significant maunga.

This overlay incorporates three elements:

- (1) Regionally significant maunga viewshafts which protect regionally significant views to the Auckland maunga. Buildings that intrude into a regionally significant maunga viewshaft require restricted discretionary activity consent up to 9m in height, beyond which they are a non-complying activity.
- (2) Locally significant maunga viewshafts manage development to maintain locally significant views to the Auckland maunga. Buildings that intrude into a locally significant maunga viewshaft are a permitted activity up to 9m in height, beyond which they are a restricted discretionary activity.
- (3) Height and building sensitive areas are areas of land located on the slopes and surrounds of the maunga. These areas are mapped and are identified as a layer on the planning maps and are marked with the following symbol: ▼.

Height and building sensitive areas enable reasonable development in areas where the floor of the viewshaft is less than 9m (the maximum height in Residential – Single House Zone and Residential – Mixed Housing Suburban Zone). They also ensure that development is of a scale and/or location that does not dominate the local landscape or reduce the visual significance or amenity values of the maunga. Buildings are a permitted activity up to a defined maximum height beyond which they are a non-complying activity. An additional height control applies at the boundary of a maunga feature.

D14.2. Objectives [rcp/dp]

- (1) The regionally significant views to and between Auckland's maunga are protected.
- (2) The locally significant views to Auckland's maunga are managed to maintain and enhance the visual character, cultural significance, identity and form of the maunga in the views.
- (3) The height and building sensitive areas are managed to protect the visual character, cultural significance, identity, physical integrity and form of the maunga.

D14.3. Policies [rcp/dp]

- (1) Protect the visual character, cultural significance, identity and form of regionally significant maunga, together with local views to them, by:
 - (a) locating height and building sensitive areas around the base of the maunga; and
 - (b) imposing height and built form limits which prevent future encroachment into views of the maunga that would erode the visibility to their profile and open space values, and cultural values, while allowing a reasonable scale of development.
 - (2) Manage subdivision, use and development to ensure that the overall contribution of the regionally significant maunga scheduled as outstanding natural features to the landscape of Auckland is maintained and where practicable enhanced, including by protecting physical and visual connections to and views between the maunga.
 - (3) Protect the historic, archaeological and cultural integrity of regionally significant maunga features and their surrounds by avoiding activities that detract from these values and the mana of the maunga.
 - (4) Avoid new buildings or structures that intrude into maunga viewshafts scheduled in Schedule 9 Maunga Viewshafts Schedule, except:
 - (a) where they would have no adverse effect on the visual integrity of the maunga as seen from the identified viewing point or line; or
 - (b) to allow development up to a two-storey height to intrude into a maunga viewshaft, where any adverse effect of development is avoided or mitigated; or
 - (c) to allow development located within an identified height and building sensitive area up to defined appropriate height limits; or
 - (d) to allow the provision of infrastructure where there are particular functional or operational needs that necessitate a structure that penetrates the floor of a maunga viewshaft, there is no reasonably practicable alternative and adverse effects of development are avoided or mitigated.
 - (5) Avoid new buildings or structures that exceed two storeys in height in a height and building sensitive area, except where they would have no adverse effect on the visual integrity of any maunga to which that height and building sensitive area relates, as seen from any public place.
- (5A) Protect the unique visual character, identity, physical integrity and form of the maunga by:
- (a) limiting building height and bulk

(b) using building coverage and landscaped area controls to maintain and enhance visual permeability to the slopes of the maunga

(c) minimising earthworks and retaining walls; and

(d) respecting the maunga as sacred places to mana whenua.

(6) Require urban intensification to be consistent with the protection of maunga features and viewshafts.

D14.4. Activity table [rcp/dp]

Table D14.4.1 specifies the activity status of land use and development activities in the Maunga Viewshafts and Height and Building Sensitive Areas Overlay pursuant to sections 9(3) and 12 of the Resource Management Act 1991.

- The rules that apply to network utilities and electricity generation in the Maunga Viewshafts and Height and Building Sensitive Areas Overlay are located in Section E26 Infrastructure.

Table D14.4.1 Activity table

Activity		Activity status	
Buildings (where they intrude into a scheduled maunga viewshaft), excluding network utilities, electricity generation facilities, broadcasting facilities and road networks			
		Regionally Significant Maunga Viewshaft	Locally Significant Maunga Viewshaft
(A1)	Buildings that do not intrude into a viewshaft scheduled in <u>Schedule 9 Maunga Viewshafts Schedule</u>	P	P
(A2)	Temporary activities	P	P
(A3)	Buildings, except for fences and walls, up to 9m in height	RD	P
(A4)	Fences and walls, where their height does not exceed 2.5m	RD	P
(A5)	Towers associated with fire stations operated by Fire and Emergency New Zealand that are no higher than the height allowed as a permitted activity in the zone.	RD	P
(A6)	Buildings not otherwise provided for or that do not comply with the standards under D14.6.1, D14.6.3, D14.6.4	NC	RD
Buildings in a height <u>and building</u> sensitive area, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks			

(A7)	Buildings up to 9m in height except as specified in Standard D14.6.3.	P
(A7A)	<u>Buildings that do not comply with standard D14.6.5 Building coverage</u>	<u>RD</u>
(A7B)	<u>Buildings that do not comply with standard D14.6.6 Landscaped area</u>	<u>RD</u>
(A7C)	<u>Buildings not complying with underlying zone Yards standards</u>	<u>RD</u>
(A7D)	<u>Buildings that do not comply with standard D14.6.7 Earthworks</u>	<u>RD</u>
(A8)	Buildings up to 13m in height in the areas identified in Figure D14.10.1	P
(A9)	Temporary activities	P
(A10)	Towers associated with fire stations operated by Fire and Emergency New Zealand that are no higher than the height allowed as a permitted activity in the zone	RD
(A11)	Buildings not otherwise provided for or that do not comply with the standards	NC

D14.5. Notification

- (1) Any application for resource consent for any of the following non-complying activities must be publicly notified:
 - (a) D14.4.1(A6) Buildings not otherwise provided for or that do not comply with the standards (non-complying only); and
 - (b) D14.4.1(A11) Buildings not otherwise provided for or that do not comply with the standards.
- (2) Any application for resource consent for an activity listed in Table D14.4.1 Activity table and which is not listed in D14.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) 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).

D14.6. Standards

All activities listed as permitted and restricted discretionary in Table D14.4.1 must comply with the following standards.

D14.6.1. Height

- (1) In applying these standards, height must be measured using the rolling height method except if using standards D14.6.3(1)(a)(i), D14.6.3(1)(a)(iii) and D14.6.3(1)(c) where maximum height is restricted by another method.
- (2) Flagpoles, masts, lighting poles, chimneys and water overflow pipes must not exceed 300mm in any horizontal cross-sectional dimension and must be located at least 10m from any other flagpole, mast, lighting pole, chimney or water overflow pipe.
- (3) Except for guy wires and chain link or other open or transparent fences, the list of exclusions in the plan's definition of height do not apply.

D14.6.2. Buildings and structures that do not intrude into a viewshaft scheduled in Schedule 9 Maunga Viewshafts Schedule

- (1) Compliance must be confirmed by a report from a registered surveyor that the building does not intrude into the scheduled viewshaft (from the identified viewpoint or line) because of the presence of landform. The presence of existing vegetation is not to be taken into account when confirming compliance and the report shall include identification of the landform used to confirm compliance.

D14.6.3. Buildings on sites that have a contiguous boundary with a site with a maunga feature mapped as an outstanding natural feature

- (1) Buildings on sites that have a contiguous boundary with a site with a maunga feature mapped as an outstanding natural feature must not exceed a height of:
 - (a) the height and building sensitive area maximum of 9m except where the lesser height of the following applies;
 - (i) the average height above NZVD2016 of the highest points of the nearest two buildings (not including accessory buildings) on adjoining sites where those sites also have contiguous boundary with the maunga feature; or
 - (ii) *[deleted]*
 - (iii) where D14.6.3(1)(a)(i) cannot be applied, the average height above NZVD2016 of the site boundary which is contiguous with the maunga feature. Average height will be calculated using the average of measurements of height above NZVD2016, taken along the contiguous boundary at 1m intervals.
 - (b) 7.3m for buildings on 14A Pickens Crescent Mt Albert (Lot 1 DP 394305; CT 377258); or
 - (c) RL (in terms of NZVD2016) 103.08 for buildings on 47A Mount St John Avenue Epsom (Lot 1 DP 359371; CT 241868).

D14.6.4. Temporary construction and safety structures ~~(other than in Business – City Centre Zone)~~

- ~~(1) Temporary construction and safety structures must be removed within 30 days or upon completion of the construction works, whichever is the lesser.~~

~~D14.6.4A Temporary construction and safety structures (Business – City Centre Zone Only)~~

- (1) Temporary construction and safety structures must be removed within 24 months or upon completion of the construction works, whichever is the lesser.
- (2) Temporary construction and safety structures that are in place for greater than 30 days must:
- (a) Not display any sign except signs required for health, safety or operational requirements;
 - (b) Only display lighting that is limited to that necessary to comply with safety or civil aviation requirements; and
 - (c) Be non-reflective and have a matte finish.

The following Standards D14.6.5 – D14.6.8 apply only to buildings in Residential Zones within the Height and Building Sensitive Areas Overlay.

D14.6.5. Building coverage

Purpose: To protect the visual character, identity, physical integrity and form of the maunga when viewed from public places by restricting the form and location of buildings.

- (1) Within Height and Building Sensitive Areas the maximum building coverage is 35 per cent of the net site area.

D14.6.6. Landscaped area

Purpose: To protect the visual character, identity, physical integrity and form of the maunga when viewed from public places

- (1) Within Height and Building Sensitive Areas the minimum landscaped area must be at least 40 per cent of the net site area.

D14.6.7. Earthworks

Purpose: To protect the visual character, identity, physical integrity and form of the maunga

- (1) Within Height and Building Sensitive Areas Land Disturbance shall comply with E12.4.2 (A32) and (A33)

D14.7. Assessment – controlled activities

D14.7.1. Matters of control

There are no controlled activities in this overlay.

D14.8. Assessment – restricted discretionary activities

D14.8.1. Matters of discretion

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

- (1) all restricted discretionary activities:
 - (a) effects on the visual integrity of the view of the maunga from the identified viewing point or line;
 - (b) location, nature, form and extent of proposed works;
 - (c) mana whenua values associated with the maunga; and
 - (d) the functional or operational need for the proposal and any alternatives considered to fulfil that need without the intrusion into the viewshaft or exceeding the maximum height limit of a height sensitive area.
- (2) Buildings in Residential Zones not complying with standards D14.6.5 Building coverage; D14.6.6 Landscaped area; D14.6.7 Earthworks or underlying zone Yard standards:
 - (a) Cultural values associated with the maunga;
 - (b) The visual character, identity, physical integrity and form of the maunga.

D14.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) all restricted discretionary activities:
 - (a) having regard to the viewshaft or height sensitive area statement in Appendix 20 Maunga Viewshafts and Height Sensitive Areas – Values Assessments, whether the nature, form and extent of the building adversely affects the visual integrity of the maunga;
 - (b) whether the proposed building has a functional or operational requirement to be in the location proposed and the proposed height of the building is consistent with that requirement;
 - (c) whether there are practicable alternatives available that will not intrude into, or will minimise the intrusion into the viewshaft or exceedance of the maximum height of a height and building sensitive area;
 - (d) whether the proposed building will impact on Mana Whenua values associated with the maunga; and
 - (e) the relevant objectives and policies in B4.3, D14.2 and D14.3

(2) Buildings in Residential Zones not complying with standards D14.6.5 Building coverage; D14.6.6 Landscaped area; D14.6.7 Earthworks or underlying zone Yards standards:

(a) Policy D14.3 (1)

(b) Policy D14.3 (2)

(c) Policy D14.3 (3)

(d) Policy D14.3(5A)

(e) Policy D14.3 (6)

D14.9. Special information requirements

There are no special information requirements in this overlay.

D14.10. Figures

Figure D14.10.1 Devonport Height and Building Sensitive Area height



D16. Local Public Views Overlay

D16.1. Overlay description

In addition to the distinctive volcanic landscape and regionally significant outstanding natural landscapes and outstanding natural features, Auckland's wider landscape and maritime setting provides a sense of identity at the local level. Individual viewing points, and their locally significant viewshafts from public places, contribute to the unique character of many of Auckland's neighbourhoods and coastal areas. Although many significant local views are naturally self-preserved by topography or proximity to the coast and require no specific protective restrictions, some are in prominent public locations but could be obstructed by buildings occurring in the foreground. These viewing points and the views from them have been scheduled in the Local Public Views Overlay to ensure the benefits they provide are retained for future generations.

The Local Public Views Overlay is a qualifying matter in accordance with Schedule 3C, Clause 8 of the Resource Management Act where it pertains to policy 3 areas.

D16.2. Objective [rcp/dp]

- (1) Locally significant public views are managed to maintain and enhance the visual integrity of the views.

D16.3. Policies [rcp/dp]

- (1) Identify and evaluate significant local public viewshafts using the following criteria:
 - (a) the extent to which the public viewshaft contributes to the aesthetic value or visual legibility of the wider natural landscape;
 - (b) the community association with, or public appreciation of, the values of the viewshaft;
 - (c) the visual coherence, unity or integrity of the viewshaft and its view;
and
 - (d) the potential value of the viewshaft for public education, including known historic associations in relation to the site where the viewshaft originates.
- (2) Manage development on sites within the viewshafts to avoid adverse physical and visual effects on the viewshaft including adverse cumulative effects on the viewshaft.
- (3) Require public access to be maintained to the viewing point where the viewshaft originates.

D16.4. Activity table

Table D16.4.1 specifies the activity status of development activities in the Local Public Views Overlay pursuant to sections 9(3) and 12 of the Resource Management Act 1991.

- The rules that apply network utilities and electricity generation in the Local Public Views Overlay are located in [E26 Infrastructure](#).
- The floor of the viewshaft is determined in accordance with the survey co-ordinates contained in [Schedule 11 Local Public View Schedule](#).

Table D16.4.1 Activity table [rcp/dp]

Activity		Activity status
Development (where it intrudes into a scheduled local public viewshaft)		
(A1)	Temporary construction and safety structures	P
(A2)	Buildings and structures that intrude into a scheduled local public viewshaft	RD

D16.5. Notification

- (1) Any application for resource consent for an activity listed in Table D16.4.1 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\(4\)](#).

D16.6. Standards

There are no standards in this overlay.

D16.7. Assessment – controlled activities

There are no controlled activities in this overlay.

D16.8. Assessment – Restricted discretionary activities

D16.8.1. Matters of discretion

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

- (1) buildings and structures that intrude into a scheduled local public viewshaft:
 - (a) effects on the visual integrity of the view from the identified viewing point;
 - (b) location, nature, form and extent of proposed works;
 - (c) the functional need or operational need for the proposal and any alternatives considered to fulfil that need without the intrusion into the view; and

(d) the relevant objectives and policies in D16.

D16.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

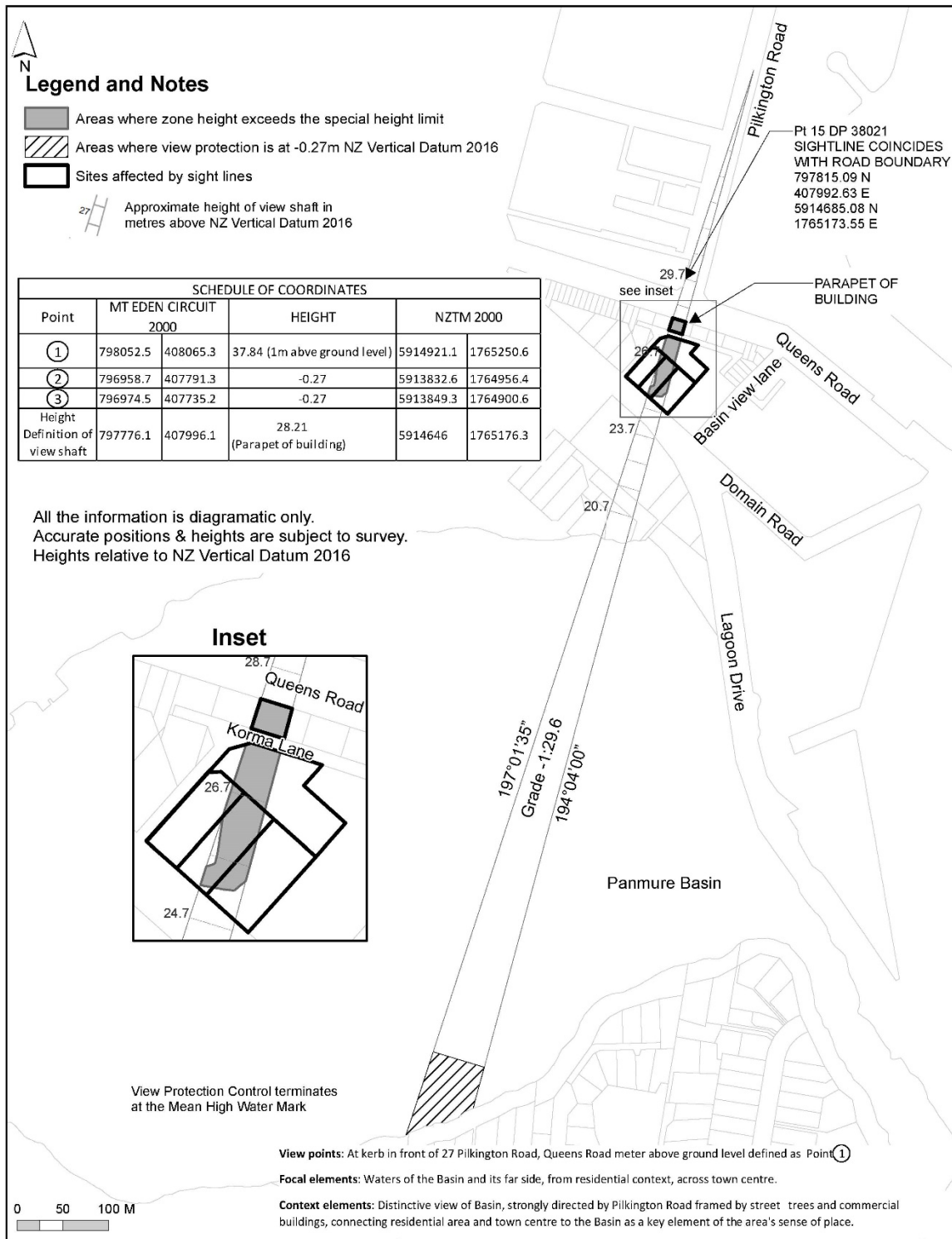
- (1) buildings and structures that intrude into a scheduled local public viewshaft:
 - (a) whether the nature, form and extent of the building adversely affects the visual integrity of the viewshaft and its view;
 - (b) whether the proposed building has a functional or operational requirement to be in the location proposed and the proposed height of the building is consistent with that requirement; and
 - (c) whether there are practicable alternatives available that will not intrude into, or will minimise the intrusion into the local public viewshaft.

D16.9. Special information requirements

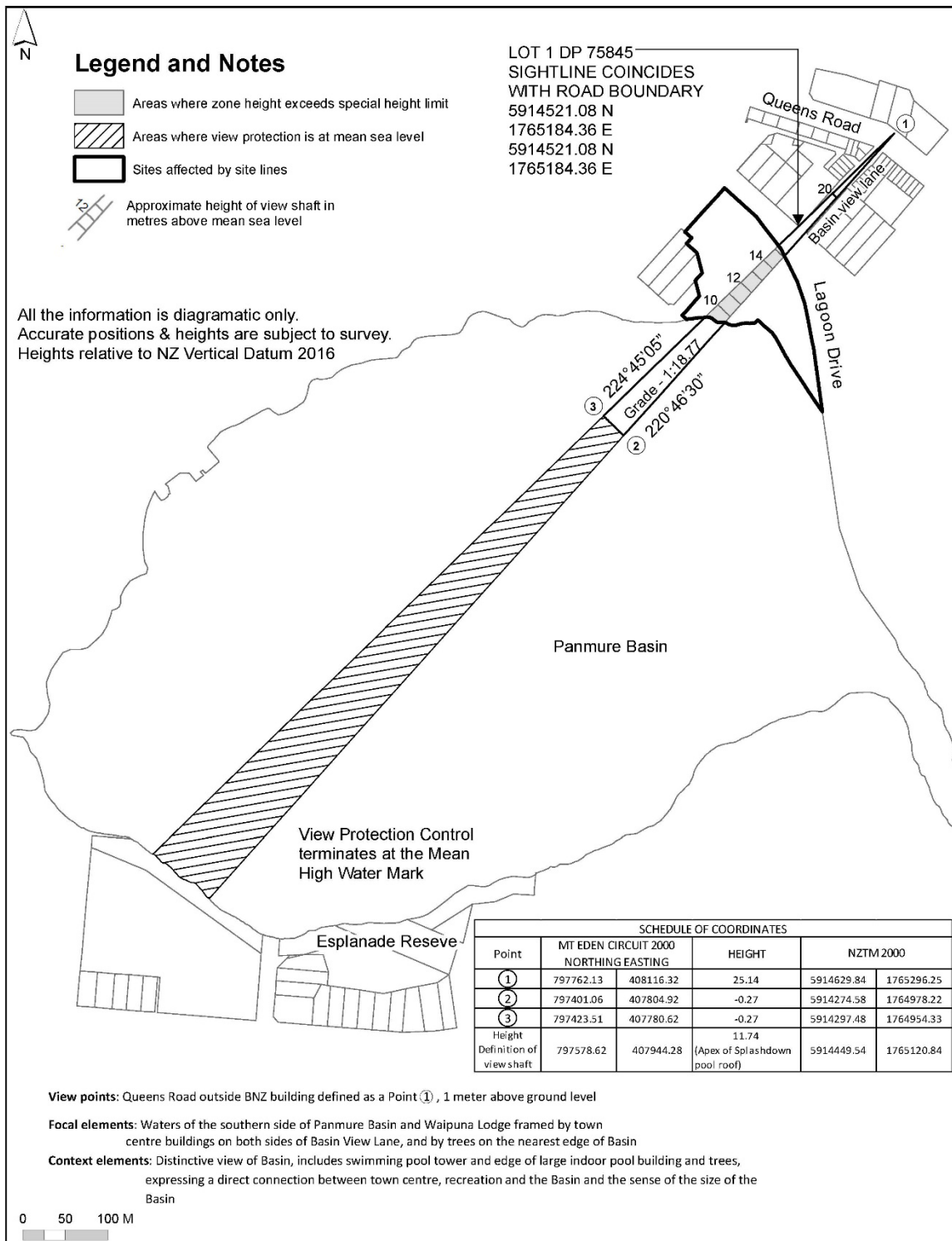
There are no special information requirements in this overlay.

D16.10. Local Public Views

D16.10.1. Pilkington Road, Panmure Basin



D16.10.2. Queens Road, Panmure Basin



D17. Historic Heritage Overlay

[new text to be inserted]

Historic heritage has been identified as a qualifying matter in accordance with sections 77I(a) and 77O(a) of the RMA.

Background

These provisions apply to scheduled historic heritage places on land and in the coastal marine area that are identified in [Schedule 14.1 Schedule of Historic Heritage](#) and shown on the Plan maps.

Scheduled historic heritage places have been evaluated and meet the heritage significance criteria and thresholds set out in the Regional Policy Statement (Chapter [B5.2](#)).

A scheduled historic heritage place can be an individual feature, or encompass multiple features and/or properties, and may include public land, land covered by water and any body of water. A historic heritage place may include; cultural landscapes, buildings, structures, monuments, gardens and plantings, archaeological sites and features, traditional sites, sacred places, townscape, streetscapes and settlements.

The provisions ~~within this chapter of this overlay~~ manage the protection, conservation, maintenance, modification, relocation, use and development of scheduled historic heritage places.

The provisions of this overlay may mean the intensity and scale of development anticipated in the underlying zone will not be able to be achieved on some sites.

Some precincts contain more detailed information and specific rules relating to a scheduled historic heritage place/s. Where this is the case the more specific precinct rules will replace the rules in D.17.4 in this section.

Categories of scheduled historic heritage places

Each scheduled historic heritage place has been assigned a category (refer to Section [B5.2.2.\(4\)](#)).

[Schedule 14.1 Schedule of Historic Heritage](#) contains the following categories of places:

- Category A Places: historic heritage places of outstanding significance well beyond their immediate environs; generally expected to be of significance to the Auckland region or a greater geographic area;
- Category A* Places: the most significant scheduled historic heritage places from legacy plans where the total or substantial demolition or destruction was a discretionary or non-complying activity (rather than a prohibited activity). This is an interim category until a comprehensive re-evaluation of these places is undertaken and their category status is addressed through a plan change process;
- Category B Places: historic heritage places that are of considerable significance to a locality or greater geographic area. Most scheduled historic heritage places are Category B; and

- Historic Heritage Areas: groupings of interrelated, but not necessarily contiguous, places or features that collectively meet the Category A or B criteria. Historic Heritage Areas may include both contributing and non-contributing sites or features, places individually scheduled as Category A or B places, and notable trees. Before the map for each Historic Heritage Area in [Schedule 14.2. Historic Heritage Areas - Maps and statements of significance](#) there is a statement of significance which summarises the heritage values of each Historic Heritage Area and the relative importance of the values.

Primary features and non-primary features of Category A, A and B places*

The primary features of Category A, A* and B places form the fundamental basis for scheduling a historic heritage place. The primary features of historic heritage places are identified in [Schedule 14.1 Schedule of Historic Heritage](#), and for some places in [Schedule 14.3 Historic Heritage Place maps](#).

Not all primary features of Category B places have been identified. Until such time as the primary features of Category B places are identified, all features within the extent of place of a Category B place will be considered a primary feature for the purposes of implementing the rules in this chapter.

Non-primary features are features which are not specifically identified as either a primary feature or a feature in the exclusions column in [Schedule 14.1 Schedule of Historic Heritage](#) or as identified in [Schedule 14.3 Historic Heritage Place maps](#).

Extent of place of scheduled historic heritage places

Most scheduled historic heritage places include an identified area around a heritage feature; referred to as the 'extent of place'.

The extent of place comprises the area that is integral to the function, meaning and relationships of the place and illustrates the historic heritage values identified for the place. The provisions relating to a historic heritage place apply within the area mapped as the extent of place on the Plan maps, including the airspace.

[Schedule 14.3 Historic Heritage Place maps](#) clarifies the extent of place that applies to some historic heritage places.

Exclusions

Some scheduled historic heritage places have listed exclusions in [Schedule 14.1 Schedule of Historic Heritage](#), for example the interiors of buildings or ancillary buildings. Features listed as exclusions do not contribute to, or may detract from the values for which the historic heritage place has been scheduled.

[Schedule 14.3 Historic Heritage Place maps](#) clarifies the exclusions that applies to some historic heritage places.

Archaeological sites or features

Scheduled historic heritage places that are archaeological sites, or include archaeological sites or features that contribute to the significance of a scheduled place, are identified in [Schedule 14.1 Schedule of Historic Heritage](#). The proportion of

archaeological sites within Auckland that are identified in [Schedule 14.1 Schedule of Historic Heritage](#) is low.

Archaeological sites are subject to additional rules to manage activities that have the potential to adversely affect archaeological values, such as land disturbance, or disturbance of the foreshore or seabed. The accidental discovery rule in [E12 Land disturbance - District](#) applies in order to protect presently unknown archaeological values that may be discovered when works or development is undertaken.

Places of Māori interest or significance

Scheduled historic heritage places and places identified as having significance or value to Mana Whenua may overlap. In these instances the provisions in [D21 Sites and Places of Significance to Mana Whenua Overlay](#) also apply, in addition to any other overlay that may apply to the scheduled historic heritage place.

Setting of a historic heritage place

The setting of a historic heritage place includes elements of the surrounding context beyond the identified extent of place within which a historic heritage place is experienced. The setting of a historic heritage place includes the sea, sky, land, structures, features, backdrop, skyline and views to and from the place. It can also include landscapes, townscape, streetscapes and relationships with other historic heritage places which contribute to the value of the place.

Unscheduled historic heritage

Much of Auckland's heritage has not been identified or evaluated to determine its significance.

Some places that have been identified as having significant heritage values are not presently included in the historic heritage schedule, either because of incomplete information, lack of consultation with landowners, or for other reasons. Presently unscheduled historic heritage places that meet the criteria for scheduling will be evaluated for inclusion in the schedule through future plan change processes.

Role of Heritage New Zealand Pouhere Taonga (Heritage New Zealand) in heritage protection and management

Heritage New Zealand has both an advocacy and a statutory role in relation to the conservation and protection of historic heritage.

Heritage New Zealand maintains the New Zealand Heritage List/Rārangi Kōrero which is a list of historic places, historic areas and wahi tapu areas. Heritage New Zealand is also required to establish and maintain the list of National Historic Landmarks/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu. A scheduled historic heritage place in this Plan may also be on the New Zealand Heritage List.

In addition to the requirements of this Plan, the Heritage New Zealand Pouhere Taonga Act 2014 requires an authority to be obtained from Heritage New Zealand to modify or destroy any archaeological site meeting the criteria set out in that Act, whether or not it is recorded or scheduled.

If works are proposed to a scheduled historic heritage place, and the place meets the definition of an 'archaeological site' in the Heritage New Zealand Pouhere Taonga Act 2014, then the works will be subject to the provisions of that Act in addition to this Plan. Some places that meet the definition of an 'archaeological site' under the Heritage New Zealand Pouhere Taonga Act 2014 will not be included in [Schedule 14.1 Schedule of Historic Heritage](#), and an authority to modify an archaeological site will be required from Heritage New Zealand.

Prior to starting work, or making an application for a resource consent affecting a historic heritage place Heritage New Zealand should be contacted to confirm whether, in addition to any rules applying in this Plan:

- (1) an authority is required from Heritage New Zealand to modify an archaeological site; or
- (2) the place is on the New Zealand Heritage List/Rārangi Kōrero or list of National Historic Landmarks.

D17.1. Objectives [rcp/dp]

- (1) The protection, maintenance, restoration and conservation of scheduled historic heritage places is supported and enabled.
- (2) Scheduled historic heritage places are protected from inappropriate subdivision, use and development, including inappropriate modification, relocation, demolition or destruction.
- (3) Appropriate subdivision, use and development, including adaptation of scheduled historic heritage places, is enabled.

D17.2. Policies [rcp/dp]

Maintenance and repair

- (1) Encourage and enable maintenance and repair appropriate to scheduled historic heritage places where it is:
 - (a) based upon a clear understanding of the heritage values of the place; and
 - (b) undertaken in accordance with good practice conservation principles and methods.
- (2) Encourage and support maintenance and repair appropriate to scheduled historic heritage places through such measures as:
 - (a) reducing or waiving consent application costs;
 - (b) providing funding, grants and other incentives; or
 - (c) providing expert advice.

Use and development, including adaptation

- (3) Enable the use, development and adaptation of scheduled historic heritage places where:
 - (a) it will not result in adverse effects on the significance of the place;
 - (b) it will contribute to the ongoing maintenance and enhancement of the historic heritage values of the place;
 - (c) it is in accordance with good practice conservation principles and methods;
 - (d) it will not result in cumulative adverse effects on the historic heritage values of the place;
 - (e) it will support the long-term viability, retention or ongoing use of the place; and
 - (f) it will not lead to significant adverse effects on the surrounding area.
- (4) Enable the use of scheduled historic heritage places, whether or not the use is otherwise provided for in the zone, where it does not detract from the heritage values of the place and will not otherwise have significant adverse effects.
- (5) Support use, development or adaptation appropriate to scheduled historic heritage places through such measures as:
 - (a) reducing or waiving consent application costs;
 - (b) granting consent to infringement of the development standards for underlying zones and Auckland-wide rules where this does not result in significant adverse effects;
 - (c) providing funding, grants and other incentives;
 - (d) providing expert advice; or
 - (e) providing transferable development rights.
- (6) Enable use and development of contributing and non-contributing sites or features within a Historic Heritage Area where it is compatible with the historic heritage values of the area.
- (7) Require the assessment of the effects for proposed works to scheduled historic heritage places, including where one or more places are affected, to address all the effects on:
 - (a) the heritage values of the place/s;
 - (b) the significance of the place; and
 - (c) the setting and the relationship between places.

Modifications, restoration and new buildings within historic heritage places

- (8) Maintain or enhance historic heritage values by ensuring that modifications to, or restoration of, scheduled historic heritage places, and new buildings within scheduled historic heritage places:
 - (a) minimise the loss of fabric that contributes to the heritage values and level of significance of the place;
 - (b) do not compromise the ability to interpret the place and the relationship to other heritage places;
 - (c) complement the form, fabric and setting which contributes to, or is associated with, the heritage values of the place;
 - (d) retain and integrate with the heritage values of the place;
 - (e) avoid significant adverse effects, including from loss, destruction or subdivision that would reduce or destroy the heritage values of the place; and
 - (f) avoid, remedy or mitigate adverse effects on the heritage values of the place.
- (9) Enable modifications to, or restoration of, scheduled historic heritage places, and new buildings within scheduled historic heritage places where the proposal:
 - (a) will not result in adverse effects on the significance of the place;
 - (b) will contribute to the ongoing maintenance and enhancement of the historic heritage values of the place;
 - (c) is in accordance with good practice conservation principles and methods;
 - (d) will not result in cumulative adverse effects on the historic heritage values of the place; and
 - (e) will contribute to the long-term viability, retention or ongoing functional use of the place.
- (10) Support modifications to, or restoration of, scheduled historic heritage places that will do any of the following:
 - (a) recover or reveal heritage values of the place;
 - (b) remove features or additions that compromise the heritage values of the place; or
 - (c) secure the long-term viability and retention of the place.

- (11) Provide for modifications to, or restoration of, parts of buildings or structures where this is necessary for the purposes of adaptation, repair or seismic strengthening, either in its own right or as part of any modifications.

Demolition or destruction

- (12) Avoid the total demolition or destruction of the primary features of Category A scheduled historic heritage places.
- (13) Avoid the total or substantial demolition or destruction of features (including buildings, structures or archaeological sites) within scheduled historic heritage places where it will result in adverse effects (including cumulative adverse effects) on the overall significance of the scheduled historic heritage place to the extent that the place would no longer meet the significance thresholds for the category it has been scheduled.
- (14) Avoid the total or substantial demolition or destruction of:
 - (a) the primary features of Category A* and Category B scheduled historic heritage places;
 - (b) the non-primary features of Category A and A* scheduled historic heritage places; and contributing features within Historic Heritage Areas;unless:
 - (i) the demolition or destruction is required to allow for significant public benefit that could not otherwise be achieved; and
 - (ii) the significant public benefit outweighs the retention of the feature, or parts of the feature, or the place; or
 - (iii) the demolition or destruction is necessary to remove a significant amount of damaged heritage fabric to ensure the conservation of the scheduled historic heritage place.
- (15) Enable the total or substantial demolition or destruction of features (including buildings, structures or archaeological sites) where:
 - (a) it is established that the feature detracts from the heritage values of a scheduled historic heritage place;
 - (b) the feature is identified as a non-contributing feature within a scheduled Historic Heritage Area; or
 - (c) the feature is identified as an exclusion in [Schedule 14.1 Schedule of Historic Heritage](#).
- (16) Provide for the temporary and reversible dismantling of parts of buildings or structures where this is necessary for the purposes of seismic strengthening,

without determining the dismantling to constitute total or substantial demolition or destruction.

Relocation

- (17) Avoid the permanent relocation of the primary features of Category A historic heritage places beyond the scheduled extent of place.
- (18) Avoid the temporary relocation of the primary features of Category A historic heritage places beyond the scheduled extent of place, unless the relocation is necessary to allow for significant public benefit that could not otherwise be achieved.
- (19) Avoid the permanent relocation of features of scheduled historic heritage places unless:
 - (a) it is necessary to allow for significant public benefit that could not otherwise be achieved; and
 - (b) the significant public benefit outweighs the value of retaining the feature in its present location.
- (20) Enable the permanent relocation of buildings or structures beyond the scheduled extent of place where any of the following apply:
 - (a) it is established that building or structure detracts from the heritage values of a scheduled historic heritage place;
 - (b) the building or structure is identified as an exclusion in [Schedule 14.1 Schedule of Historic Heritage](#); or
 - (c) the building or structure is identified as a non-contributing feature within a scheduled Historic Heritage Area.

Temporary activities

- (21) Provide for signs associated with temporary activities within scheduled historic heritage places where any adverse effects on the heritage values of the place are avoided, remedied or mitigated.
- (22) Provide for freestanding displays, exhibits and temporary structures within scheduled historic heritage places where any adverse effects on the heritage values of the place are avoided, remedied or mitigated.

Subdivision

- (23) Provide for the subdivision of scheduled historic heritage places only where:
 - (a) the subdivision will support use and development that is complementary to the heritage values of the place;

- (b) all the potential effects of the subdivision and any associated development on the heritage values of the place have been considered and any adverse effects on these values are avoided to the greatest extent possible, and any other effects are remedied or mitigated; and
- (c) the subdivision contributes to the retention of the place.

Infrastructure

- (24) Enable the operation, maintenance, repair and upgrading of network utilities and small-scale electricity generation facilities, and connections to buildings for network utilities within scheduled historic heritage places in a manner that avoids, remedies or mitigates new adverse effects on the heritage values.
- (25) Enable the establishment of network utilities and small-scale electricity generation facilities within scheduled historic heritage places where all of the following apply:
 - (a) there is a functional need or operational constraint that necessitates their location within a scheduled historic heritage place;
 - (b) significant adverse effects on the heritage values of the place are avoided where practicable; and
 - (c) other adverse effects are avoided, remedied or mitigated.
- (26) Avoid the relocation and total or substantial demolition or destruction of features within a scheduled historic heritage place to provide for network utilities and electricity generation facilities unless all of the following apply:
 - (a) a functional need or operational constraint limits available alternatives;
 - (b) there is no reasonable practicable alternative;
 - (c) the infrastructure will provide a significant public benefit that could not otherwise be achieved; and
 - (d) the adverse effects on the heritage values of a place are minimised to the extent practicable.

D17.3. Activity tables

Tables D17.4.1 to D17.4.3 specify the activity status of land-use activities (pursuant to section 9(3) of the Resource Management Act 1991), subdivision (pursuant to section 11 of the Resource Management Act 1991), and activities in the coastal marine area (pursuant to section 12(1), (2) or (3) of the Resource Management Act 1991) affecting scheduled historic heritage places. The most restrictive applicable rule determines overall activity status.

Table D17.4.1 Activity table – Activities affecting Category A, A* and B scheduled places applies to Category A, A* and B scheduled historic heritage places as identified in

[Schedule 14.1 Schedule of Historic Heritage](#) and [Schedule 14.3 Historic Heritage Place maps](#).

Table D17.4.2 Activity Table - Activities subject to additional archaeological rules applies to historic heritage places where additional archaeological rules apply as identified in [Schedule 14.1 Schedule of Historic Heritage](#).

Table D17.4.3 Activity Table - Activities in Historic Heritage Areas applies to Historic Heritage Areas, as identified in [Schedule 14.1 Schedule of Historic Heritage](#) and [Schedule 14.2 Historic Heritage Areas - Maps and statements of significance](#). Where a Category A, A* or B scheduled historic heritage place, or a site subject to an additional archaeological rule is also located within a Historic Heritage Area, Table D17.4.1 and Table D17.4.2 also apply.

Other rules that apply to scheduled historic heritage places are contained in:

- [E26 Infrastructure](#);
- [E12 Land disturbance - District](#); and
- Chapter F Coastal - the rules in the activity table in Chapter F General Coastal Marine Zone apply, except where reference is made to the rules in this chapter.

Rules relating to the extent of place for places annotated with # in [Schedule 14.1 Schedule of Historic Heritage](#)

Where the extent of place for a scheduled historic heritage place is annotated with a # in [Schedule 14.1 Schedule of Historic Heritage](#), no geographic extent of place has been mapped. In this case the rules in Table D17.4.1 and Table D17.4.2 apply to all land or water within 50m of the feature annotated with #.

Rules where the primary features of Category B places are not identified

Not all primary features of Category B places have been identified in [Schedule 14.1 Schedule of Historic Heritage](#). Until such time as the primary features of Category B places are identified, all features within the extent of a Category B place will be considered a primary feature for the purposes of the rules in this chapter.

Rules relating to the interiors of scheduled buildings

The rules in Table D17.4.1 apply to the interiors of scheduled buildings unless they are specifically identified as exclusions in [Schedule 14.1 Schedule of Historic Heritage](#) or [Schedule 14.3 Historic Heritage Place maps](#).

Rules relating to seismic strengthening

The temporary and reversible dismantling of parts of buildings or structures for the purposes of seismic strengthening will not be considered to constitute demolition or destruction for the purposes of these rules.

Rules relating to demolition or destruction of a feature (including building, structure, archaeological site or feature)

For the purpose of determining the rules relating to demolition or destruction of a feature, volume is measured from the outermost surface of the building or feature, including any

surfaces below ground level, unless a site-specific rule applies. Details for determining the particular application of this rule for some scheduled places is provided in [Schedule 14.3 Historic Heritage Place maps](#).

A blank in the activity status for an activity in Tables D17.4.1, D17.4.2 or D17.4.3 means that the provisions of the zone or Auckland-wide provisions apply.

The provisions of this overlay replace the equivalent provisions of the underlying zone.

A qualifying matter rule only applies to district plan provisions.

Table D17.4.1 Activity table – Activities affecting Category A, A* and B scheduled historic heritage places [rcp – where reference is made in Chapter F to these rules applying]

		Primary feature Category A places	Primary feature Category A* places	Activities within the scheduled extent of place of Category A and A* places	Primary feature Category B places	Activities within the scheduled extent of place of Category B places	Features identified as exclusions
Development							
Demolition or destruction							
(A1)	Demolition or destruction of 70% or more by volume or footprint (whichever is the greater) of any feature	Pr	NC	NC	D	D	P - where the feature is free-standing P – for interior of building(s) where identified as an exclusion C – where the feature is connected to a scheduled feature
(A2)	Demolition or destruction of 30% or more, but less than 70%, by volume or footprint (whichever is the greater) of any feature	NC	NC	NC	D	D	P - where the feature is free-standing P – for interior of building(s) where identified as an exclusion

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	Note: Demolition or destruction of less than 30%, by volume or footprint (whichever is greater) of any feature, is considered under 'Modification and Restoration' – Activity (A9), in this table (D17.4.4)						C – where the feature is connected to a scheduled feature
For the purpose of applying rule D17.4.1(A1) and (A2) to Oakley Hospital Main Building (ID 1339) the map in Schedule 14.3 Historic Heritage Place maps identifies the footprint for the area of the building that comprises the primary feature							
Relocation							
(A3)	Relocation of features (including buildings or structures) within the scheduled extent of place	NC	NC	D	D	RD	C
(A4)	Relocation of features (including buildings or structures) beyond the scheduled extent of place	Pr	NC	D	D	RD	P - where the feature is free-standing P – for interior of building(s) where identified as an exclusion C – where the feature is connected to a scheduled feature
(A5)	Temporary relocation of features (including buildings or structures) beyond the scheduled extent of place	NC	NC	D	D	RD	P
Maintenance and repair							

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(A6)	Maintenance and repair of features including buildings and structures	P	P	P	P	P	P
(A7)	Maintenance and repair of gardens, lawns, garden amenities, driveways, parking areas, effluent disposal systems, swimming pools, sports fields, courts and grounds, bridle paths, footpaths, cycle and walking tracks, including the planting of vegetation	P	P	P	P	P	P
(A8)	Pest plant removal, biosecurity tree works	P	P	P	P	P	P
Modification and restoration							
(A9)	Modifications to, or restoration of, buildings, structures, fabric or features of a scheduled historic heritage place, except where provided for as a permitted, controlled or restricted discretionary activity in another rule in this overlay.	RD	RD	RD	RD	RD	P
(A9A)	Trimming and alteration of trees specifically identified in Schedule 14.1	P	P	P	P	P	
(A9B)	Tree and vegetation removal, trimming and alteration, except any tree or other	P	P	P	P	P	P

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	planting specifically identified in Schedule 14.1 Schedule of Historic Heritage						
(A9C)	Modification of a grave ledger to allow the insertion of cremated ash remains	P	P	P	P	P	
Buildings and structures							
(A10)	New buildings or structures	D	D	D	D	RD	
(A11)	Temporary buildings and structures, including structures accessory to temporary activities	P	P	P	P	P	P
Seismic strengthening							
(A12)	Modifications to buildings, structures or features of a scheduled historic heritage place for seismic strengthening	RD	RD	RD	RD	RD	P - where the feature is free-standing P – for interior of building(s) where identified as an exclusion C – where the feature is connected to a scheduled feature
(A12 A)	Modifications to buildings, structures or features of a scheduled historic heritage place for invasive seismic investigation	P	P	P	P	P	
Signs and ancillary structures							
(A13)	Identification and safety signs	P	P	P	P	P	P

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(A14)	Temporary signs	P	P	P	P	P	P
(A15)	Signs not otherwise provided for as a permitted activity	RD	RD	RD	RD	RD	
(A16)	Security lighting and alarm systems	P	P	P	P	P	P
Subdivision							
(A17)	Subdivision of land within the scheduled extent of place	D	D	D	D	D	
Use							
(A18)	Farming provided for as a permitted activity in the underlying zone within the scheduled extent of place, excluding where archaeological controls apply	P	P	P	P	P	P
(A19)	Use of a scheduled historic heritage place for an activity that is not otherwise provided for in the underlying zone or precinct, or not otherwise provided for in Tables D17.4.1 to D.17.4.3 Note – this rule does not override any prohibited activity	D	D	D	D	D	D

Table D17.4.2 Activity table – Activities subject to additional archaeological rules [rcp/dp]

		Primary feature Category A places	Primary feature Category A* places	Activities within the scheduled extent of place of Category A and A* places	Primary feature Category B places	Activities within the scheduled extent of place of Category B places	Features identified as exclusions
Use							
Rural							
(A20)	Farming (except grazing of sheep, goats, llamas and alpacas) within the scheduled extent of place	D	D	D	D	D	
(A21)	Grazing of sheep, goats, llamas and alpacas	P	P	P	P	P	P
(A22)	Forestry	Pr	NC	NC	NC	NC	C - 15m from the perimeter of any scheduled archaeological site
(A23)	Conservation planting	D	D	D	D	D	P
Development							
Archaeological investigation							
(A24)	Non-invasive archaeological investigation	P	P	P	P	P	P
(A25)	Archaeological investigation not otherwise provided for as a permitted activity	RD	RD	RD	RD	RD	P
Tree removal							
(A26)	Removal of trees greater than 3m in height or greater than 300mm girth	D	D	D	D	D	P

D17.4.3 Activity table – Activities in Historic Heritage Areas [dp]

		Contributing sites/features	Non-contributing sites/features	Features identified as exclusions
Development				
Demolition or destruction				
(A27)	Demolition or destruction of 30 per cent or more by volume or footprint (whichever is the greater) of any feature Note: Demolition or destruction of less than 30%, by volume or footprint (whichever is greater) of any feature; is considered under 'Modifications and Restorations' – Activity (A33), in this table (D17.4.3)	D	C	P
Relocation				
(A28)	Relocation of features (including buildings or structures) within an Historic Heritage Area	D	C	C
(A29)	Relocation of features (including buildings or structures) beyond the Historic Heritage Area	D	C	P
Maintenance and repair				
(A30)	Maintenance and repair of features (including buildings or structures)	P	P	P
(A31)	Maintenance and repair of gardens, lawns, driveways, parking areas, effluent disposal systems, swimming pools, sports fields, courts and grounds, bridle paths, footpaths, cycle and walking tracks, including the planting of vegetation	P	P	P
(A32)	Pest plant removal, biosecurity tree works	P	P	P
Modifications and restoration				
(A33)	Modifications to, or restoration of, a building, structure, or feature, within a Historic Heritage Area except for controlled and restricted discretionary activities specifically listed in this table	RD	C	P
New buildings and structures				
(A34)	New buildings or structures within a Historic Heritage Area	RD	RD	
Signs and temporary buildings, structures and signs				
(A35)	Temporary buildings, structures and signs, including buildings, structures and signs accessory to a temporary activity	P	P	P
(A36)	Identification and safety signs	P	P	P
(A37)	Signs not otherwise specified	RD	RD	

(A38)	Security lighting and alarm systems	P	P	P
Subdivision				
(A39)	Subdivision of land within a Historic Heritage Area	D	RD	
Use				
(A40)	Farming provided for as a permitted activity in the underlying zone within a Historic Heritage Area, except where archaeological controls apply	P	P	P

D17.4. Notification

- (1) An application for resource consent for the following controlled or restricted discretionary activities listed in Table D17.4.1 Activity Table – Activities affecting Category A, A* and B scheduled places, Table D17.4.2 Activity table - Activities subject to additional archaeological rules or Table D17.4.3 Activity table – Activities in Historic Heritage Areas will be considered without public or limited notification, or need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:
- (a) modifications to buildings, structures or features of a scheduled historic heritage place specifically for seismic strengthening;
 - (b) restoration activities;
 - (c) signs not otherwise provided for as a permitted activity ;
 - (d) subdivision of non-contributing sites in a Historic Heritage Area;
 - (e) archaeological investigations not otherwise provided for as a permitted activity in Table D17.4.2 Activity Table - Activities subject to additional archaeological rules;
 - (f) demolition of buildings or structures on non-contributing sites within Historic Heritage Area;
 - (g) demolition of buildings or structures identified as exclusions in [Schedule 14.1 Schedule of Historic Heritage](#); or
 - (h) maintenance and repair that does not comply with all of the standards in D17.6.
- (2) Any application for a resource consent not provided for in rule D17.5 (1)(a) to (h) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) 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\(4\)](#).

D17.5. Standards

All activities listed as permitted in Table D17.4.1 Activity Table – Activities affecting Category A, A* and B scheduled places, Table D17.4.2 Activity table - Activities subject to additional archaeological rules and Table D17.4.3 Activity table – Activities in Historic Heritage Areas must comply with the following permitted activity standards.

D17.5.1. Demolition, destruction or relocation of free-standing features identified as exclusions, and features identified as exclusions

- (1) The total or substantial demolition, destruction, or relocation (including temporary relocation) of free-standing features identified as exclusions, and features identified as exclusions, must not involve earthworks or disturbance of land or the foreshore or seabed where archaeological controls apply, other than as provided for as a permitted activity in Table D17.4.2 Activity table – Activities subject to additional archaeological rules.

D17.5.2. Maintenance and repair of features (including buildings and structures) excluding features identified as exclusions, and non-contributing sites or features within Historic Heritage Areas

- (1) The maintenance and repair of features (including buildings and structures) excluding features identified as exclusions, and non-contributing sites or features within Historic Heritage Areas, must not result in any of the following:
 - (a) changes to the existing surface treatment of fabric, painting of any previously unpainted surface, or the rendering of any previously un-rendered surface;
 - (b) the use of abrasive or high-pressure cleaning methods, such as sand or water-blasting;
 - (c) the affixing of scaffolding to the building or structure;
 - (d) changes to the design, texture, or form of the fabric;
 - (e) changes to the extent, floor levels, location of internal walls, form, proportion and scale of the building or structure;
 - (f) the use of materials other than those the same as the original or most significant fabric, or the closest equivalent; or
 - (g) earthworks or disturbance of land or the foreshore or seabed being undertaken where archaeological controls apply, other than as provided for as a permitted activity.

D17.5.3. Maintenance and repair of gardens, lawns, garden amenities, driveways, parking areas, effluent disposal systems, swimming pools, sports fields, courts and grounds, bridle paths, footpaths, cycle and walking tracks, including the planting of vegetation

- (1) The maintenance and repair of gardens, garden amenities, lawns, effluent disposal systems, swimming pools, bridle paths, footpaths, cycle and walking tracks, including the planting of vegetation within a scheduled extent of place, excluding features identified as exclusions, or non-contributing sites or features in Historic Heritage Areas, must not result in any of the following:

- (a) the removal of any tree or other planting identified in [Schedule 14.1 Schedule of Historic Heritage](#);
- (b) earthworks or disturbance of land or the foreshore or seabed, where archaeological controls apply, other than as provided for as a permitted activity in Table D17.4.2 Activity table – Activities subject to additional archaeological rules; or
- (c) the planting of a tree where archaeological controls apply, other than as a replacement for a pre-existing tree where it is planted within the root plate of the pre-existing tree.

- (2) The maintenance and repair of driveways, parking areas, sports fields, courts and grounds within a scheduled extent of place, excluding features identified as exclusions, or non-contributing sites or features in Historic Heritage Areas, must not result in earthworks that extend more than 300mm below the surface where archaeological controls apply.

D17.5.4. Pest plant removal, biosecurity tree works and tree and vegetation removal, trimming and alteration

- (1) Must not result in the removal of any tree or other planting specifically identified in [Schedule 14.1 Schedule of Historic Heritage](#), other than features identified as exclusions, or non-contributing sites or features in Historic Heritage Areas.
- (2) Works within scheduled historic heritage places that are subject to archaeological controls must be undertaken:
 - (a) using hand-operated tools (including hand-held mechanical tools); and
 - (b) must not involve earthworks or disturbance of land or the foreshore or seabed, other than as provided for as a permitted activity.

D17.5.5. Modifications to buildings, structures, fabric or features of a scheduled historic heritage place identified as exclusions

- (1) Modifications to features identified as exclusions must not result in any of the following:
 - (a) changes to the footprint, height or volume of any building or structure;
 - (b) changes to floor levels or the external openings of buildings where modifications are made to interiors identified as exclusions; or

- (c) earthworks or disturbance of land or the foreshore or seabed being undertaken where archaeological controls apply, other than as provided for as a permitted activity.

D17.6.5A. Trimming and alteration of specific trees identified in Schedule 14.1

- (1) The maximum branch diameter must not exceed 50mm at severance.
- (2) No more than 10 per cent of live growth of the tree may be removed in any one calendar year.
- (3) The works must meet best arboriculture practice.
- (4) All maintenance and trimming must retain the natural shape, form, and branch habit of the tree.

D17.6.5B. Modification to grave ledgers to allow the insertion of cremated ash remains

- (1) Apertures for insertion of cremated remains must:
 - (a) be cut or drilled;
 - (b) not exceed a maximum dimension of 250mm; and
 - (c) be repaired or covered by a plaque following insertion. Repairs shall comply with standard D17.6.2. Plaques shall not exceed 0.5m². Plaques shall be of copper alloy or a material that is the same as the original or most significant fabric on the grave, or the closest equivalent.

D17.5.6. Temporary buildings and structures and signs including those accessory to a temporary activity

- (1) Temporary buildings, structures and signs, including those accessory to a temporary activity, but excluding internal shop displays that do not result in modifications to a scheduled place, must not result in any of the following:
 - (a) earthworks or disturbance of the foreshore or seabed being undertaken where archaeological controls apply, other than as provided for as a permitted activity Table D17.4.2 Activity table – Activities subject to additional archaeological rules, or that is provided for in a related resource consent;
 - (b) the building, structure or sign being attached, painted, fixed or projected on to any existing building, structure or feature within the scheduled historic heritage place, other than a building, structure or feature identified in the exclusions column in [Schedule 14.1 Schedule of Historic Heritage](#); or
 - (c) being in place longer than either:

- (i) the maximum duration of the temporary activity, where the building or structure is ancillary to a temporary activity; or
- (ii) 21 consecutive days in any 60-day period.

D17.6.6A. Modifications to buildings, structures or features of a scheduled historic heritage place for invasive seismic investigation

- (1) Modifications to buildings, structures, or features of a scheduled historic heritage place for invasive seismic investigation must not result in any of the following:
 - (a) holes, cuts or drilling in visually obvious locations;
 - (b) holes, cuts or drilling in or through original panel finishes such as but not limited to timber, pressed metal;
 - (c) removal of original fabric;
- (2) All investigation works must be repaired/made good with the same material as the original fabric, or the closest equivalent

D17.5.7. Identification and safety signs

- (1) Identification and safety signs within scheduled historic heritage places, other than road safety signs in accordance with New Zealand standards, or identification signs within the interiors of buildings where the interior is identified as an exclusion, must not:
 - (a) be attached, painted, fixed, or projected on to the exterior of any scheduled building, object, feature, or structure;
 - (b) exceed two signs per scheduled historic heritage place (taking only one side of double-sided signs into account, or if a sign has more than two sides, then taking all of the faces of the sign into account);
 - (c) exceed 0.5m² per sign;
 - (d) be flashing, illuminated or variable; or
 - (e) involve any disturbance of land or the foreshore or seabed to construct the sign where archaeological rules in Table D17.4.2 Activity table – Activities subject to additional archaeological rules apply.
- (2) Identification and safety signs must be for one or more of the following purposes:
 - (a) to provide information relating directly to the on-site activities or uses;
 - (b) to aid traffic or maritime safety or navigation or provide public health and safety information;
 - (c) to provide interpretive material on the heritage values of the place; or

(d) to provide directional and way-finding information.

D17.5.8. Non-invasive archaeological investigation

- (1) Non-invasive archaeological investigation involving minor earthworks or disturbance of the foreshore or seabed for the purpose of defining the location or extent of archaeological sites or features must comply with all of the following:
 - (a) not be undertaken in areas where archaeological remains are evident, or known to be present;
 - (b) not disturb or remove any archaeological material encountered during an investigation;
 - (c) conform to accepted archaeological practice;
 - (d) not involve the use mechanical tools, but use a probe not exceeding a diameter of 10mm, or a spade;
 - (e) not result in spade holes that exceed 250mm x 250mm in size; and
 - (f) on completion of works reinstate the ground to at least the state existing prior to the commencement of any works.

D17.6. Assessment – controlled activities

D17.6.1. Matters of control

The Council will reserve its control to the following matters when assessing a controlled activity resource consent application:

- (1) the demolition or destruction of 30 per cent or more by volume or footprint (whichever is the greater) of features identified as exclusions where the feature is connected to a scheduled feature, and non-contributing sites or features in a Historic Heritage Area:
 - (a) the method of demolition or destruction;
 - (b) the effects on the heritage values of any scheduled historic heritage place connected to the feature being demolished; and
 - (c) ground reinstatement and finished contours and surfaces.
- (2) relocation of features within the extent of place where identified as an exclusion; or beyond the extent of place where identified as an exclusion and the feature is connected to a scheduled feature; or identified as non-contributing or excluded site or feature in a Historic Heritage Area:
 - (a) the method of relocation;

- (b) the effects on the heritage values of a scheduled historic heritage place;
 - (c) the effects on the views to, from or within, a scheduled historic heritage place; and
 - (d) ground reinstatement and finished contours and surfaces.
- (3) modifications for the purpose of seismic strengthening where the feature is identified as an exclusion and the feature is connected to a scheduled feature:
- (a) the method of seismic strengthening and effects on the scheduled historic heritage place.
- (4) forestry 15m from the perimeter of any scheduled archaeological site:
- (a) the effects of root disturbance, felling and extraction on archaeological sites.

D17.6.2. Assessment criteria

The Council will consider the relevant assessment criteria below for controlled activities:

- (1) for controlled activities in D17.7.1(1), (2) and (3):
- (a) the extent to which the proposal will affect the identified values of the scheduled historic heritage place it relates to, including the setting, and the measures to avoid, remedy or mitigate adverse effects on the scheduled historic heritage place;
 - (b) whether the method and techniques proposed will minimise the risk of damage to, or loss of value, of a scheduled historic heritage place;
 - (c) whether any earthworks or land disturbance are designed and located to avoid adverse effects on the stability and structural integrity of a scheduled historic heritage place;
 - (d) whether any archaeological site will be affected by the proposed works and the measures taken to avoid any adverse effects; and
 - (e) the extent to which works proposed for seismic strengthening purposes addresses anticipated effects on the scheduled historic heritage place.
- (2) for forestry 15m from the perimeter of any scheduled archaeological site:
- (a) the extent to which the forestry activity will adversely affect a scheduled archaeological site and the measures to avoid, remedy or mitigate any adverse effects.

D17.7. Assessment – restricted discretionary activities

D17.7.1. Matters of discretion

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

- (1) for all restricted discretionary activities in Table D17.4.1 Activity table – Activities affecting Category A, A* and B scheduled places, Table D17.4.2 Activity table - Activities subject to additional archaeological rules and Table D17.4.3 Activity table – Activities in Historic Heritage Areas and for activities that do not meet one or more of the standards in D17.6:
 - (a) effects on the known heritage values of a historic heritage place from the scale, location, design, (including materials), duration and extent of the proposal, the construction methodology and associated site works;
 - (b) effects on the inter-relationship between buildings, structures and features within the place;
 - (c) effects of the proposal on the overall significance of the place;
 - (d) effects on the inter-relationship between contributing places within a Historic Heritage Area, including the views to, within or from the place or area;
 - (e) the purpose and necessity for the works and any alternatives considered;
 - (f) effects of the proposal on the long-term viability and/or the ongoing functional use of the place; and
 - (g) the provisions of a conservation plan where one has been prepared for the scheduled historic heritage place.
- (2) additional matters for signs not provided for as a permitted activity:
 - (a) the duration of the sign or structure;
 - (b) the content and visual appearance of the sign; and
 - (c) the method of constructing or affixing the sign or structure.
- (3) additional matters for modifications to buildings, structures, or features specifically for seismic strengthening:
 - (a) the method proposed to be used for seismic strengthening, and the consideration of alternative methods; and
 - (b) the consideration of the use of the scheduled historic heritage place in relation to the level of seismic strengthening required.

D17.7.2. Assessment criteria

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

- (1) for restricted discretionary activities in Table D17.4.1 Activity table – Activities affecting Category A, A* and B scheduled places, Table D17.4.2 Activity table - Activities subject to additional archaeological rules and Table D17.4.3 Activity table – Activities in Historic Heritage Areas:
 - (a) whether the proposed works will result in adverse effects (including cumulative adverse effects) on the heritage values of the place and the extent to which adverse effects are avoided, remedied or mitigated;
 - (b) whether the proposed works will maintain or enhance the heritage values of the place, including by:
 - (i) avoiding or minimising the loss of fabric that contributes to the significance of the place;
 - (ii) removing features that compromise the heritage values of the place;
 - (iii) avoiding significant adverse effects on the place, having regard to the matters set out in [B5 Historic heritage and special character](#);
 - (iv) complementing the form and fabric which contributes to, or is associated with, the heritage values of the place; and
 - (v) recovering or revealing the heritage values of the place.
 - (c) whether the proposed works will compromise the ability to interpret features within the place and the relationship of the place to other scheduled historic heritage places;
 - (d) whether the proposed works, including the cumulative effects of proposed works, will result in adverse effects on the overall significance of the place such that it no longer meets the significance thresholds for which it was scheduled;
 - (e) whether the proposed works will be undertaken in accordance with good practice conservation principles and methods appropriate to the heritage values of the place;
 - (f) whether the proposal contributes to, or encourages, the long-term viability and/or ongoing functional use of the place;
 - (g) whether modifications to buildings, structures, or features specifically for seismic strengthening;

- (i) consider any practicable alternative methods available to achieve the necessary seismic standard that will reduce the extent of adverse effects on the significance of the place; and
 - (ii) take into account the circumstances relating to the ongoing use and retention of the place that affect the level of seismic resilience that is necessary to be achieved.
- (h) whether the proposed relocation of features, within or beyond scheduled extents of place, in addition to the criteria above;
 - (i) is necessary in order to provide for significant public benefit that could not otherwise be achieved; and
 - (ii) the significant public benefit outweighs the retention of the feature in its existing location within the extent of place.

D17.8. Special information requirements

- (1) An application for resource consent for works affecting scheduled historic heritage places must be accompanied by a heritage impact assessment that is commensurate to the effects of the proposed works on the overall significance of a historic heritage place, and taking into account whether the works affect a primary, non-primary, non-contributing or excluded site or feature.
- (2) Any application for modifications specifically for seismic strengthening must include a plan detailing the methodology for dismantling, removal, relocation and reassembly of the building or structure or its parts.
- (3) Applications for subdivision, or the total or substantial demolition or destruction or relocation of a scheduled historic heritage place shall provide details of the proposed development or development potential that will be enabled by the subdivision, destruction or demolition or relocation.
- (4) A conservation plan where one has been prepared shall be provided for:
 - (a) Category A places where the application is for:
 - (i) substantial demolition or destruction;
 - (ii) relocation within the scheduled extent of place; or
 - (iii) significant restoration or modification works.
 - (b) Category A* and B places where the application is for:
 - (i) total or substantial demolition or destruction;
 - (ii) relocation; or
 - (iii) forestry.

D18. Special Character Areas Overlay – Residential and Business

The Special Character Areas Overlay – Residential and Business is identified as a qualifying matter in accordance with sections 77I(j) and 77O(j) of the RMA.

D18.1. Background

The Special Character Areas Overlay – Residential and Business seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.

Each special character area is supported by a ~~Special~~ special character area statement identifying the key special character values of the area (see [Schedule 15 Special Character Schedule, Statements and Maps](#)). Assessment of proposals for development and modifications to buildings within special character areas will be considered against the relevant policies and the special character area-statements and the special character values that are identified in those statements. These values set out and identify the overall notable or distinctive aesthetic, physical and visual qualities of the area and community associations.

Standards have been placed on the use, development and demolition of buildings to manage change in these areas.

Special character areas are provided for as follows:

- (1) Special Character Areas - Business; and
- (2) Special Character Areas – Residential; and
- (3) Special Character Areas - General (both residential and business).

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential provisions will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business provisions will apply.

The following areas are identified as special character areas:

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Balmoral Tram Suburb, West	Special Character Areas Overlay – Business : Howick	Special Character Areas Overlay – General : Balmoral Tram Suburb, East
Special Character Areas Overlay – Residential : Helensville	Special Character Areas Overlay – Business : Balmoral Shopping Centre	Special Character Areas Overlay – General : Foch Avenue and Haig Avenue
Special Character Areas Overlay – Residential :	Special Character Areas Overlay – Business : Eden Valley	Special Character Areas Overlay – General : Hill Park

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
North Shore—Birkenhead Point		
Special Character Areas Overlay—Residential : North Shore—Devonport and Stanley Point	Special Character Areas Overlay—Business : Ellerslie	Special Character Areas Overlay—General : Puhoi
Special Character Areas Overlay—Residential : North Shore—Northcote Point	Special Character Areas Overlay – Business : Grey Lynn	<u>Special Character Areas Overlay – General : North Shore – Birkenhead Point</u>
Special Character Areas Overlay – Residential : Early Road Links	Special Character Areas Overlay – Business : Helensville Central	<u>Special Character Areas Overlay – General : North Shore – Devonport and Stanley Point</u>
Special Character Areas Overlay – Residential : Kings Road and Princes Avenue	Special Character Areas Overlay – Business : Kingsland	<u>Special Character Areas Overlay – General : North Shore – Northcote Point</u>
Special Character Areas Overlay – Residential : Isthmus A	Special Character Areas Overlay – Business : Lower Hinemoa Street	
Special Character Areas Overlay – Residential : Isthmus B – Remuera	Special Character Areas Overlay – Business : Devonport	
Special Character Areas Overlay—Residential : Isthmus B—Remuera / Meadowbank	Special Character Areas Overlay – Business : Mt Eden Village	
Special Character Areas Overlay—Residential : Isthmus B—Mission Bay	Special Character Areas Overlay – Business : Newmarket	
Special Character Areas Overlay—Residential : Isthmus B—St Heliers	Special Character Areas Overlay – Business : Parnell	
Special Character Areas Overlay—Residential : Isthmus B—Herne Bay	Special Character Areas Overlay – Business : Ponsonby Road	
Special Character Areas Overlay—Residential : Isthmus B—Parnell	Special Character Areas Overlay – Business : Sandringham	

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Isthmus B – Epsom	Special Character Areas Overlay – Business : Upper Symonds Street	
Special Character Areas Overlay – Residential : Isthmus B – Epsom/Greenlane	Special Character Areas Overlay – Business : West Lynn	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part A)	Special Character Areas Overlay – Business :	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part B)	Special Character Areas Overlay – Business : Otahuhu	
Special Character Areas Overlay – Residential : Isthmus B – Mount Albert		
Special Character Areas Overlay – Residential : Isthmus B – Mount Roskill		
Special Character Areas Overlay – Residential : Isthmus B – Otahuhu		
Special Character Areas Overlay – Residential : Isthmus C – St Heliers		
Special Character Areas Overlay – Residential : Isthmus C – Mount Eden		
Special Character Areas Overlay – Residential : Isthmus C – Three Kings		
Special Character Areas Overlay – Residential : Isthmus C – Mount Albert		
Special Character Areas Overlay – Residential :		

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Isthmus C— Remuera/Epsom		
Special Character Areas Overlay—Residential : Station Road, Papatoetoe		
Special Character Areas Overlay – Residential : Pukehana Avenue		

The special character area statements are located in [Schedule 15 Special Character Schedule, Statements and Maps](#).

The location and extent of the Special Character Areas Overlay – Residential and Business are shown in the planning maps. The following special character areas are located in [Schedule 15 Special Character Schedule, Statements and Maps](#):

Special Character Areas Overlay—Residential	Special Character Areas Overlay—Business	Special Character Areas Overlay—General (both Residential and Business)
Special Character Areas Overlay—Residential : Balmoral Tram Suburb, West	Special Character Areas Overlay—Business : Balmoral Shopping Centre	Special Character Areas Overlay—General : Balmoral Tram Suburb, East
Special Character Areas Overlay—Residential : Helensville	Special Character Areas Overlay—Business : Eden Valley	Special Character Areas Overlay—General : Foch Avenue and Haig Avenue
Special Character Areas Overlay—Residential : North Shore—Birkenhead Point	Special Character Areas Overlay—Business : Ellerslie	
Special Character Areas Overlay—Residential : North Shore—Devonport and Stanley Point	Special Character Areas Overlay—Business : Grey Lynn	
Special Character Areas Overlay—Residential : North Shore—Northcote Point	Special Character Areas Overlay—Business : Helensville Central	
Special Character Areas Overlay—Residential : Early Road Links	Special Character Areas Overlay—Business : Kingsland	

Special Character Areas Overlay – Residential	Special Character Areas Overlay – Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Kings Road and Princes Avenue	Special Character Areas Overlay – Business : Lower Hinemoa Street	
Special Character Areas Overlay – Residential : Isthmus B – Remuera	Special Character Areas Overlay – Business : Devonport	
Special Character Areas Overlay – Residential : Isthmus B – Remuera / Meadowbank	Special Character Areas Overlay – Business : Mt Eden Village	
Special Character Areas Overlay – Residential : Isthmus B – Mission Bay	Special Character Areas Overlay – Business : Newmarket	
Special Character Areas Overlay – Residential : Isthmus B – St Heliers	Special Character Areas Overlay – Business : Parnell	
Special Character Areas Overlay – Residential : Isthmus B – Herne Bay	Special Character Areas Overlay – Business : Ponsonby Road	
Special Character Areas Overlay – Residential : Isthmus B – Parnell	Special Character Areas Overlay – Business : Sandringham	
Special Character Areas Overlay – Residential : Isthmus B – Epsom	Special Character Areas Overlay – Business : Upper Symonds Street	
Special Character Areas Overlay – Residential : Isthmus B – Epsom/Greenlane	Special Character Areas Overlay – Business : West Lynn	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part A)	Special Character Areas Overlay – Business : Onehunga	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part B)	Special Character Areas Overlay – Business : Otahuhu	

Special Character Areas Overlay – Residential	Special Character Areas Overlay – Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Isthmus B – Mount Albert	Special Character Areas Overlay – Business : Howick	
Special Character Areas Overlay – Residential : Isthmus B – Mount Roskill		
Special Character Areas Overlay – Residential : Isthmus B – Otahuhu		
Special Character Areas Overlay – Residential : Isthmus C – St Heliers		
Special Character Areas Overlay – Residential : Isthmus C – Mount Eden		
Special Character Areas Overlay – Residential : Isthmus C – Three Kings		
Special Character Areas Overlay – Residential : Isthmus C – Mount Albert		
Special Character Areas Overlay – Residential : Isthmus C – Remuera/Epsom		
Special Character Areas Overlay – Residential : Station Road, Papatoetoe		
Special Character Areas Overlay – Residential : Pukehana Avenue		

The maps for the following special character areas are only provided in the planning maps:

Special Character Areas Overlay – Residential	Special Character Areas Overlay – Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Isthmus A		Special Character Areas Overlay – General : Hill Park

Special Character Areas Overlay – Residential: Pukehana Avenue		Special Character Areas Overlay – General: Puhoi
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D18.2. Objectives

Special Character Areas Overlay – Residential and Business

- (1) The special character values of the area, as identified in the special character area statement are maintained and enhanced.
- (2) The physical attributes that define, contribute to, or support the special character of the area are retained, including:
 - (a) built form, design and architectural values of buildings and their contexts;
 - (b) streetscape qualities and cohesiveness, including historical form of subdivision and patterns of streets and roads; and
 - (c) the relationship of built form to landscape qualities and/or natural features including topography, vegetation, trees, and open spaces.
- (3) The adverse effects of subdivision, use and development on the identified special character values of the area are avoided, remedied or mitigated.

D18.3. Policies

Special Character Areas Overlay - Residential

- (1) Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.
- (2) Maintain and enhance the built form, design and architectural values of the buildings and the area, as identified in the special character area statement, so that new buildings, alterations and additions to existing buildings, infrastructure and subdivision (where applicable):
 - (a) maintain the continuity or coherence of the identified special character values of the area;
 - (b) maintain the streetscape qualities and cohesiveness;
 - (c) respond positively to the design, scale, height, setback and massing of existing development, any distinctive pattern of subdivision, intensity of development, its relationship to the street, streetscape cohesiveness and is of a compatible form which contributes to the identified special character values of the area;

- (d) maintain the relationship of built form to open space and landscape context;
 - (e) maintain the setting of the special character area, where these features, such as mature trees and landform, contribute to the special character values of the area;
 - (f) enable the removal of additions and features that detract from the special character of the building or identified special character of the wider area;
 - (g) minimise the loss of built fabric and encourage maintenance and repair;
 - (h) require new materials to be compatible with the age, detailing, finishes and colour; and
 - (i) recover or reveal special character values of buildings and features.
- (3) Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement.
- (4) Require any application for demolition or removal of a building in a special character area to, on its own or cumulatively as a result of other removals or demolition, demonstrate that the loss of the building:
- (a) would not erode the identified special character values of the area; and
 - (b) would not disrupt the cohesiveness of the streetscape and wider special character area, including links with scheduled historic heritage places.
- (5) Encourage the on-going use and maintenance of buildings in special character areas.
- (6) Manage the design and location of car parking, garaging and accessory buildings to maintain and enhance the streetscape and special character values of the area, as identified in the special character area statement.
- (7) Encourage the retention of special features such as boundary walls, fences, paths and plantings that contribute to the character of the area.

Special Character Areas Overlay – Business

- (8) Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.
- (9) Identify individual buildings that contribute to the identified special character according to the following descriptions:

- (a) character defining – makes a considerable contribution to the character of the area because of historical, physical and visual qualities; and
 - (b) character supporting – makes a moderate contribution to the character of the area. The building should contribute to the appearance, quality, and identity of the area and should be consistent with the values of character-defining places.
- (10) Require any application for demolition or removal of a character-defining and character-supporting building in a Special Character Area- Business to, on its own or cumulatively as a result of other demolition, demonstrate that the loss of the building:
 - (a) would not erode the identified special character values of the area; and
 - (b) would not disrupt the cohesiveness of the streetscape and wider special character area, including links with scheduled historic heritage places.
- (11) Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement.
- (12) Require new buildings, alterations or additions to existing buildings, or infrastructure, which are within the overlay but are not character defining or character supporting buildings, to maintain the integrity of the context of the area by providing quality design, materials, colour and decoration which respects and enhances the built form and streetscape of the area.
- (13) Require new buildings, additions and alterations to existing character defining and character-supporting buildings, to be compatible with and respect the special character and existing scale of development.
- (14) Encourage the ongoing use and maintenance of buildings in special character areas.

D18.4. Activity table

- (1) Table D18.4.1 Activity table Special Character Areas Overlay – Residential specifies the activity status of land use and development for activities in the Special Character Area Overlay – Residential pursuant to section 9(3) of the Resource Management Act 1991.
- (2) Areas in the Special Character Areas Overlay – General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay – Residential rules in Table D18.4.1 Activity table will apply and for any site/s in a business zone, the Special Character Areas Overlay – Business rules in Table D18.4.2 Activity table will apply.

- (3) Where the activity status of an activity specified in Table D18.4.1 is different to the corresponding activity status in the underlying zone, then the activity status in Table D18.4.1 takes precedence over the activity status in the underlying zone (whether or not that activity status is more restrictive). Where an activity is not provided for in Table D18.4.1, the activity will have the activity status provided in the underlying zone. All other relevant overlay, precinct, Auckland-wide and general rules apply.
- (4) Rules for network utilities and electricity generation in the Special Character Areas Overlay – Residential and Business are located in E26 Infrastructure.
- (5) Rules for subdivision in the Special Character Areas Overlay – Residential and Business are located in E38 Subdivision Urban.

Table D18.4.1 Activity table – Special Character Areas Overlay – Residential

Activity		Activity status	<u>Standards to be complied with</u>
Development			
(A1)	Restoration <u>Maintenance</u> and repair to a building on all sites in the Special Character Areas Overlay–Residential or the Special Character Areas Overlay – General (with a residential zoning)	P	
(A2)	Minor alterations to the rear of a building on all sites in the Special Character Area Overlay – Residential or Special Character Areas Overlay – General (with a residential zoning) where works to the building use the same design and materials to the existing building	P	<u>Standard D18.6.1.1 Building height; Standard D18.6.1.2 Height in relation to boundary; Standard D18.6.1.3 Yards; Standard 18.6.1.4 Building coverage; Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Front, side and rear fences, walls</u>
(A3)	Total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas) of a building, or the removal of a building (excluding accessory buildings), or the relocation of a building within <u>any site subject to demolition, relocation and removal rules</u>	RD	

	<p><u>as shown in either the Property Summary in the planning maps or the Special Character Area Map in Schedule 15 Special Character Schedule, Statements and Maps</u></p> <p>The site on:</p> <p>(a) all sites in all the following Special Character Areas Overlay – Residential:</p> <p>(i) Special Character Area Overlay – Residential: Isthmus A;</p> <p>(ii) Special Character Areas Overlay – Residential: Pukehana Avenue;</p> <p>(iii) Special Character Area Overlay – General: Hill Park (those sites with a residential zone); and</p> <p>(iv) Special Character Area Overlay – General: Puhoi (those sites with a residential zone); and</p> <p>(b) all other sites identified as subject to demolition, removal or relocation rules as shown in the maps in the Special Character Areas Overlay Statements.</p>		
<u>(A3A)</u>	<p><u>Total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas) of a building, or the removal of a building (excluding accessory buildings), or the relocation of</u></p>	<u>P</u>	

	<u>a building within the site on all sites in the Special Character Areas Overlay – Residential not otherwise subject to Rule D18.4.1(A3)</u>		
(A4)	External alterations or additions to a building on all sites in the Special Character Areas Overlay–Residential or Special Character Areas Overlay – General (with a residential zoning)	RD	<u>Standard D18.6.1.1 Building height; Standard D18.6.1.2 Height in relation to boundary; Standard D18.6.1.3 Yards; Standard 18.6.1.4 Building coverage; Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Front, side and rear fences, walls</u>
(A5)	Construction of a new building or relocation of a building onto a site on all sites in the Special Character Area Overlay–Residential or Special Character Areas Overlay – General (those sites with a residential zone)	RD	<u>Standard D18.6.1.1 Building height; Standard D18.6.1.2 Height in relation to boundary; Standard D18.6.1.3 Yards; Standard 18.6.1.4 Building coverage; Standard D18.6.1.5 Landscaped area; Standard D18.6.1.6 Maximum impervious area; Standard D18.6.1.7 Front, side and rear fences, walls</u>
(A*)	<u>Construction of a minor dwelling on all sites in the Special Character Area Overlay–Residential or Special Character Areas Overlay – General (those sites with a residential zone)</u>	<u>P</u>	<u>Standard D18.6.1A.2 Minor dwellings</u>
(A*)	<u>Construction of a minor dwelling that does not meet Standard D18.6.1A.2</u>	<u>NC</u>	
(A5A)	Rainwater tank	P	<u>Standard D18.6.1.8 Rainwater tanks</u>
(A5B)	<u>New fences and walls, and alterations to existing fences and walls</u>	<u>P</u>	<u>Standard D18.6.1.7 Front, side and rear fences and walls</u>
(A5C)	<u>New fences and walls, and alterations to existing fences and walls that do not comply with Standard D18.6.1.7</u>	<u>RD</u>	

- (1) Table D18.4.2 Activity table – Special Character Area – Business specifies the activity status of ~~land use and~~ development for activities in the Special Character Area Overlay – Business pursuant to section 9(3) of the Resource Management Act 1991.
- (2) Areas in the Special Character Areas Overlay – General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay – Residential rules in Table D18.4.1 Activity table will apply and for any site/s in a business zone, the Special Character Areas Overlay – Business rules in Table D18.4.2 Activity table will apply.
- (3) The rules and standards in the Special Character Areas Overlay – Business are in addition to the rules and standards of the underlying business zone.
- (4) Rules for network utilities and electricity generation in the Special Character Areas Overlay – Residential and Business are located in [E26 Infrastructure](#).
- (5) Identified character defining buildings and identified character supporting buildings are shown in either the Property Summary in the planning maps or the Special Character Area Map in [Schedule 15 Special Character Schedule, Statements and Maps](#).

Table D18.4.2 Activity table – Special Character Areas Overlay – Business

Activity		Activity status
Development		
Special Character Areas Overlay – Business with identified character defining buildings		
(A6)	External redecoration and repair to a character defining building	P
(A7)	Alterations to the rear of a character defining building	P
(A8)	Additions to a character defining building	RD
(A9)	Total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a character defining building	D
(A10)	Any demolition of the front façade of a character defining building	RD
(A11)	Alterations to a character defining building not otherwise provided for above	RD
(A12)	New buildings	RD
(A13)	Alterations and additions to buildings, not identified as character defining buildings	RD
Special Character Areas Overlay – Business with identified character supporting buildings		
(A14)	External redecoration and repair of a character supporting building	P

(A15)	Alterations to the rear of a character supporting building, except on corner sites where the works use a similar design and materials to the existing building	P
(A16)	Additions to a character supporting building	RD
(A17)	Alterations to a character supporting building not otherwise provided for above	RD
(A18)	Total or substantial demolition of a character supporting building (exceeding 30 per cent or more, by area, of wall elevations and roof area)	RD
(A19)	Any demolition of the front façade of a character supporting building	RD
(A20)	New buildings	RD
(A21)	Alterations and additions to buildings not identified as character supporting buildings	RD
Special Character Areas Overlay – Business with no identified character defining or character supporting buildings		
(A22)	External redecoration and repair of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	P
(A23)	Alterations to the rear of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	P
(A24)	Additions to a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD
(A25)	Alterations to a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD
(A26)	Total or substantial demolition of a building (exceeding 30 per cent or more, by area, of wall elevations and roof area) in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD
(A27)	New buildings in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD

D18.5. Notification

- (1) Any application for resource consent for an activity listed in Table D18.4.1 or Table D18.4.2 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\(4\)](#).

D18.6. Standards

D18.6.1. Standards for buildings in the Special Character Areas Overlay – Residential

All activities listed in Table D18.4.1 Activity table – Special Character Areas Overlay – Residential must comply with the following standards.

D18.6.1A Standards for uses in the Special Character Areas Overlay – Residential

All uses listed in Table D18.4.1A Activity table – Special Character Areas Overlay – Residential must comply with the following standards, as relevant to the use.

D18.6.1A.2 Minor dwellings

Purpose:

- to ensure minor dwellings do not detract from the special character values of an area.

(1) A minor dwelling must comply with all the standards within H3.6.4:

(2) Where the minor dwelling is a standalone building, on a front site, it must be sited to the rear of the principal dwelling.

(3) There must be no more than two existing dwellings on the site.

(4) Any garage or carport provided for the minor dwelling must not exceed 18m².

D18.6.1.1. Building height

Purpose: to manage the height of buildings to:

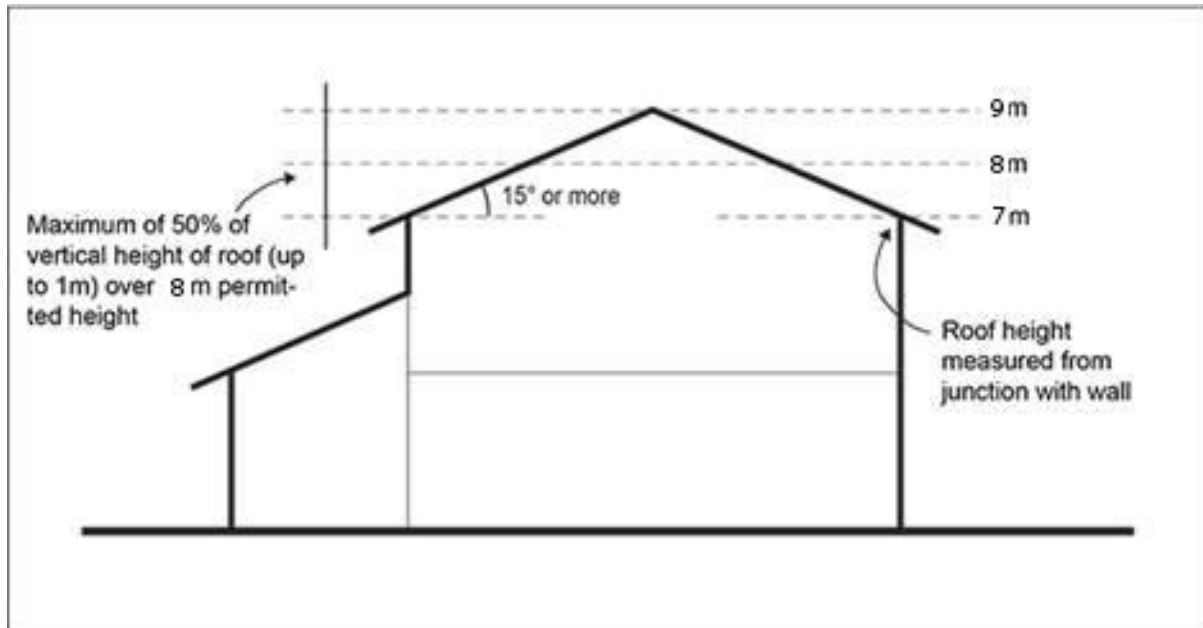
- retain the existing built form character of predominantly one to two storeys in established residential neighbourhoods;
- maintain the relationship of built form to the street and open space; and
- maintain a reasonable level of sunlight access and minimise visual dominance effects for adjoining sites.

(1) Buildings in the Special Character Areas Overlay – Residential must not exceed

- 10m height in Isthmus B
- 8m height in all other Special Character Areas Residential

except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more. This is shown in Figure D18.6.1.1.1 Building height in the Special Character Areas Overlay – Residential.

Figure D18.6.1.1.1 Building height in the Special Character Areas Overlay – Residential



D18.6.1.2. Height in relation to boundary

Purpose: to manage the height and bulk of buildings to:

- retain the character of the streetscape;
- enable a built form that reflects the identified character of the area; and
- maintain a reasonable level of sunlight access and minimise visual dominance and privacy effects to immediate neighbours.

(1) Buildings in the Special Character Areas Overlay – Residential must not project above a 45-degree recession plane measured from a point 3m above the ground level along any boundary of the site.

(2) Standard D18.6.1.2(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

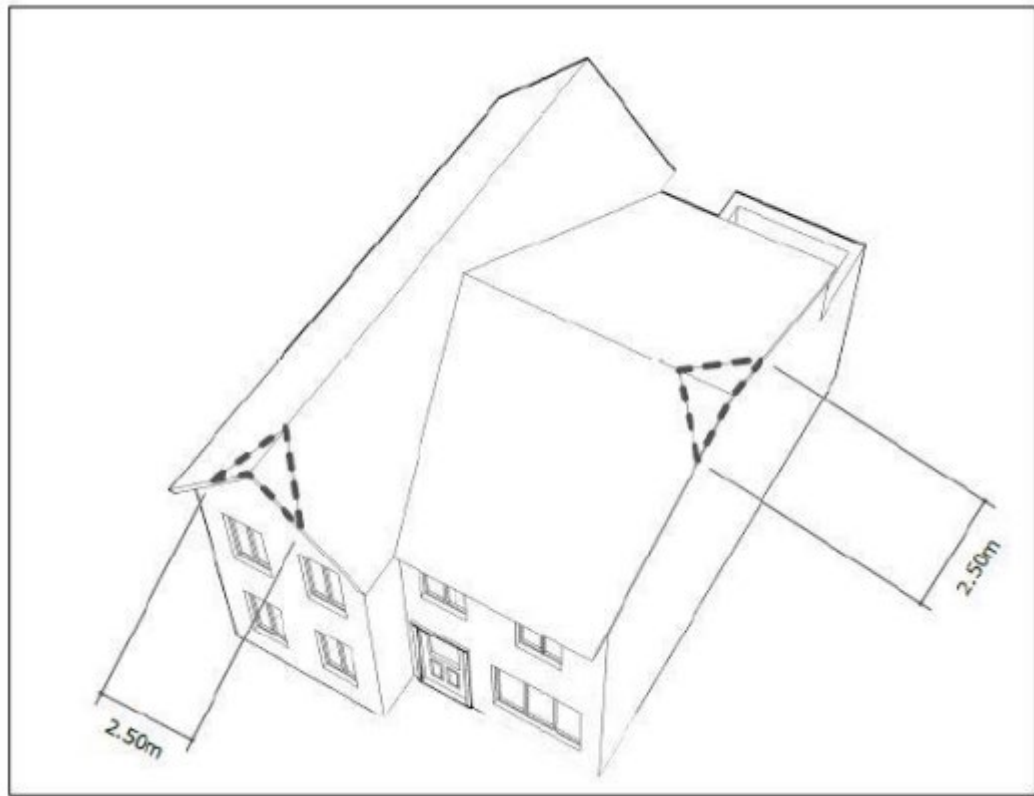
(3) Where the boundary forms part of a legal right of way, entrance strip, or access site, Standard D18.6.1.2(1) applies from the farthest boundary of the legal right of way, entrance strip or pedestrian accessway.

(4) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

(a) no greater than 1.5m² in area and no greater than 1m in height; and

(b) no greater than 2.5m cumulatively in length measured along the edge of the roof.

Figure D18.6.1.2.1 Exceptions for gable ends and dormers and roof projections



(5) No more than two gable ends, formers or roof projections are allowed for every 6m length of site boundary.

D18.6.1.3. Yards

Purpose:

- to retain the character of the streetscape by managing the set back of buildings from the road boundary and relationship of the building to the street;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to retain the relationship of buildings to landscape qualities and natural features;
- and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

(1) A building or parts of a building on a front site in the Special Character Overlay – Residential must be set back from the relevant boundary by the minimum depth listed in Table D18.6.1.3.1 Yards below:

Table D18.6.1.3.1 Yards

Yard	Minimum depth
Front	The average of existing setbacks of dwellings on adjacent sites, being the three

	sites on either side of the subject site or six sites on one side of the subject site
Side	1.2m
Rear	3m

- (2) A building or parts of a building on a rear site in the Special Character Overlay – Residential must be set back a minimum depth of 3m from at least two boundaries and 1.2m from all other boundaries.
- (3) Standard 18.6.1.3 does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) The underlying zone yard standards apply for all other yards not specified within Table D18.6.1.3.1.

D18.6.1.4. Building coverage

Purpose: to manage the extent of buildings on a site to:

- be commensurate with the existing built character of the neighbourhood; and
- ensure sufficient open space is retained on sites to maintain the character values of the area.

- (1) The maximum building coverage for sites in the Special Character Areas Overlay – Residential must not exceed the percentage of net site area listed in Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential below:

Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential

Site area	Building coverage
Up to 200m ²	55 per cent of the net site area
200m ² – 300m ²	45 per cent of the net site area
300m ² – 500m ²	40 per cent of the net site area
500m ² – 1,000m ²	35 per cent of the net site area
Greater than 1,000m ²	25 per cent of the net site area

D18.6.1.5. Landscaped area

Purpose:

- to maintain the landscaped character of the streetscape; and
- to provide a quality of environment that is consistent with the identified character of the area.

- (1) The minimum landscaped area for sites in the Special Character Areas Overlay – Residential is the percentage of net site area listed in Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential below:

Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential

Site area	Landscaped area
Up to 200m ²	28 per cent of the net site area
200m ² – 500m ²	33 per cent of the net site area
500m ² – 1,000m ²	40 per cent of the net site area
Greater than 1,000m ²	50 per cent of the net site area

- (2) At least 50 per cent of the front yard must comprise at least 50 per cent landscaped area.

D18.6.1.6. Maximum ~~paved area~~ impervious area

Purpose:

- to reinforce the building coverage and landscaped area standards; and
- to limit impervious areas on a site to maintain the identified character of the area.

- (1) The maximum ~~paved~~ impervious area for sites in the Special Character Areas Overlay – Residential must not exceed the percentage of net site area listed in Table D18.6.1.6.1 Maximum impervious ~~paved~~ area in the Special Character Areas Overlay – Residential below:

Table D18.6.1.6.1 Maximum impervious ~~paved~~ area in the Special Character Areas Overlay – Residential

Site area	Paved <u>Maximum impervious</u> area
Up to 200m ²	47 <u>72</u> per cent of the net site area
200m ² – 500m² <u>300m²</u>	20 <u>65</u> per cent of the net site area
500m² <u>300m²</u> – 1,000m ²	25 <u>60</u> per cent of the net site area
Greater than 1,000m ²	25 <u>50</u> per cent of the net site area

D18.6.1.7. Front, side and rear fences and walls ~~and other structures~~

Purpose:

- To retain the boundary fences and walls that contribute to the character of the area and ensure that new fences and walls complement the existing character of the streetscape and retain views of character buildings.

- (1) ~~Fences, and walls, and other structures~~, or any combination of these, in the Special Character Areas Overlay – Residential must not exceed ~~a the~~ height specified below, ~~measured from of 1.2m above~~ ground level.:
- (a) On the road boundary of the front yard and between the road boundary of the front yard and the primary façade of the dwelling, 1.2m in height.
 - (b) On the side boundary of the front yard, or between the dwelling and the side yard boundary, where the fence or wall is located forward of the primary façade of the dwelling, 1.2m in height.
 - (c) On any other boundary or within any other yard not described above, 2m in height
- (2) For dwellings on corner sites, D18.6.1.7(1)(a) applies to the road boundary of the front yard which is directly in front of the primary façade of the dwelling and to that part of any other front yard boundary with the road which is directly in front of the secondary façade. D18.6.1.7(c) applies to the remainder of any other front yard boundary with the road that is not directly in front of the secondary façade.
- (3) For the purposes of this standard, the primary or secondary façade of the dwelling means the front wall of the dwelling facing a street, and shall exclude projections including bay windows, verandahs, stairs, attached garages and similar projecting features.

D18.6.1.8. Rainwater tanks

Purpose: To enable rainwater tank installation while maintaining the character of the streetscape

- (1) Rainwater tanks must not be located in a front yard unless they are at least 1.5m from the front boundary and located wholly below ground level. This standard shall not apply to a rear service lane where the dwellings have frontage to a public street.
- (2) Rainwater tanks directly adjoining a side yard facing building façade or located within a side yard must be wholly below ground level or set back at least 1m behind a line from the street facing building façade.
- (3) Rainwater tanks must not obscure (partially or totally) any window or door of the dwelling on the subject site.
- (4) Rainwater tanks directly adjoining a side façade or located within a side yard must be no greater than 800mm in width.
- (5) Rainwater tanks directly adjoining a side facade of a building must match the colour of that façade.
- (6) Rainwater tanks must not exceed 2 m in height, or 3 m in height where the rainwater tank directly adjoins an existing building.

- (7) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

D18.6.2. Standards for buildings in the Special Character Areas Overlay – Business

All activities listed in Table D18.4.2 Activity table – Special Character Areas Overlay – Business must comply with the standards for the zone in which they are located, unless otherwise specified.

D18.7. Assessment – controlled activities

There are no controlled activities in this section.

D18.8. Assessment – Restricted discretionary activities

D18.8.1. Matters of discretion

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

D18.8.1.1. Special Character Areas Overlay – Residential

- (1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:
- (a) the effects on the streetscape and special character context as outlined in the special character area statement;
 - (b) the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts as well as its contribution to the streetscape character;
 - (c) the building's relationship to other adjacent buildings, and if it contributes to a group in such a way that its loss or relocation would result in the loss of a character value attributable to the group;
 - (d) the condition of the building, and the practicality and cost of any necessary rehabilitation, and the ability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act 2004;

- (e) where a replacement building is proposed, its design, quality, purpose and amenities and the contribution that such as building might make to the qualities of streetscape character; and
 - (f) the effect on landscape and vegetation.
- (2) for external alterations or additions to buildings; or for the construction of a new building or the relocation of a building onto a site:
 - (a) the effects on the streetscape and special character context as outlined in the Special Character Area Statement;
 - (b) the building and its contribution to streetscape character; including its design, quality, purpose and amenities including matters of scale, form, massing, materials, setbacks and the relationship to the street; and
 - (c) the effects on landscape and vegetation, and:-
- (3) ~~for an infringement of the any of the standards listed in Standard D18.6.1~~
~~Standards for buildings in the Special Character Areas Overlay – Residential:~~
~~located~~ For buildings that do not comply with Standard D18.6.1 Building height; Standard D18.6.1.2 Height in relation to boundary; Standard D18.6.1.3 Yards; Standard D18.6.1.4 Building coverage; D18.6.1.5 Landscaped area; D18.6.1.6 Maximum impervious areas; D18.6.1.7 Fences, walls and other structures; D18.6.1.8 Rainwater tanks;

- ~~(a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement;~~

~~Note 1~~

~~Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.~~

- ~~(aa) and any policy which is relevant to the standard;~~
 - ~~(b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.~~
 - ~~(bb) the purpose of the standard;~~
 - ~~(c) the effects of the infringement of the standard;~~
 - ~~(d) the effects on the character in the overlay;~~
 - ~~(e) the effects on the amenity of neighbouring sites;~~

- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard;
- (i) where more than one standard will be infringed, the effects of all infringements; and
- (j) the effect of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement.

D18.8.1.2. Special Character Business Areas

(1) For all restricted discretionary activities:

- (a) the effects of the activity on the streetscape and special character context as outlined in the special character area statement;
- (b) the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts as well as its contribution to the streetscape character;
- (c) the building's relationship to other adjacent buildings, and if it contributes to a group in such a way that its demolition, alteration or addition would result in the loss of a character value attributable to the group; and
- (d) the condition of the building, and the practicality and cost of any necessary rehabilitation, and the ability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act 2004.

(2) for an infringement of the any of the standards on the zone in which the building is located :

- (a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement.

Note 1

Where more than one standard is infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

D18.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities.

D18.8.2.1. Special Character Areas Overlay – Residential

(1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:

(a) Policies D18.3(1) to (7);

(b) for all areas in a Special Character Areas Overlay other than Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the building has retained its original (or repaired) visual design features relating to form, mass, proportion and materials so that restoration/renovation of the building is practical and reasonable. When determining what is practical and reasonable, regard shall be had to providing amenity for occupants and compliance with any requirement of the Building Act;
- (ii) the extent to which any special character qualities and original design features of the existing building are visible from the street or a public realm;
- (iii) whether the building is beyond rehabilitation to its original state and the costs of the rehabilitation to reproduce the special character qualities of the building and enhance the architectural qualities and special character of the streetscape and the surrounding area, in comparison to the costs of a new building of a similar size and quality;
- (iv) whether in rare cases the building is beyond rehabilitation in terms of poor structural or physical condition, and the costs of the repair work or upgrading necessary to extend the useful life of the building are prohibitive, (in comparison to the costs of a new building of similar size), an application for a new building may be considered favourably in accordance with assessment criteria D18.8.2.1(1)(b)(v) below;
- (v) whether any proposed replacement building, in terms of its design, quality and amenities, makes a positive contribution to the qualities of streetscape character;

(c) for Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the special character and architectural value of the existing building (irrespective of age) and its contribution to streetscape character warrants its retention;
- (ii) whether the special character value of the building by reference to its architectural style, whether as an exemplar of the type or as being representative of the type warrants its retention;
- (iii) whether the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts warrants its retention;
- (iv) whether its relationship to other adjacent buildings and whether the contribution it makes to a group of buildings is such that its loss would result in the loss of a character value attributable to the group;
- (v) whether its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or to relationships to open space shared with adjacent buildings warrants its retention;
- (vi) whether the practicability and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act warrants its demolition;
- (vii) whether any proposed replacement building, in terms of its design, quality and amenities makes a positive contribution to the qualities of streetscape character.
- (viii) in Special Character Areas Overlay – Residential : Isthmus C; the extent to which the nature and extent of any disturbance to the biophysical components that contribute to streetscape character such as landform or vegetation cover can be avoided, remedied or mitigated.

(2) For external alterations and additions to a building:

- (a) policies D18.3(1) to (7);
- (b) for Special Character Areas Overlay – Residential : Helensville; Residential : General (with a residential zone); Residential – Balmoral Tram Suburb, West; Residential : Early Road Links; Residential : Kings Road and Princes Avenue; and Residential : Pukehana Avenue; ~~Residential : Station Road, Papatoetoe:~~

- (i) whether the effect of the additions and/or alterations on the special character of the building maintains or enhances its contribution to the streetscape of the area;
- (ii) whether the design and appearance of the additions and/or alterations respond positively to the building, in terms of scale, proportions, architectural form, massing, materials and detailing;
- (iii) whether the addition or alteration is of a design and uses materials similar or compatible with the traditional character and material of the building;
- (iv) whether consideration has been given to retaining as much of the existing building façade as practicable by refurbishing, restoring and adapting parts of the existing building rather than replacing them;
- (v) whether the colour scheme is compatible with the age and detailing of the building; and
- (vi) whether the location and design of attachments, such as aerials and air conditioning units, are sympathetic to the existing building through the use of appropriate colour, design, form and location on the building.

(c) for Special Character Areas Overlay – Residential : Isthmus A:

- (i) whether, where garages or carports are to be adjoined to the existing building on the site, they are designed primarily to allow good visibility of the residential building from the street. Where visibility of the building will be significantly obscured, whether alternative designs and locations for garages and carports or provision of a car pad have been considered.

(d) for Special Character Areas Overlay – Residential : Isthmus A and Residential : Isthmus C:

- (i) whether the form, mass, proportion and scale of the external additions and alterations are such that they maintain or enhance the streetscape character and amenity.

(e) for Special Character Areas Overlay – Residential : Isthmus A and Residential : Isthmus C1:

- (i) whether the alterations and/or additions to expand the building within a roof space leave visible the dominant form and lines of the existing roof, particularly when viewed from the street;
- (ii) whether, where decoration and architectural features are used, they follow the characteristic form and detail of the existing

building on the site, or if the original features have been removed/altered, they follow the characteristic form and detail of other buildings of the same period in the street;

- (iii) whether materials used are the same or similar as the existing materials of the building so that the new building work is consistent with the traditional character and material of existing buildings on the site and in the street;
- (iv) whether any existing traditional fencing along the road frontage boundary is preserved or reinstated at the completion of development; and
- (v) whether, for those parts of the buildings highly visible to the street or public place the proportions and detail of the new windows and doors are consistent with those traditionally present in buildings of the style including the overall window to wall ratio.

(f) for Special Character Areas Overlay – Residential : Isthmus B:

- (i) whether the alteration or addition has regard to, or complements the form, style and materials of the existing building;
- (ii) whether the proposed change contributes positively to the street; and
- (iii) whether the alteration or addition is designed to have regard to landscape elements, including structural and built elements and existing established trees and hedges which make a significant contribution to streetscape value or if, where this is not practical, replacement planting or a replacement structural/built element is proposed.

(g) for Special Character Areas Overlay – Residential : Isthmus C:

- (i) whether the scale, form, mass, proportion and colour of the external addition or alteration is compatible with the prevailing architectural style of the existing building on the site; and
- (ii) whether the additions and alterations which are visible from the street or public realm detract from the architectural character of period housing or landscape qualities that are predominant in the street.

(h) for Special Character Areas Overlay – Residential : Isthmus C1:

- (i) whether, where garages or carports are to be adjoined to the existing building on the site, they are designed primarily to allow good visibility of the residential building from the street. Where

visibility of the building will be significantly obscured, whether alternative designs and locations for garages and carports or provision of a car pad have been considered, unless such alternative locations create adverse visual effects on a volcanic landform;

- (ii) whether the addition or alteration or associated site-works for any proposed addition or relocation has avoided physical effects on the natural volcanic landform, including cumulative effects; and
- (iii) whether the addition, alteration or relocation has minimized adverse visual effects on the volcanic landscape by minimising alteration to the natural landform, and by appropriate placement of additions or alterations on the site.

(i) for Special Character Areas Overlay – Residential : Isthmus C2:

- (i) whether, the additions, alterations or relocation are located so that larger trees on the site are retained, where this is not practical, whether replacement planting, particularly of indigenous trees will be undertaken where appropriate; and
- (ii) whether, the addition, alteration or relocation minimizes adverse visual effects on the landscape context by avoiding visually obtrusive excavation, and by appropriate placement of additions on the site.

(j) for Special Character Areas Overlay – Residential : North Shore:

Note1

The threshold limits outlined below and illustrated in Figure D18.8.2.1(2)(j).1 Threshold limits for alterations and additions have been determined in consideration of the sensitivity to change inherent in the various elements of special character buildings. These thresholds distinguish between relatively minor proposals for change and proposals which will require additional consideration and assessment.

An application which proposes the following may be assessed only against criteria D18.8.2.1(2)(j)(i) – (v) below, where relevant:

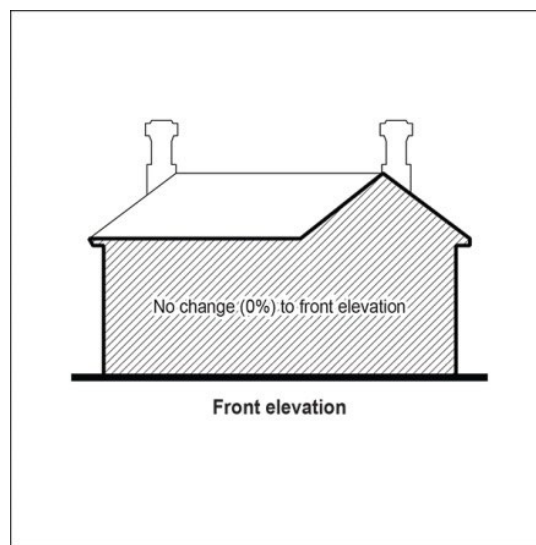
- no change to the front elevation (excluding the roof); and/or
- changes involving up to 20 per cent of the area of one or each of the side elevations (excluding the roof); and/or
- changes involving up to 80 per cent of the area of the rear elevation (excluding the roof); and/or

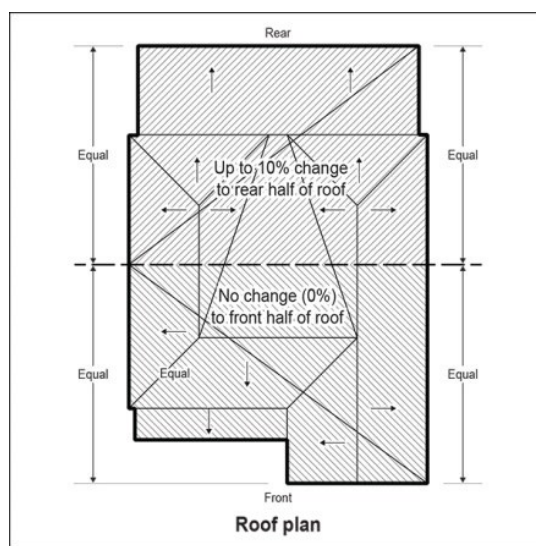
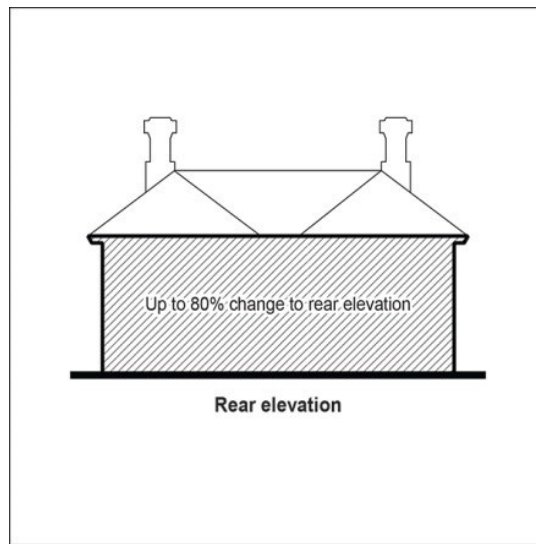
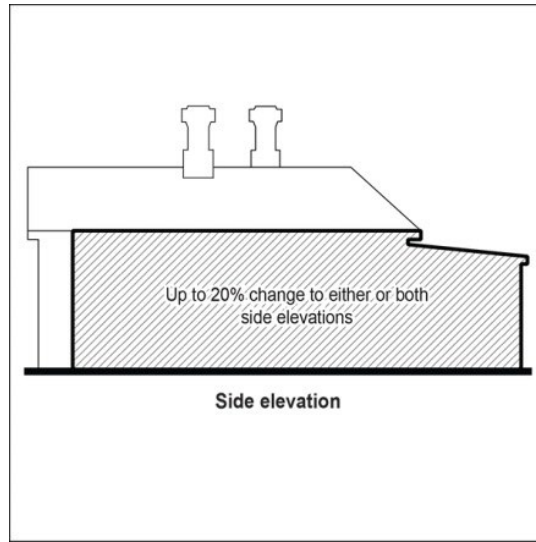
- no change to the front half of the roof; and/or
- changes involving up to 10 per cent of the rear half of the roof.

An application which proposes the following may be assessed against D18.8.2.1(2)(j)(i) – (vi) below, where relevant:

- any change to the front elevation (excluding the roof); and/or
- changes involving more than 20 per cent of the area of either side elevation (excluding the roof); and/or
- changes involving more than 80 per cent of the area of the rear elevation (excluding the roof); and/or
- any change to the front half of the roof; and/or
- changes involving more than 10 per cent of the rear half of the roof.

Figure D18.8.2.1(2)(j).1 Threshold limits for additions and alterations





- (i) whether the proposed additions/alterations to pre-1940 buildings retain the architectural and historic fabric, including the original

roof form, proportions and style of the building and other design characteristics such as design detailing, built fabric and materials, finishes, proportions, and window size, proportion and location within walls. Whether alterations to post-1940s buildings are designed to avoid dominance of, or contrast with, the streetscape character;

- (ii) whether the alterations and/or additions to expand the building within a roof-space leave visible the dominant form and lines of the existing roof, particularly when viewed from the street;
- (iii) whether the additions and/or alterations adversely affects the contribution the subject building makes to a group of buildings which contribute to the special character of the area, particularly when the subject site is adjacent to or in the vicinity of any scheduled historic heritage place;
- (iv) whether the design and appearance of alterations or additions use materials that are the same or similar to existing materials to maintain the integrity of the special character of the area. Traditional materials such as corrugated steel sheet, timber shingles, timber weatherboards, and timber joinery are considered generally appropriate, especially where these materials match or are very similar to the original materials, and are used in the same manner as those of the subject building;
- (v) whether alterations and additions, to buildings that are clearly visible from the street or public realm should fit compatibly within the context of surrounding buildings and the neighbourhood and avoid dominance of, or contrast with the character of that context. Special attention must be paid to the bulk, scale, form, massing and use of materials and consistency with the style and detailing of the building; and
- (vi) whether the additions/alterations have been designed to avoid cumulative adverse effects arising from successive additions and alterations. Where cumulative effects cannot be avoided, whether proposals include initiatives to recover original built form and lost details, particularly at the front of the buildings.

(3) For the construction of a new building or relocation of a building onto a site:

- (a) policies D18.3(1) to (7) and (7B);
- (b) for all areas in a Special Character Areas Overlay other than Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the design and external appearance of the proposed building is compatible with the streetscape and the identified special character of the area;
- (ii) whether the form, mass, proportion and scale of the building is compatible with the special character of the area;
- (iii) whether the building preserves the sense of visual frontage access and interactivity between residential buildings and the street, and does not present blank or near-blank façades to the street;
- (iv) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of buildings in the street;
- (v) whether those parts of a building which are highly visible to the street maintain a window to wall ratio visible from the street that is similar to that surviving original predominant character buildings in the street;
- (vi) whether the building is located on a site that reflects the original subdivision and development patterns existing in the street, particularly in situations where development is occurring on an amalgamated site so as to maintain the 'grain' of the area in terms of the size, spacing and rhythm of street front buildings;
- (vii) whether particular attention has been paid to the continuity of the front façade alignment to the street;
- (viii) whether the building has a roof form that is compatible with the traditional roof forms predominant in the special character area and identified in the special character area statement;
- (ix) whether the provision of any vehicle access and parking complements the character of the streetscape, having particular regard to location, design, detailing, use of materials and landscaping;
- (x) whether garages and carports allow good visibility of the building from the street, and where possible are located to the rear of, underneath (where appropriate in terms of topography), or alongside the building on the site.
- (xi) consent to the location of a garage or carport in the front yard may be considered acceptable where:
 - no practical location is available elsewhere on the site;

- any structure associated with the parking provisions is minimal in scale, (which in most circumstances will exclude a double-width garage or double-width carport) and is designed in a manner which is coherent with the architectural character of any buildings on the site; and
 - the garage or carport will not significantly obscure the visibility of the existing building from the street or public realm;
- (xii) whether any existing traditional fencing along the front boundary will be preserved or reinstated at the completion of development; and
- (xiii) the extent to which a building is designed to have regard to any particular landscape elements including mature trees, which make a significant contribution to the streetscape and special character of the area, or how the proposal mitigates this through replacement planting.

(c) for Special Character Areas Overlay – Residential : Isthmus B:

- (i) the design of a proposed new/relocated building will complement the existing patterns of bulk and location, and the relationship to the street in the vicinity of the site;
- (ii) if a new/relocated building is significantly larger than existing adjacent buildings, its architectural design acknowledges the predominant scale of those existing buildings, through its massing and formal arrangement on the site. In the case of non-residential buildings, it is acknowledged that such formal arrangement may not be appropriate;
- (iii) whether bulk and location standards prevent the achievement of an architectural scale which might otherwise be appropriate to the locality or to the prevailing scale, or whether some relaxation of such standards will enable development of more appropriate form and scale;
- (iv) whether the design of a new/relocated building in a contemporary idiom can be shown by analysis to have qualities which are sympathetic to existing established architectural forms and scale, in such a way as to make a positive contribution to streetscape; and
- (v) whether a new/relocated building is designed to have regard to landscape elements, including structural and built elements and existing established trees and hedges which make a significant contribution to streetscape value or if, where this is not practical,

replacement planting or a replacement structural/built element is proposed

(d) for Special Character Areas Overlay – Residential : Isthmus C1:

- (i) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of existing buildings along the street;
- (ii) whether the scale, form, mass, proportion and colour of the building is compatible with the architectural style predominant in the street;
- (iii) whether those parts of a building highly visible to the street maintain a window to wall ratio visible from the street that is similar to the predominant special character buildings in the street;
- (iv) whether the building is located on a site so that it reflects the original subdivision and development patterns existing in the street, particularly in situations where development is occurring on an amalgamated site so as to maintain the 'grain' of the area in terms of the size, spacing and rhythm of street-front buildings;
- (v) whether buildings are located on a site so as not to detract from the continuity of the front façade alignment of residential buildings in the street;
- (vi) whether any new or relocated building is visually compatible with and minimises the adverse effects on the volcanic landscape by minimising alteration to the landform and the appropriate placement of the building on the site;
- (vii) whether any existing traditional fencing along the front boundary will be preserved or reinstated at the completion of development;
- (viii) whether the buildings preserves the sense of visual frontage access and interactivity between houses and the street, and does not present blank or near-blank façades to the street;
- (ix) whether the building maintains the predominance of pitched roof form; and
- (x) whether garages and carports obscure the visibility of the existing dwelling from the street or give rise to adverse visual effects on the volcanic landscape.

(e) for Special Character Areas Overlay – Residential : Isthmus C2:

- (i) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of existing buildings on the street;
 - (ii) whether the scale, form, mass, proportion and materials of the building is compatible with the architectural style of the existing building on the site, or the architectural style predominant in the street;
 - (iii) whether the new building detracts from or adds to the consistency and harmony of building forms in the street and the coherence of the streetscape;
 - (iv) whether the building contributes positively to the special character and coherence of the streetscape;
 - (v) whether the building is located so that larger trees on the site are retained, and where this is not practical, replacement planting, particularly of indigenous trees are undertaken where appropriate;
 - (vi) whether any building or site-works avoids physical effects on the natural land-form, including cumulative effects;
 - (vii) whether any new or relocated building minimises adverse visual effects on the landscape by avoiding visually obtrusive excavation and by appropriate placement of the building on the site; and
 - (viii) whether pitched roofs, in gabled and/or hipped forms, are used to mitigate adverse visual effects on the natural environment.
- (4) for an infringement of any of the standards listed in Standard D18.6.1
Standards for buildings in the Special Character Areas Overlay – Residential:
- (a) policies D18.3(1) to (7C).

D18.8.2.2. Special Character Areas Overlay - Business

- (1) For the total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a character defining building or a character supporting building; or for the total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings; or for any demolition of the front façade of a character supporting building:
- (a) policies D18.3(8) to (14) as relevant, and in addition, all of the following:

- (i) whether the proposal significantly adversely affects the built special character of the area, including the contribution the individual building makes to the context, character or cohesiveness of the streetscape;
- (ii) the contribution the building makes to adjoining or nearby scheduled buildings and other character defining or supporting buildings or to the wider character area where there are no identified character supporting or character defining buildings, either through the context and the relationship of the building or through the building's mass, height or rhythm of façades;
- (iii) whether the existing building forms part of a cohesive group of buildings in terms of similarity of age, scale, proportion or design and the extent to which the building's demolition or partial demolition would detract from the contribution that group makes to streetscape, the special character and context of the area;
- (iv) whether the building is beyond rehabilitation to a state which would display its special qualities, architectural qualities or special characteristics of the streetscape and the surrounding area; and
- (v) whether the costs of restoration and repair are significantly greater in comparison to the costs of a new building of similar size and quality.

(2) For additions to a character defining building:

- (a) policies D18.3(8) to (14) as relevant, and in addition, all of the following:
 - (i) whether the additions are appropriate when considered against the relevant assessment criteria for additions in the zone;
 - (ii) whether at the street elevation(s) maintains an appearance similar to the original façade of the character defining building;
 - (iii) where relevant, whether the addition to building is positioned and designed to retain the continuity of the front façade alignment of the building or adjoining buildings and the established horizontal or vertical modulation;
 - (iv) whether the design and materials respect and respond positively to those originally used and contribute strongly to the architectural character and detailing of the building;

- (v) whether the additions to building are compatible with the architectural form, mass, proportions and style of the existing building(s) on the site;
- (vi) whether the additions to the building retain as much of the existing building fabric as practicable;
- (vii) whether the additions to building use a colour scheme which is compatible with the age and detailing of the building;
- (viii) for retail premises whether the additions to the building have main frontage(s) incorporating significant areas of unobscured display glazing and building entries reflecting traditional forms in order to maintain good visual connections with the street; and
- (ix) whether the additions to the building locate and design attachments, such as signs, aerals and air conditioning units, sympathetically to the existing building.

(3) For alterations or additions to buildings identified as character supporting:

(a) policies D18.3(8) to (14);

(b) whether the alterations or additions to the building:

- (x) are appropriate when considered against the relevant assessment criteria for alterations or additions in the zone;
- (xi) have street elevation(s) sympathetic to the existing building, and any other surrounding scheduled historic heritage place, character-defining or character-supporting buildings;
- (xii) where relevant, are positioned and designed to retain the continuity of the front façade alignment of the building or adjoining buildings, and the adjoining established horizontal or vertical modulation;
- (xiii) are compatible with the dominant architectural style of the existing building in terms of form, mass, proportion and materials;
- (xiv) use materials which maintain the integrity of the special character and materiality of the building;
- (xv) propose to combine adjoining buildings and whether the finished appearance/façade retains visual evidence of the historic pattern of development by vertical modulation;
- (xvi) for retail premises, have main frontage(s) incorporating significant areas of unobscured display glazing and building

entries reflecting traditional forms in order to maintain good visual connections with the street; and

- (xvii) locate and design attachments, such as signs, aerials and air conditioning units, sympathetically to the existing building.

(4) For new buildings; or alterations and additions to buildings not identified as character defining or character supporting:

(a) policies D18.3(8) to (14);

(b) whether the new building or alterations and additions to buildings not identified as character defining or character supporting:

- (i) are appropriate when considered against the relevant assessment criteria for new buildings or alterations or additions in the zone;
- (ii) reflect and have regard to the special character area statement for the area;
- (iii) are designed to respond positively to the architectural form, bulk, proportions, materials and colour of any existing buildings on the site and/or any surrounding scheduled historic heritage place, character-defining or character-supporting buildings;
- (iv) are designed to respond positively to the built form characteristics and urban structure of the special character area;
- (v) are designed and located in a manner that respects original physical features of the special character area as identified in the built form section of the special character area statement;
- (vi) where possible, are positioned to reflect and/or enhance the continuity of the historic front façade alignments of the adjoining character defining or character supporting buildings;
- (vii) are constructed with materials that are of a high standard of quality and durability that respond positively to the architectural character and detailing of any scheduled historic heritage place, character-defining or character-supporting buildings;
- (viii) are designed to respond positively to the established horizontal or vertical modulation evident on the front façade of any existing scheduled historic heritage place, character-defining or character-supporting buildings;
- (ix) for retail premises, have main frontage(s) incorporating significant areas of unobscured display glazing and building

entries reflecting traditional forms in order to maintain good visual connections with the street;

- (x) proposes to combine buildings and/or sites, so that the finished appearance/facade maintains visual evidence of the previous pattern of development by vertical modulation; and
- (xi) provides for on-site parking or loading where this would enable better outcomes in terms of maintaining/enhancing special character and supporting commercial land use viability.

(5) For additions or alterations to a building in a Special Character Areas Overlay – Business with no identified character supporting or character defining buildings; or for a new building in a Special Character Areas Overlay – Business with no identified character supporting or character defining buildings:

(a) policies D18.3(8) to (14);

(b) whether the proposal:

- (i) is appropriate when considered against the relevant assessment criteria for new buildings or alterations or additions in the zone;
- (ii) reflects and has regard to the special character area statement for the area;
- (iii) is designed to respond positively to the architectural form, bulk, proportions, materials, colour and other built form characteristics and urban structure of the special character area;
- (iv) is designed and located in a manner that respects original physical features of the special character area as identified in the built form section of the special character area statement;
- (v) where possible, is positioned to reflect and/or enhance the continuity of the front façade alignments of the adjoining buildings;
- (vi) is constructed with materials that are of a high standard of quality and durability that respond positively to the architectural character and detailing identified in the special character area statement;
- (vii) is designed to respond positively to the established horizontal or vertical modulation evident on the front façade of the existing buildings in the character area;
- (viii) for retail premises, has main frontage(s) incorporating significant areas of unobscured display glazing and building entries

reflecting traditional forms in order to maintain good visual connections with the street;

- (ix) proposes to combine buildings and/or sites, so that the finished appearance/facade maintains visual evidence of the previous pattern of development by vertical modulation; and
- (x) provides for on-site parking or loading where this would enable better outcomes in terms of maintaining/enhancing special character and supporting commercial land use viability.

D18.9. Special information requirements

There are no special information requirements in this section.

D19. Auckland War Memorial Museum Viewshaft Overlay

D19.1. Background

Auckland War Memorial Museum is located in a prominent location within Auckland Domain.

The museum is a landmark building with historic, community and architectural significance and is one of Auckland's most popular vantage points. Sited on relatively low grounds in relation to the surrounding ridges, the view to and from the museum could be easily compromised or lost through the erection of tall buildings. The combination of landform, dominant building presence and setting contribute to the museum's unique visual quality. Special visual protection measures are applied to secure the highly appreciated views and aspect qualities associated with this historic heritage place. The overlay rules limit building height and include provision for parapets, chimneys communications antennae, support structures, housing, building services components and advertising signs.

Auckland War Memorial Museum Viewshaft Overlay is a qualifying matter in accordance with Schedule 3C, Clause 8 of the Resource Management Act 1991 where it pertains to policy 3 areas.

D19.2. Objective

- (1) Significant views to and from the Auckland War Memorial Museum are protected.

D19.3. Policy

- (1) Prevent the visual intrusion of buildings and structures into current identified views to and from the museum.

D19.4. Activity table

Table D19.4.1 Activity table specifies the activity status of development activities in the Auckland War Memorial Museum Viewshaft Overlay pursuant to section 9(3) of the Resource Management Act 1991.

- The rules that apply to network utilities and electricity generation in the Auckland War Memorial Museum Viewshaft Overlay are located in Section [E26 Infrastructure](#).
- Refer to the applicable zone rules for the permitted height limit
- The Auckland War Memorial Museum Viewshaft Overlay provisions do not apply to structures that do not exceed the height limits specified on Figures D19.6.1.1, D19.6.1.2 and D19.6.1.3 within the areas identified on the planning maps.

Table D19.4.1 Activity table

Activity		Activity status
Development		
(A1)	Temporary construction and safety structures	P

(A2)	Buildings, structures, parapets, chimneys, communication devices, tanks or building services components, ornamental towers, lift towers or advertising signs that exceed the height limits specified on Figures D19.6.1.1 Height limit surface, D19.6.1.2 Height limit surface – 2 and D19.6.1.3 Height limit surface – 3 within the areas identified on the planning maps to protect views to or from the Auckland War Memorial Museum	NC
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D19.5. Notification

- (1) Any application for resource consent for an activity listed in Table D19.4.1 Activity table 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\(4\)](#).

D19.6. Standards

All activities listed as a permitted activity in Table D19.4.1 Activity table must comply with the following standard.

D19.6.1. Building coverage

- (1) For sites where the view protection height limit surface is lower than the height limit in the zone, the maximum building coverage is 40 per cent, unless a greater building coverage is allowed in the zone.

Figure D19.6.1.1 Height limit surface

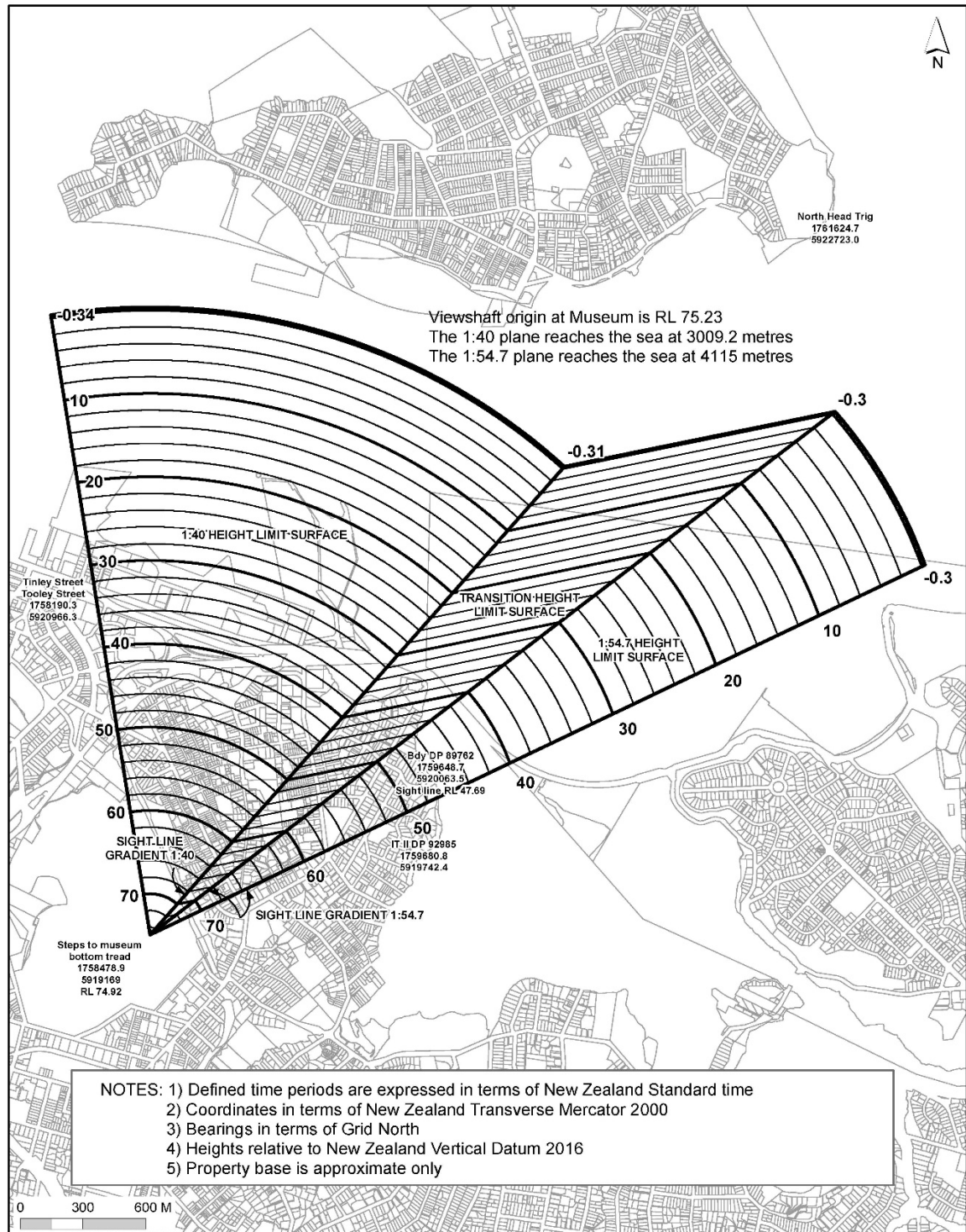


Figure D19.6.1.2 Height limit surface - 2

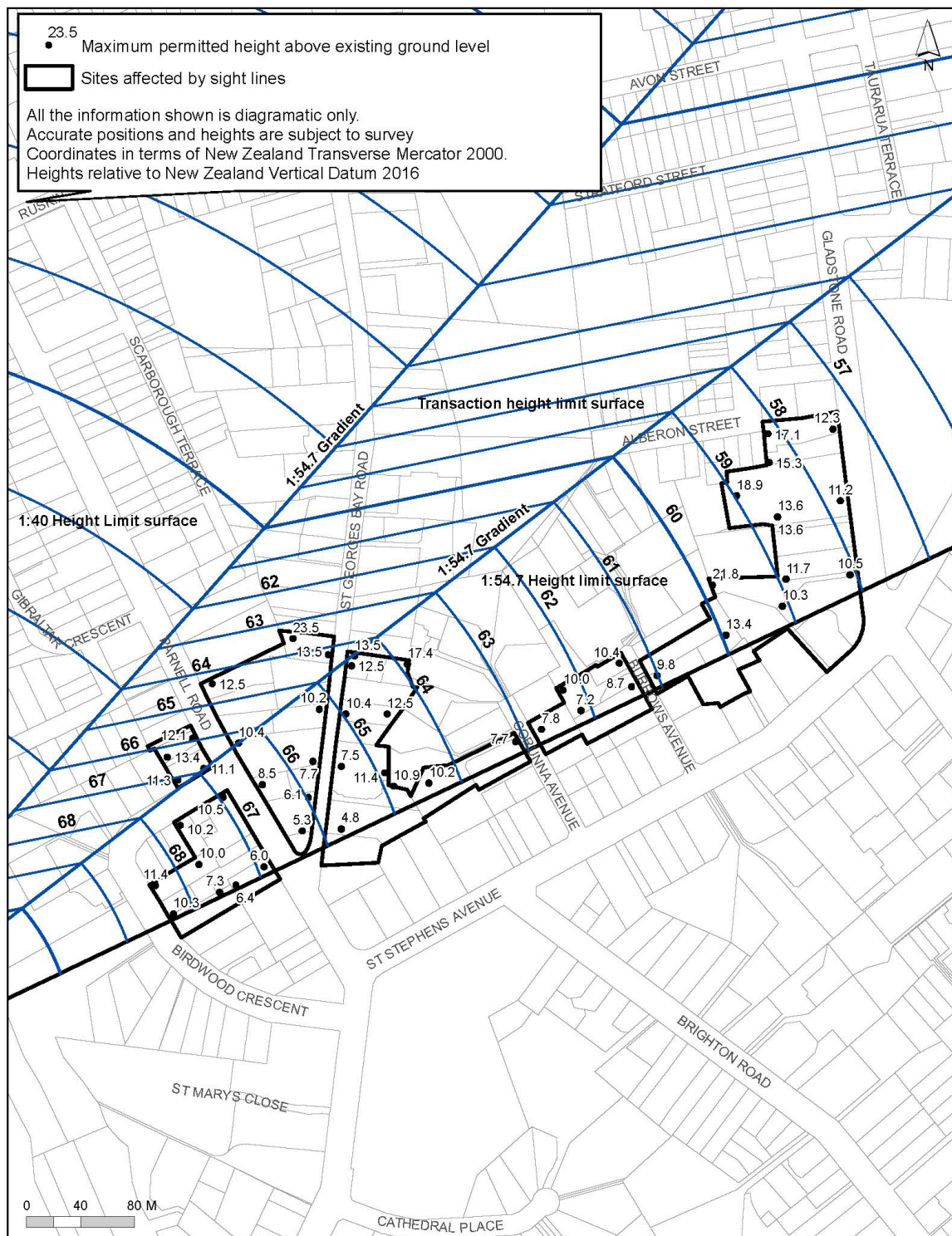
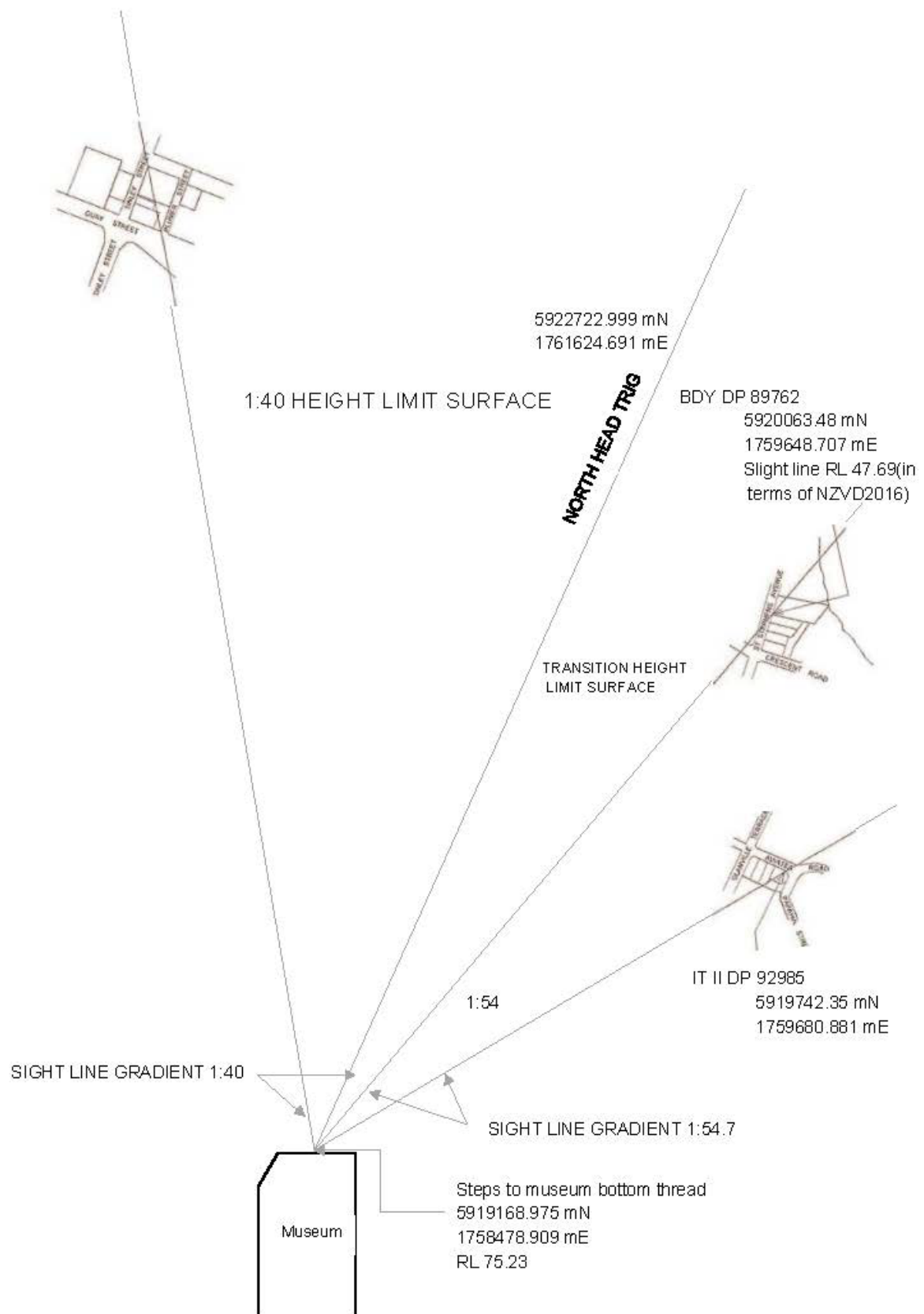


Figure D19.6.1.3 Height limit surface - 3



D19.7. Assessment – controlled activities

There are no controlled activities in this overlay.

D19.8. Assessment – restricted discretionary activities

There are no restricted discretionary activities in this overlay.

D19.9. Special information requirements

- (1) A non-complying activity application for resource consent made under Rule D19.4.1 (A2) must be accompanied by a Landscape Assessment prepared by a suitably qualified Landscape Architect. The assessment must include (but not be limited to) effects on views between Takarunga / Mount Victoria and Maungawhau / Mount Eden having regard to:
- (a) whether the nature, form and extent of the building adversely affects the visual integrity of views between each maunga;
 - (b) whether the proposed building has a functional or operational requirement to be in the location proposed and the proposed height of the building is consistent with that requirement;
 - (c) whether there are practicable alternatives available that will not adversely affect the visual integrity of views between each maunga;
 - (d) whether the proposed building will impact on Mana Whenua values associated with each maunga; and
 - (e) the relevant objectives and policies in B4.3, D14.2 and D14.3

D20A. Stockade Hill Viewshaft Overlay

D20A.1. Overlay description

This overlay is used to restrict building heights to ensure that new development is of a height that does not intrude into or obstruct views to the coastal environment.

The Stockade Hill Viewshaft Overlay is a qualifying matter in accordance with Schedule 3C, Clause 8 of the Resource Management Act 1991 where it pertains to policy 3 areas.

D20A.2. Objectives [rcp/dp]

(1) Objective [D16.2.\(1\)](#) applies to this overlay.

D20A.3. Policies [rcp/dp]

(1) Policies [D16.3.\(1\)](#), [D16.3.\(2\)](#) and [D16.3.\(3\)](#) apply to this overlay.

D20A.4. Activity table

Table D20A.4.1 Activity table specifies the activity status of development activities in the Stockade Hill Viewshaft Overlay pursuant to section 9(3) of the Resource Management Act 1991.

- The rules that apply to network utilities and electricity generation in the Overlay are located in [E26 Infrastructure](#).
- For the avoidance of doubt, it is noted that the Stockade Hill Viewshaft Overlay does not apply any height limits to road network activities within the legal road.

Table D20A.4.1 Activity table

Activity		Activity status
Development (where it intrudes into the viewshaft)		
(A1)	Temporary construction and safety structures	P
Buildings in the 8m height area depicted in Figure D20A.6.1.1, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks		
(A2)	Buildings, structures and external additions and alterations to buildings that do not comply with D20A.6.1	RD
<u>Buildings within the Stockade Hill Viewshaft area depicted in Figure D20A.6.1.2 not otherwise provided for, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks</u>		
(A3)	<u>Buildings, structures and external additions and alterations to buildings that do not comply with the maximum building height standard within the applicable zone</u>	<u>RD</u>

D20A.5. Notification

- (1) Any application for resource consent for an activity listed in Table D20A.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\(4\)](#).

D20A.6.Standards

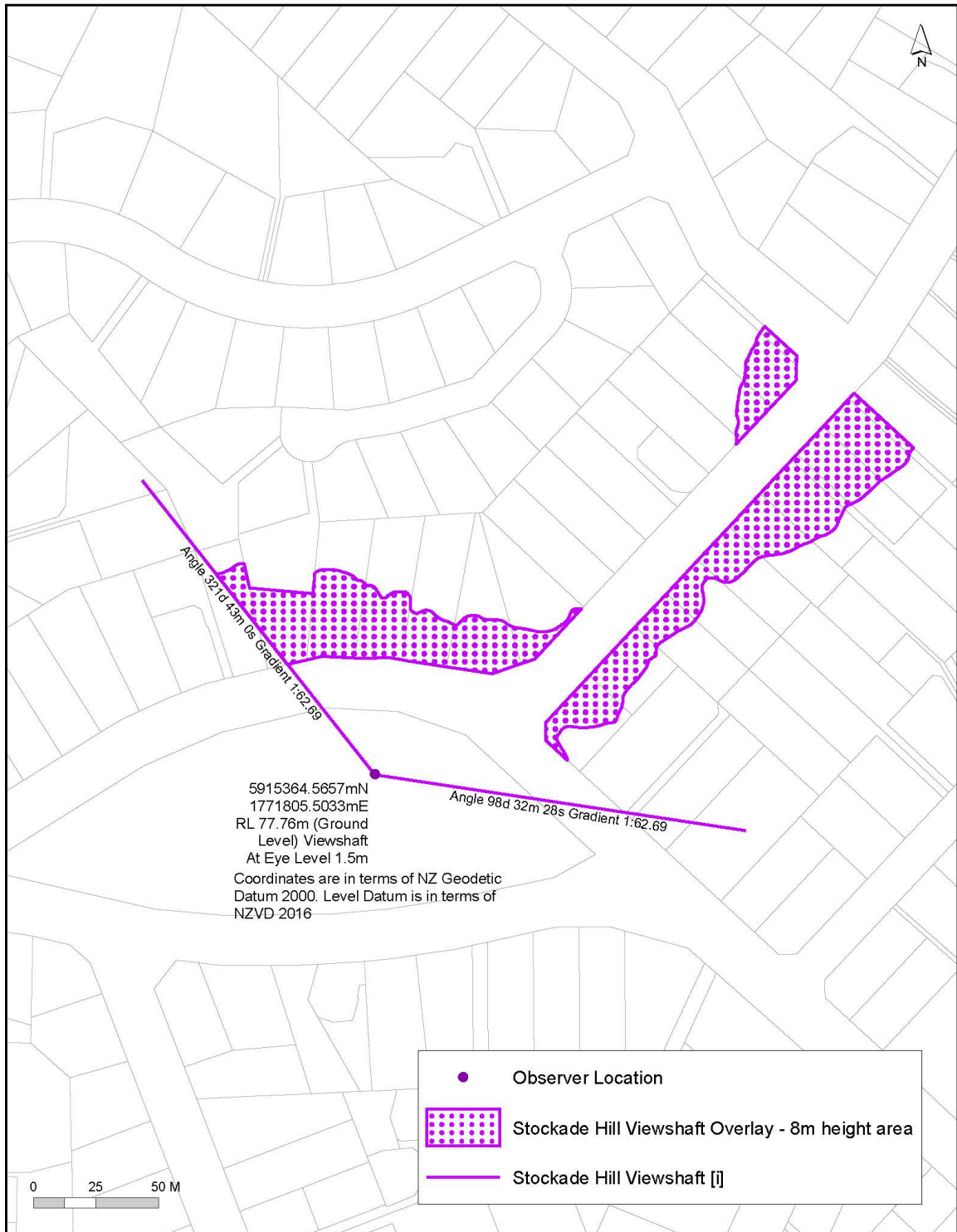
D20A.6.1 Height

Purpose: to manage the height of buildings to:

- maintain the visual integrity of the view by minimising the visual intrusion of buildings
- protect views to the coastal environment from public open spaces, including scheduled historic heritage place

- (1) In applying these standards, height must be measured using the average ground level method.
- (2) Buildings within the Stockade Hill Viewshaft must not exceed a maximum building height of 8m as specified in ~~within the areas as shown on~~ Figure D20A.6.1.1

Figure D20A.6.1.1 Building Height



D20A.7. Assessment – Controlled activities

There are no controlled activities in this overlay.

D20A.8. Assessment – Restricted discretionary activities

D20A.8.1. Matters of discretion

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

- (1) buildings and structures that intrude into the viewshaft:
 - (a) effects on the visual integrity of the view from the identified viewing point;
 - (b) location, nature, form and extent of proposed works;
 - (c) the functional need or operational need for the proposal and any alternatives considered to fulfil that need without the intrusion into the view; and
 - (d) the relevant objectives and policies in D20A.
- (2) buildings and structures within the Stockade Hill Viewshaft not otherwise provided for, which do not comply with the building height standard of the applicable zone:
 - (a) whether the buildings and structures would intrude into the viewshaft; and
 - (b) if buildings and structures would intrude into the viewshaft, those matters set out in D20A.8.1.(1).

D20A.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) buildings and structures that intrude into the viewshaft:
 - (a) whether the nature, form and extent of the building adversely affects the visual integrity of the viewshaft and its view;
 - (b) whether the proposed building has a functional or operational requirement to be in the location proposed and the proposed height of the building is consistent with that requirement; and
 - (c) whether there are practicable alternatives available that will not intrude into. or will minimise the intrusion into the viewshaft.

D20A.9. Special information requirements

There are no special information requirements in this overlay.

D21. Sites and Places of Significance to Mana Whenua Overlay

Sites and Places of Significance to Mana Whenua have been identified as a qualifying matter in accordance with sections 77I(a) and 77O(a) of the RMA.

D21.1. Background

The Sites and Places of Significance to Mana Whenua Overlay applies to sites and places that have been scheduled and protected for their significance to Mana Whenua. A schedule of the sites and places of significance is provided in [Schedule 12 Sites and Places of Significance to Mana Whenua Schedule](#). Sensitive information regarding the significance of the sites and places to Mana Whenua may be subject to special protocols.

Sites and places of significance to Mana Whenua have tangible and intangible cultural values in association with historic events, occupation and cultural activities. Mana Whenua values are not necessarily associated with archaeology, particularly within the highly modified urban landscape where the tangible values may have been destroyed or significantly modified.

Mana Whenua are aware of many other sites and places that may be equally or more significant, and acknowledge there may be shared interests over scheduled locations. It is intended to identify further sites and places nominated by Mana Whenua through future plan changes including those identified through other legislation.

Some sites and places of significance to Mana Whenua may also be scheduled as historic heritage. These sites and places are identified in [Schedule 14 Historic Heritage Schedule, Statements and Maps](#).

The provisions of this overlay may mean the intensity and scale of development anticipated in the underlying zone will not be able to be achieved on some sites.

D21.2. Objective [rcp/dp]

- (1) The tangible and intangible values of scheduled sites and places of significance to Mana Whenua are protected and enhanced.
- (2) Scheduled sites and places of significance to Mana Whenua are protected from inappropriate subdivision, use and development, including inappropriate modification, demolition or destruction.

D21.3. Policies [rcp/dp]

- (1) Avoid the physical destruction in whole or in part of sites and places of significance during earthworks.

- (2) Avoid significant adverse effects on the values and associations of Mana Whenua with sites and places of significance to them.
- (3) Require subdivision, use and development, where adverse effects on sites and places of significance cannot practicably be avoided, to remedy or mitigate those adverse effects by:
 - (a) enhancing the values of the scheduled site or place of significance and the relationship of Mana Whenua with their tāonga, commensurate with the scale and nature of the proposal;
 - (b) incorporating mātauranga, tikanga and Mana Whenua values, including spiritual values;
 - (c) recognising and providing for the outcomes articulated by Mana Whenua through an assessment of environmental effects with Mana Whenua and within iwi planning documents;
 - (d) demonstrating consideration of practicable alternative methods, locations or designs that would avoid or reduce the impact on the values of scheduled sites and places of significance to Mana Whenua; and
 - (e) demonstrating consideration of practical mechanisms to maintain or enhance the ability to access and use the scheduled site or feature for karakia, monitoring, customary purposes and ahikā roa by Mana Whenua.
- (4) Reflect within the development the relationship of the scheduled site or place of significance within the context of the wider local history and whakapapa.
- (5) Recognise that some activities may have such significant adverse effects on Mana Whenua values that they are culturally inappropriate when considering the nature of the scheduled site or place of significance and associated values.
- (6) Manage the adverse effects of subdivision where scheduled sites and places of significance to Mana Whenua are split into multiple land parcels.
- (7) Provide incentives to encourage the protection and enhancement of scheduled sites and places of significance to Mana Whenua.
- (8) Recognise that the intangible values of sites or places of significance can be protected and enhanced even where the site or place has been significantly modified or destroyed.
- (9) Enable existing network utilities and electricity generation facilities on sites and places of significance including:

- (a) use and operation; and
 - (b) minor upgrading, maintenance and repair in a manner that avoids, where practicable, or otherwise remedies or mitigates adverse effects on cultural values.
- (10) Avoid where practicable the use of scheduled sites and places of significance to Mana Whenua for new infrastructure where this affects cultural values.
- (11) Require an assessment of environmental effects where proposed works may have adverse effects on the values associated with sites or places of significance to Mana Whenua.

D21.4. Activity table [rcp/dp]

Table D21.4.1 Activity table specifies the activity status of land use and development pursuant to section 9(3) of the Resource Management Act 1991, subdivision pursuant to section 11 of the Resource Management Act 1991 and works, occupation or activity in the coastal marine area pursuant to sections 12(1), 12(2) or 12(3) of the Resource Management Act 1991.

[Schedule 12 Sites and Places of Significance to Mana Whenua Schedule](#) identifies sites and places where this section applies. [Schedule 12 Sites and Places of Significance to Mana Whenua Schedule](#) also identifies sites and places of significance that have intangible values associated with historic events, occupation and cultural activities that do not necessarily contain archaeology, where the site exception rule applies.

Table D21.4.1 Activity table [rcp/dp]

Activity		Activity status
Development		
(A1)	Non-invasive archaeological survey	P
(A2)	Minor work for the purpose of preserving or maintaining scheduled sites and places of significance to Mana Whenua	P
(A3)	Temporary activities	RD
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]
(A4)	Disturbance in the coastal marine area	D
(A5)	New buildings and structures	D
(A6)	Alterations and additions to existing buildings where the building footprint is increased	D
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]

PC 106 ([see Modifications](#))

PC XX ([see Modifications](#))

be inserted]		
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]
Land Disturbance		
Refer to the rules in E11 Land disturbance – Regional (this includes Standard E11.6.1 Accidental discovery rule) and E12 Land disturbance – District (this includes Standard E12.6.1 Accidental discovery rule)		
Infrastructure		
Refer to the rules in E26 Infrastructure		
Subdivision		
(A7)	Subdivision that results in a site or place of significance to Mana Whenua extending across multiple lots	D

D21.5. Notification

- (1) Any application for resource consent for an activity listed in Table D21.4.1 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\(4\)](#).

D21.6. Standards

All activities listed as a permitted activity in Table D21.4.1 Activity table must comply with the following permitted activity standards.

D21.6.1. Accidental discovery rules

- (1) Refer to the Accidental discovery rules in:
 - (a) [E11 Land disturbance – Regional](#) - [Standard E11.6.1 Accidental discovery rule](#)); and
 - (b) [E12 Land disturbance – District](#) - [Standard E12.6.1 Accidental discovery rule](#).

D21.6.2. Non-invasive archaeological survey

- (1) Minor earthworks or disturbance of the coastal marine area to define the location or extent of archaeological sites of features:

- (a) must not be undertaken in areas where archaeological remains are evident, or known to be present. If during the investigation archaeological material is encountered, that material must not be disturbed or removed;
- (b) must conform to accepted archaeological practice;
- (c) must be undertaken with a probe not exceeding a diameter of 10mm, or a spade. Mechanical tools must not be used;
- (d) spade holes must not exceed 250mm x 250mm in size;
- (e) after completion of works, the ground must be reinstated to at least to the condition existing prior to any works starting; and
- (f) must be undertaken in the presence of a mandated Mana Whenua representative unless confirmed by Mana Whenua in writing that this is not required.

D21.6.3. Minor work for the purpose of preserving or maintaining scheduled sites and places of significance to Mana Whenua

- (1) Minor works for the purpose of maintaining scheduled sites and places of significance to Mana Whenua must be undertaken in the presence of a mandated Mana Whenua representative (except for routine maintenance of grounds, including gardening, buildings and structures) unless confirmed by Mana Whenua in writing that this is not required.

PC 106 ([see Modifications](#))

[new text to be inserted]

D21.7. Assessment – controlled activities

There are no controlled activities in this section.

D21.8. Assessment – restricted discretionary activities

D21.8.1. Matters of discretion

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

- (1) the effects of the proposal on the values and associations of Mana Whenua with the site or place, including effects on the context of the local history and whakapapa.
- (2) the nature, location, design and extent of the proposal.
- (3) the purpose and necessity for the works and any alternatives considered.
- (4) the provisions of any relevant iwi planning document.

D21.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

(1) Policies D21.3(1), D21.3(2) and D21.3(3).

(2) the extent to which the proposal:

(a) provides for the relationship of the site or place with Mana Whenua in the context of local history and whakapapa, if appropriate, through:

(i) the design and location of proposed structures;

(ii) landscaping and vegetation including removal and replanting; and

(iii) landform and modification.

(b) recognises the benefits derived from the upgrading of existing infrastructure to the community and the functional and operational needs of the network.

(c) considers the appropriate location of temporary activities to avoid, remedy or mitigate adverse effects on values and associations of Mana Whenua with the site or place.

D21.9. Special information requirements

There are no special information requirements in this section.

D24. Aircraft Noise Overlay

D24.1. Description

The purpose of the Aircraft Noise Overlay is to manage the subdivision of land and location of activities sensitive to aircraft noise in areas of high cumulative noise around the region's airports and airfields, so that the continued operation of the airports and airfields is not compromised and reverse sensitivity issues are addressed.

The High and Moderate Aircraft Noise Areas around Auckland International Airport and specified areas within the noise boundaries around other Auckland airports and airfields are qualifying matters in accordance with sections 771(e) and (g) and 77O(e) and (g) of the RMA.

The rules and standards of this overlay apply to activities sensitive to aircraft noise, except where more restrictive rules and standards apply in the underlying zoning or precinct.

The following airports/airfields are included in the overlay:

- Auckland International Airport;
- Ardmore Airport;
- Kaipara Flats Airfield;
- North Shore Airport; and
- Whenuapai Airbase.

D24.2. Objectives

- (1) Airports and airfields are protected from reverse sensitivity effects.
- (2) The adverse effects of aircraft noise on residential and other activities sensitive to aircraft noise are avoided, remedied or mitigated.

D24.3. Policies

- (1) Avoid the establishment of new activities sensitive to aircraft noise (except tertiary education facilities) within the 65dB L_{dn} noise contour in the Aircraft Noise Overlay.
- (2) Avoid the establishment of new tertiary education facilities and additions or alterations to existing activities sensitive to aircraft noise (other than existing dwellings) within the 65dB L_{dn} noise contour in the Aircraft Noise Overlay unless all habitable rooms and all learning, amenity and recreation spaces on site are located inside buildings and achieve an internal noise environment of 40dB L_{dn}.
- (3) Avoid establishing residential and other activities sensitive to aircraft noise at:
 - (a) airports/airfields except for Auckland International Airport: within the area between the 55dB L_{dn} and 65dB L_{dn} noise contours, unless the effects can be adequately remedied or mitigated through restrictions on the numbers of people to be accommodated through zoning and density mechanisms and the acoustic treatment (including mechanical ventilation) of buildings containing activities sensitive to aircraft noise excluding land designated for defence purposes;

- (b) Auckland International Airport: within the area between the 60dB L_{dn} and 65dB L_{dn} contours, unless the effects can be adequately remedied or mitigated through restrictions on the numbers of people exposed to aircraft noise in the external environment through zoning and density controls and through providing acoustic treatment (including mechanical ventilation) of buildings containing activities sensitive to aircraft noise; and
- (c) Auckland International Airport: within the area subject to more than 57dB L_{dn} of aircraft engine testing noise (which when added to aircraft operations noise would give a cumulative total noise level over 60dB L_{dn}), unless the effects can be adequately remedied or mitigated through restrictions on the numbers of people exposed to aircraft noise in the external environment through zoning and density controls and the acoustic treatment (including mechanical ventilation) of buildings containing activities sensitive to aircraft noise.
- (4) In relation to Auckland International Airport, avoid establishing new residential areas (except within the area included within [1412 Flat Bush Precinct](#)) or other areas that would contain activities sensitive to aircraft noise by rezoning land within the area between the 60dB L_{dn} and 65dB L_{dn} noise contours.
- (5) Manage residential intensification and activities sensitive to aircraft noise within areas identified for accommodating urban growth in a way that avoids reverse sensitivity effects as far as practicable, including reverse sensitivity effects between those land uses and such effects on Auckland International Airport, Ardmore Airport, Whenuapai Airbase and North Shore Airport, and that avoids, remedies or mitigates adverse aircraft noise effects on people and communities.

D24.4. Activity table

Except where more restrictive provisions apply in the underlying zoning or precinct, the following rules apply to activities sensitive to aircraft noise within the Aircraft Noise Overlay.

- (1) Table D24.4.1 specifies the activity status of activities for the North Shore Airport, Kaipara Flats Airfield and Whenuapai Airbase pursuant to section 9(3) and section 11 of the Resource Management Act 1991.
- (2) Table D24.4.2 specifies the activity status of activities for Ardmore Airport pursuant to section 9(3) and section 11 of the Resource Management Act 1991.
- (3) Table D24.4.3 specifies the activity status of activities for Auckland International Airport pursuant to section 9(3) and section 11 of the Resource Management Act 1991.
- (4) For the purposes of interpreting the rules in Table D24.4.3 Activity table for Auckland International Airport:

- (a) where a site is shown partly within the high aircraft noise area and partly within the moderate aircraft noise area, the respective high aircraft noise area and moderate aircraft noise area provisions will apply to the relevant part of the site;
- (b) where a site is shown partly within the moderate aircraft noise area and partly within the aircraft noise notification area, or partly within the 57dB L_{dn} noise boundary, the respective moderate aircraft noise area or 57dB L_{dn} noise boundary provisions will apply to the relevant part of the site;
- (c) where a building containing activities sensitive to aircraft noise is shown partly within the high aircraft noise area and partly within the moderate aircraft noise area, the high aircraft noise area provisions will apply to the whole of the building; and
- (d) where a building containing activities sensitive to aircraft noise is shown partly within the moderate aircraft noise area and partly within the aircraft noise notification area or partly within the 57dB L_{dn} noise boundary, the moderate aircraft noise area or 57dB L_{dn} noise boundary provisions will apply to the whole of the building.

Qualifying matter as per s77I(g) and s77O(g) of the RMA

Table D24.4.1 Activity table for North Shore Airport, Kaipara Flats Airfield and Whenuapai Airbase

Activity		Activity status
Development between the 55dB L_{dn} and 65dB L_{dn} noise boundaries (including Lot 3 DP 104718)		
(A1)	New activities sensitive to aircraft noise	RD
(A2)	New activities sensitive to aircraft noise that do not comply with Standard D24.6.1(1)	NC
(A3)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise	RD
(A4)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise that do not comply with Standard D24.6.1(1)	NC
Development within the 65dB L_{dn} noise boundary (excluding Lot 3 DP 104718)		
(A5)	New activities sensitive to aircraft noise	Pr
(A6)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise	NC
Subdivision		
(A7)	Subdivision of land for activities sensitive to aircraft noise to create a new site within the 65dB L _{dn} noise boundary	Pr
(A8)	Subdivision of land for activities sensitive to aircraft noise to create a new site between the 55dB L _{dn} and 65dB L _{dn} noise boundaries	NC

Qualifying matter as per s77I(g) the RMA

Qualifying matter as per s77I(g) and s77O(g) of the RMA

Table D24.4.2 Activity table for Ardmore Airport

Activity		Activity status
Development within the 65dB L_{dn} noise boundary ANB		
(A9)	New activities sensitive to aircraft noise	Pr
(A10)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (not including alterations or additions to a habitable room or sleeping area)	P
(A11)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (including alterations or additions to habitable rooms and sleeping areas or rooms for convalescing and learning)	D
(A12)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (including alterations or additions to habitable rooms and sleeping areas or rooms for convalescing and learning) that do not comply with Standard D24.6.2(1) or D24.6.2(2)	Pr
(A13)	A new single dwelling on a site where a title was issued prior to 17 October 2007	D
Development between the 60dB L_{dn} and the 65dB L_{dn} noise boundaries		
(A14)	New activities sensitive to aircraft noise	D
(A15)	New activities sensitive to aircraft noise that does not comply with Standard D24.6.2(1) and D24.6.2(5)	NC
(A16)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (that do not involve alterations or additions to a habitable room)	P
(A17)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (that involve alterations or additions to habitable rooms and sleeping areas or rooms for convalescing and learning)	RD
(A18)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise that involve alterations or additions to habitable rooms and sleeping areas or rooms for convalescing and learning that do not comply with Standard D24.6.2(3) and D24.6.2(5)	D
(A19)	A single dwelling on a site where a title was issued prior to 17 October 2007	D
Development between the 55dB L_{dn} and 60dB L_{dn} noise boundaries ONB		
(A20)	New activities sensitive to aircraft noise	RD
(A21)	New activities sensitive to aircraft noise that do not comply with Standard D24.6.2(1), D24.6.2(4) and D24.6.2(5)	NC
(A22)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise that do not involve alterations and additions to a habitable room	P
(A23)	Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (including alterations and additions to habitable rooms and sleeping areas or rooms for convalescing and learning)	P
(A24)	Alterations or additions to existing buildings accommodating	D

Qualifying matter
as per s771(g)
of the RMA

Qualifying matter
as per s771(g)
of the RMA

	activities sensitive to aircraft noise (including alterations and additions to habitable rooms and sleeping areas or rooms for convalescing and learning) that do not comply with Standard D24.6.2(4) and D24.6.2(5)	
(A25)	A new single dwelling on a site where a title was issued prior to 17 October 2007	P
Subdivision		
(A26)	Subdivision (except subdivision associated with a network utility) within the 65dB L _{dn} noise boundary where the application identifies legal mechanisms on any land title(s) to permanently avoid the establishment of any additional activities sensitive to aircraft noise	D
(A27)	Subdivision (except subdivision associated with a network utility) within the 65dB L _{dn} noise boundary where the application does not identify legal mechanisms on any land title(s) to permanently avoid the establishment of any additional activities sensitive to aircraft noise	NC
(A28)	Subdivision (except subdivision associated with a network utility) between the 60dB L _{dn} and the 65dB L _{dn} noise boundaries and between the 55dB L _{dn} and 60dB L _{dn} noise boundaries	RD

Qualifying matter
as per s771(g)
of the RMA

Table D24.4.3 Activity table for Auckland International Airport

Qualifying matter
as per s771(e) and
s771(g) of the RMA

Qualifying matter
as per s771(e) and
s771(g) of the RMA

Qualifying matter
as per s771(e) and
s771(g) of the RMA

Activity		Activity status
Activities in the high aircraft noise area		
(A29)	New activities sensitive to aircraft noise (excluding tertiary education facilities)	Pr
(A30)	New tertiary education facilities and additions or alterations to existing activities sensitive to aircraft noise other than existing dwellings	NC
(A31)	Additions or alterations to an existing dwelling	RD
Activities in the high aircraft noise area within residential zones		
(A32)	Commercial services	P
(A33)	Dairies up to 100m ² gross floor area	P
(A34)	Food and beverage services up to 100m ² gross floor area	P
(A35)	Show homes	RD
(A36)	Storage and lock-up facilities	P
Activities within the moderate aircraft noise area and/or within the 57dB L_{dn} noise boundary (Figure 1)		
(A37)	New dwellings (or any subdivision for new dwellings) in a residential zone where: (a) average density does not exceed one dwelling per 400m ² ; or (b) the maximum density controls and/or minimum site size within the area included within I412 Flat Bush Precinct in the moderate aircraft noise area are complied with	P

D24 Aircraft Noise Overlay

Qualifying matter
as per s771(e) and
s771(g) of the RMA

Qualifying matter
as per s770(e)
and (g) of the RMA

Qualifying matter
as per s771(e) and
(g) and s770(e)
and (g) of the RMA

(A38)	New dwellings (or any subdivision for new dwellings) in a residential zone where: (a) average density exceeds one dwelling per 400m ² ; or (b) the maximum density controls and/or minimum site size within the area included within 1412 Flat Bush Precinct in the moderate aircraft noise area are exceeded	RD
(A39)	Additions or alterations to an existing dwelling in a residential zone	P
(A40)	Additions or alterations to existing activities sensitive to aircraft noise (other than dwellings in a residential zone)	RD
(A41)	New activities sensitive to aircraft noise within the moderate aircraft noise area and/or the 57dB L _{dn} boundary shown in Figure 1 not otherwise listed within this activity table	D
(A42)	New activities sensitive to aircraft noise within the moderate aircraft noise area and/or the 57dB L _{dn} noise boundary that do not comply with D24.6.3	NC

Figure 1 Auckland Airport 57 dB L_{dn} Boundary



Auckland Airport L_{dn} 57 dBA boundary

D24.5. Notification

- (1) Any application for resource consent for an activity listed in Table D24.4.1, Table D24.4.2 and Table D24.4.3 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\(4\)](#).

D24.6. Standards

All activities listed in Table D24.4.1, Table D24.4.2 and Table D24.4.3 must comply with the following standards.

D24.6.1. North Shore Airport, Kaipara Flats, and Whenuapai

Qualifying matter
as per s77I(g) and
s77O(g) of the RMA

- (1) The following activities:

- D24.4.1(A1) New activities sensitive to aircraft noise; and
- D24.4.1(A3) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise

must provide sound attenuation and related ventilation and/or air conditioning measures:

- (a) to ensure the internal noise environment of habitable rooms does not exceed a maximum noise level of 40dB L_{dn};
- (b) that are certified by a person suitably qualified and experienced in acoustics to the Council's satisfaction prior to its construction; and
- (c) so that the related ventilation and/or air conditioning system(s) satisfies the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.

D24.6.2. Ardmore Airport

Qualifying matter
as per s77I(g) of
the RMA

- (1) The following activities:

- D24.4.2(A11) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (including alterations or additions to habitable rooms and sleeping areas or rooms for convalescing and learning);
- D24.4.2(A14) New activities sensitive to aircraft noise; and
- D24.4.2(A20) New activities sensitive to aircraft noise;

must provide sound attenuation and related ventilation and/or air-conditioning measures to ensure:

Qualifying matter
as per s771(g) of
the RMA

- (a) the internal noise environment of habitable rooms and sleeping areas and rooms for convalescing and learning does not exceed a maximum of 40dB L_{dn}; and

dn

- (b) the related ventilation and/or air conditioning system(s) satisfies the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.

(2) The following activities:

- D24.4.2(A11) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (including alterations or additions to habitable rooms and sleeping areas or rooms for convalescing and learning); and
- D24.4.2(13) A new single dwelling on a site where a title was issued prior to 17 October 2007;

must:

- (a) be constructed from materials and use construction methods and insulation to achieve at least a 30dBA noise reduction in all such rooms with all external doors of the building and all windows of these rooms closed;

- (b) be certified by a suitably qualified and experienced person as meeting that standard to the Council's satisfaction prior to its construction; and

- (c) provide a ventilation system that:

- (i) complies with the mechanical ventilation requirements of Part G4 of the New Zealand Building Code for buildings where all external windows and doors are closed;
- (ii) creates no more than 40dB L_{Aeq (1min)} in the principal living room, no more than 30dB L_{Aeq (1min)} in the other habitable rooms, no more than 40dB L_{Aeq (1min)} in any hallway, in each building, and noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser; and
- (iii) on completion of construction, the owner must provide the Council with certificates prepared by suitably qualified and experienced persons certifying the acoustic treatment, sound attenuation measures and ventilation measures have been done to achieve compliance with this clause.

- (3) Activity D24.4.2(A17) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (that involve alterations or additions to habitable rooms and sleeping areas or rooms for convalescing and learning) must:

Qualifying matter
as per s771(g) of
the RMA

- (a) be constructed from materials and using construction methods and insulation to achieve at least a 30dBA noise reduction in all such rooms, with all external doors of the building and all windows of these rooms closed;
- (b) be certified by a suitable qualified and experienced person as meeting that standard to the Council's satisfaction prior to construction; and
- (c) provide a ventilation system that:
 - (i) complies with the mechanical ventilation requirements of Part G4 of the New Zealand Building Code for buildings where all external windows and doors are closed;
 - (ii) creates no more than 40dB L_{Aeq} (1min) in the principal living room, no more than 30dB L_{Aeq} (1min) in the other habitable rooms, no more than 40dB L_{Aeq} (1min) in any hallway, in each building, and noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser; and
 - (iii) on completion of construction, the owner must provide the Council with certificates prepared by suitably qualified and experienced persons certifying the acoustic treatment, sound attenuation measures and ventilation measures have been done to achieve compliance with this clause.

(4) The following activities:

- D24.4.2(A20) New activities sensitive to aircraft noise; and
- D24.4.2(A23) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (including alterations and additions to habitable rooms and sleeping areas or rooms for convalescing and learning);

must:

- (a) be constructed from materials and using construction methods to achieve at least a 25dBA noise reduction in all such rooms, with all external doors of the building and all windows of these rooms closed;
- (b) be certified by a suitably qualified and experienced person as meeting that standard to the Council's satisfaction prior to construction; and
- (c) provide a ventilation system that:
 - (i) complies with the mechanical ventilation requirements of Part G4 of the New Zealand Building Code for buildings where all external windows and doors are closed;

Qualifying matter
as per s771(g) of
the RMA

- (ii) creates no more than 40dB L_{Aeq} (1min) in the principal living room, no more than 30dB L_{Aeq} (1min) in the other habitable rooms, no more than 40dBA L_{Aeq} (1min) in any hallway, in each building, and noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser; and
- (iii) on completion of construction, the owner must provide the Council with certificates prepared by suitably qualified and experienced persons certifying the acoustic treatment, sound attenuation measures and ventilation measures have been done to achieve compliance with this clause.

- (5) Educational facilities, care centres and additions to existing educational facilities and care centres between the 60dB L_{dn} and the 65dB L_{dn} noise boundaries and between the 55dB L_{dn} and 60dB L_{dn} noise boundaries must be constructed and maintained to achieve an interior noise environment in classrooms and all other places of learning not exceeding 35dB L_{Aeq} (15min) 8.30am to 3.30pm Monday to Friday (inclusive).

Qualifying matter
as per s771(e) and
(g) and s770(e) and
(g) of the RMA

D24.6.3. Auckland International Airport

- (1) In buildings containing activities sensitive to aircraft noise (except care centres, educational facilities, and tertiary education facilities); acoustic insulation and related ventilation and/or air conditioning system/s must be installed to achieve an internal environment in all habitable rooms (with all external doors of the building and all windows of the habitable rooms closed) of 40dB L_{dn}. The mechanical ventilation system and/or air conditioning system(s) must include:
 - (a) a mechanical kitchen extractor fan ducted directly to the outside to serve any cooking hob, if not already installed and in sound working order; and
 - (b) a mechanical ventilation system or mechanical ventilation systems capable of:
 - (i) providing at least 15 air changes of outdoor air per hour in the principal living room of each building and five air changes of outdoor air per hour in the other habitable rooms of each building, with all external doors and windows closed except windows in non-habitable rooms that need to be ajar to provide air relief paths;
 - (ii) enabling the rate of airflow to be controlled across the range, from the maximum airflow capacity down to 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms;
 - (iii) limiting internal air pressure to not more than 30 Pascals above the ambient air pressure;
 - (iv) being individually switched on and off by the building occupants, in the case of each system; and

Qualifying matter
as per s77I(e) and
(g) and s77O(e) and
(g) of the RMA

- (v) operating at a noise level of no more than 40dB $L_{Aeq(1min)}$ in the principal living room, no more than 30dB $L_{Aeq(1min)}$ in the other habitable rooms, no more than 40dB $L_{Aeq(1min)}$ in any hallway, in each building, and noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser; or
- (c) air conditioning plus mechanical outdoor air ventilation capable of:
 - (i) providing internal temperatures in habitable rooms not greater than 25 degrees Celsius with all external doors and windows of the habitable rooms closed;
 - (ii) providing 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms;
 - (iii) providing for each air conditioning and mechanical ventilation system to be individually switched on and off by the building occupants; and
 - (iv) operating at a noise level of no more than 40dB $L_{Aeq(1min)}$ in the principal living room, no more than 30dB $L_{Aeq(1min)}$ in the other habitable rooms, no more than 40dB $L_{Aeq(1min)}$ in any hallway, in each building, and noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser.
- (2) For care centres, acoustic insulation and related ventilation and/or air conditioning systems must be installed to achieve an internal acoustic environment in each learning area and sleeping area (with all external doors and windows of the learning areas and sleeping areas closed) of 40dB L_{dn} . To achieve this, the care centre must provide either:
 - (a) a mechanical ventilation system or mechanical ventilation systems for each learning area and sleeping area:
 - (i) designed to achieve indoor air temperatures not less than 16 degrees Celsius in winter;
 - (ii) capable of providing outdoor air ventilation at the rate of 15l air/second/m² for the first 50m² and 7.5l air/second/m² of remaining area, when all external doors and windows of the learning area and sleeping area are closed;
 - (iii) capable of enabling the rate of air flow to be controlled across the range, from the maximum air flow capacity down to 8l/second/person for the maximum number of people able to be accommodated in the learning area and sleeping area at one time;
 - (iv) otherwise complying with the New Zealand Standard on Ventilation for Acceptable Indoor Air Quality (NZS 4303:1990);
 - (v) designed and installed so that each ventilation system can be capable of being individually switched on/off by the building occupants; and

- (vi) capable of creating no more than 35dB $L_{Aeq(1min)}$ in each learning area and sleeping area, no more than 40dB $L_{Aeq(1min)}$ in any hallway or corridor, and noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser; or
- (b) air conditioning plus mechanical outdoor air ventilation capable of:
 - (i) providing 8l outdoor air/second/person;
 - (ii) providing internal air temperatures in each learning area and sleeping area not greater than 27 degrees Celsius,
 - (iii) providing that the mechanical system creates no more than 35dB $L_{Aeq(1min)}$ in each learning area and sleeping area, no more than 40 dB $L_{Aeq(1min)}$ in any hallway or corridor, and noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser; and
 - (iv) otherwise complying with the New Zealand Standard on Ventilation for Acceptable Indoor Air Quality (NZS 4303:1990).
- (3) For educational facilities and tertiary education facilities, acoustic insulation and related ventilation and/or air conditioning systems must be installed to achieve an internal acoustic environment in each classroom (which includes any room used for teaching or research at a tertiary education facility), library and hall (which includes indoor recreational facilities at a tertiary education facility), with all external doors and windows of the classrooms, libraries and halls closed, of 40dB L_{dn} . To achieve this, those facilities must provide:
 - (a) in the case of classrooms and libraries, air conditioning and/or mechanical ventilation systems for each classroom or library that are:
 - (i) designed to achieve indoor air temperatures not less than 16 degrees Celsius in winter and not greater than 27 degrees Celsius in summer;
 - (ii) capable of providing outdoor air ventilation at the rate of 8 litres of air per second per person for the maximum number of people able to be accommodated in any such room at one time (“the required airflow”);
 - (iii) capable of enabling (in the case of classrooms or libraries in which only mechanical ventilation systems are used to satisfy the above temperature and outdoor air requirements), the outdoor airflow to be controlled across the range, from the maximum airflow capacity down to the required airflow when all external doors and windows of the classroom or library are closed;
 - (iv) otherwise complying with the New Zealand Standard on Ventilation for Acceptable Indoor Air (NZS 4303:1990); and
 - (v) operating at a noise level of no more than 35dB $L_{Aeq(1min)}$ in each classroom, no more than 40dB $L_{Aeq(1min)}$ in each library, no more than

40dB L_{Aeq} (1min) in any hallway or corridor, and noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser.

(b) in the case of halls, either a mechanical ventilation system or mechanical ventilation systems for each hall capable of:

- (i) providing at least 12 litres of outdoor air per second per square metre with all external doors and windows of the hall closed;
- (ii) enabling the outdoor airflow to be controlled across the range, from the maximum airflow down to the rate of 8 litres of outdoor air per second per person for the maximum number of occupants able to be accommodated in the hall at one time;
- (iii) otherwise complying with the New Zealand Standard on Ventilation for Acceptable Indoor Air Quality (NZS 4303:1990); and
- (iv) operating at a noise level of no more than 35dB L_{Aeq} (1min) in each hall, and no more than 40dB L_{Aeq} (1min) in any hallway or corridor. Noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser, or

(c) air conditioning plus mechanical outdoor air ventilation capable of:

- (i) providing 8 litres per second per person of outdoor air,
- (ii) proving internal air temperatures in each hall not greater than 27 degrees Celsius,
- (iii) providing that the mechanical system creates no more than 35dB L_{Aeq} (1min) in each hall, no more than 40dB L_{Aeq} (1min) in any hallway or corridor and noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser;
- (iv) otherwise complying with the New Zealand Standard on Ventilation for Acceptable Indoor Air Quality (NZS 4303:1990).

Qualifying matter
as per s77I(e) and
(g) and s77O(e) and
(g) of the RMA

(4) The required acoustic treatment measures to achieve the acoustic noise environment specified in rule D24.6.3(1), (2) and (3) must be determined by using the Future Airport Noise Contours contained in [Appendix 19 Auckland Airport Future Aircraft Noise Contours \(FANC\) – Aircraft Noise Overlay](#).

(5) Upon the completion of the installation of the acoustic treatment measures the owner must provide the Council with certificates prepared by a suitably qualified and experienced:

- (a) acoustical consultant certifying that the acoustic treatment measures specified for the activity in this control are sufficient to achieve compliance with this control and have been undertaken in accordance with sound practice; and

Qualifying matter
as per s771(e) and
(g) and s770(e) and
(g) of the RMA

- (b) ventilation engineer certifying that the ventilation measures specified for the activity in this control are sufficient to achieve compliance with this control and have been undertaken in accordance with sound practice.

D24.7. Assessment – controlled activities

There are no controlled activities in this overlay.

D24.8. Assessment – restricted discretionary activities

D24.8.1. Matters of discretion

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

D24.8.2. North Shore Airport, Kaipara Flats Airfield and Whenuapai Airbase and Ardmore Airport

(1) For the following activities:

- D24.4.1(A1) New activities sensitive to aircraft noise (between the 55dB L_{dn} and the 65dB L_{dn} noise boundary at North Shore Airport, Kaipara Flats Airfield and Whenuapai Airbase);
- D24.4.1(A3) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (between the 55dB L_{dn} and the 65dB L_{dn} noise boundary at North Shore Airport, Kaipara Flats Airfield and Whenuapai Airbase);
- D24.4.2(A20) New activities sensitive to aircraft noise (between the 55dB L_{dn} and 60dB L_{dn} noise boundaries at Ardmore Airport); and
- D24.4.2(A17) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise (that involve alterations or additions to habitable rooms and sleeping areas or rooms for convalescing and learning) (between the 60dB L_{dn} and the 65dB L_{dn} noise boundaries at Ardmore Airport):

- (a) the internal noise environment of the proposed and any existing structure;
- (b) the internal ventilation standards for the proposed or any existing structure;
- (c) measures for or relating to the attenuation of aircraft noise arising in connection with the airport/airfield/airbase;
- (d) the imposition of an obligation to ensure any required acoustic treatment measures are not removed without the Council's consent, including requiring the obligation to be registered on the certificate of title; and
- (e) the nature, size and scale of the proposed development.

(2) Subdivision within the Ardmore Airport:

- (a) measures for or relating to the attenuation of aircraft noise arising in connection with Ardmore Airport;
- (b) the imposition of an obligation not to remove any required acoustic treatment measures without the airport operator's consent, including requiring the obligation to be registered as a covenant on the certificate of title;
- (c) the nature, scale and intensity of the proposed development;
- (d) the location of proposed activities, including activities sensitive to aircraft noise; and
- (e) potential effects on Ardmore Airport.

D24.8.2.1. Auckland International Airport

(1) All restricted discretionary activities in Table D24.4.3:

- (a) the objectives and policies relating to activities sensitive to aircraft noise;
- (b) the nature, size and scale of the proposed development;
- (c) measures for or relating to the attenuation of aircraft noise arising in connection with the airport; and
- (d) the imposition of an obligation to ensure any required acoustic treatment measures are not removed without the Council's consent, including requiring the obligation to be registered as a covenant on the certificate of title.

(2) Show homes:

- (a) relocation of the show home from the site; and
- (b) duration of the activity on the site.

D24.8.3. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities.

D24.8.3.1. North Shore Airport, Kaipara Flats Airfield and Whenuapai Airbase and Ardmore Airport

- (1) The internal noise environment of the proposed and any existing structure should provide satisfactorily levels of health and amenity values to occupants.
- (2) The internal air quality of the proposed or any existing structure should provide satisfactory health, and amenity values to occupants.
- (3) The proposed measures for attenuation of aircraft noise arising in connection with the airport/airfield/airbase should satisfactorily avoid, remedy or mitigate those effects.
- (4) Mechanisms should be put in place to ensure there is an ongoing obligation on owners to ensure that required acoustic treatment measures are not removed without the Council's prior consent.
- (5) Having regard to all the circumstances, including location in relation to the airport/airfield/airbase, likely exposure of the site to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated, the nature, size and scale of the proposed activity should not be likely to lead to potential conflict with and adverse effects upon the operation of the airport/airfield/airbase.

D24.8.3.2. Auckland International Airport

- (1) All restricted discretionary activities in Table D24.4.3.
 - (a) The proposal should be consistent with the objectives and policies relating to the economic importance of the Auckland International Airport and the need to protect it from the reverse sensitivity effects associated with activities sensitive to aircraft noise.
 - (b) The nature, size and scale of the proposed development should not be likely to lead to reverse sensitivity effects on the Auckland International Airport. In considering this, the Council will consider whether:
 - (i) the numbers of people to be exposed to aircraft noise in the external environment as a result of the proposal and the amount of aircraft noise received at the site now and in the future will be adversely affected by that noise;
 - (ii) the development includes amenity areas or other features that raise expectations of high levels of outdoor amenity;
 - (iii) the nature of the development recognises the likelihood of an external environment heavily dominated by aircraft noise; and

- (iv) there will be frequent use of the building or the external environment for sleeping, convalescing, relaxing or learning purposes where quiet environments and the ability to leave windows and doors open are valued.
- (c) Mechanisms should be put in place to ensure there is an on-going obligation on owners to ensure that required acoustic treatment measures are not removed without the Council's prior consent.
- (d) The development should achieve an acceptable internal noise environment for habitable rooms and sleeping areas and rooms for convalescing or learning having regard to:
 - (i) the extent of any standard infringements and whether the non-compliance is insignificant;
 - (ii) where alternative measures are proposed, the design, construction and materials of any structure to be used would achieve an acceptable internal noise environment for habitable rooms and sleeping areas and rooms for convalescing or learning with all external doors and windows of the building/s closed;
 - (iii) whether alternative measures are proposed to ensure adequate ventilation and the removal of cooking smells; and
 - (iv) whether it is reasonable to require acoustic treatment measures (including measures for internal air quality purposes) in existing rooms, or whether such measures should be limited to the addition.
- (2) Show homes:
 - (a) conditions are imposed requiring that the show home is capable of being relocated from the site; and
 - (b) conditions are imposed limiting the duration of the show home activity being located on the site.

D24.9. Special information requirements

There are no special information requirements in this overlay.

D26. National Grid Corridor Overlay

The National Grid Corridor Overlay is identified as a qualifying matter in accordance with s 77O(b) and 77O(e) in the Business – City Centre Zone in the Auckland Unitary Plan (Operative in Part).

The National Grid Corridor Overlay has been identified as a qualifying matter in accordance with Schedule 3C cl.8(1) of the RMA.

Land subject to the National Grid Corridor Overlay outside of these two areas continue to be subject to D.26 National Grid Corridor Overlay in the Auckland Unitary Plan (Operative in Part).

D26.1. Overlay description

The National Grid is important to the social and economic well-being of Aucklanders and New Zealanders. All infrastructure owned or operated by Transpower New Zealand Limited comprises the National Grid.

Under the National Policy Statement on Electricity Transmission 2008, the Council is required to recognise and provide for the national significance of the National Grid, including through identifying and providing a buffer corridor and associated rules to avoid sensitive activities in the corridor and manage the actual and potential adverse effects of other activities on the National Grid. The National Grid Corridor Overlay crosses the coastal marine area, but no specific rules apply in this area.

Amenity values within the National Grid Corridor Overlay can be expected to be lower than elsewhere, due to the presence of the National Grid but this must be balanced against the benefits that an efficient and reliable National Grid provides.

The purpose of the National Grid Corridor Overlay is to manage sensitive activities and potentially incompatible development (including land disturbance) within close proximity to the National Grid in order to:

- prevent risks to people and property;
- protect the National Grid;
- preserve line access for inspection and maintenance;
- preserve a corridor for the operation, maintenance, upgrade and development of National Grid infrastructure; and
- manage potential reverse sensitivity effects.

Subdivision is managed so that future development achieves the objective and policies of the National Grid Corridor Overlay, including that the National Grid is not compromised and its long-term upgrading and development is facilitated in accordance with the National Policy Statement on Electricity Transmission 2008.

High voltage transmission lines pose a risk of electrical hazard in situations where development occurs too close and may result in injury to persons and/or damage to property, either as a result of direct or indirect contact with National Grid infrastructure.

Conversely, development in close proximity to the National Grid can pose risks to the National Grid itself including the potential for loss of security of supply through outages or physical damage, and through constraints on access for inspection and maintenance and undertaking line upgrades.

The areas within the National Grid Yard (Compromised and Uncompromised) are shown on the planning maps. The National Grid Yard (Uncompromised) areas are not generally compromised by the presence of existing buildings and are subject to limitations on new development. The National Grid Yard (Compromised) areas are generally compromised by the presence of existing buildings and are subject to fewer limitations than the National Grid Yard (Uncompromised). All parts of the National Grid Yard are subject to limitations on new activities sensitive to the National Grid.

The location of the National Grid Corridor Overlay must be updated if any National Grid line, support structure or substation is added, relocated or removed. The overlay's location will be updated automatically on sites where the overlay will no longer apply. However, a plan change under Schedule One of the RMA will still be required in circumstances where the overlay is proposed to apply to new locations or areas, including new areas of existing properties which are already impacted by the overlay.

D26.2. Objective [rcp/dp]

- (1) The efficient development, operation, maintenance and upgrading of the National Grid is not compromised by subdivision, use and development.

D26.3. Policies [rcp/dp]

- (1) Require subdivision, use and development within the National Grid Corridor Overlay to be undertaken so that it:
 - (a) meets the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001);
 - (b) does not compromise security of supply and/or the integrity of National Grid assets;
 - (c) does not compromise ongoing access to conductors and support structures for maintenance and upgrading works;
 - (d) does not foreclose future cable routes into substations in roads in urban areas;
 - (e) does not foreclose operation and maintenance options or the carrying out of planned upgrade works;
 - (f) manages all activities to avoid exposure to health and safety risk from the National Grid;
 - (g) manages activities sensitive to the National Grid to minimise exposure to nuisance, such as noise and line drip from the National Grid;
 - (h) avoids the establishment or expansion of activities sensitive to transmission lines in the National Grid Yard and around substations;

- (i) provides for use and development, except for activities sensitive to the National Grid, in the National Grid Yard (Compromised);
- (j) avoids new structures and buildings within the National Grid Yard (Uncompromised), except for buildings for low intensity rural activities and minor structures; and

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- (k) limits, as far as practicable, potential reverse sensitivity effects.
- (2) Require structure plans to take into account the National Grid Corridor overlay to ensure that the National Grid is not compromised by reverse sensitivity and other effects from future subdivision, use and development.
- (3) Require activities within the National Grid Corridor overlay within the coastal marine area to be undertaken so that they achieve all relevant items in Policy D26.3(1).

D26.4. Activity table

Table D26.4.1 Activity table – within the National Grid Yard specifies the activity status for use, development and subdivision activities within the National Grid Yard pursuant to sections 9(3) and 11 of the Resource Management Act 1991.

Table D26.4.2 Activity table – within the National Grid Substation Corridor specifies the activity status for land use, development and subdivisions activities pursuant to sections 9(3) and 11 of the Resource Management Act 1991.

Table D26.4.3 Activity table – within the National Grid Subdivision Corridor specifies the activity status for subdivision activities pursuant to section 11 of the Resource Management Act 1991.

Tables D26.4.1, D26.4.2 and D26.4.3 do not apply to Transpower's activities.

Where activities are shown in the Activity table below, the applicable zone, precinct and Auckland- wide rules also apply.

For subdivision within the National Grid Corridor overlay, the relevant zone rules in [E38 Subdivision – Urban](#) or [E39 Subdivision – Rural](#), D26.6.2 (controlled activity development standards) and D26.8 (Assessment - restricted discretionary activities) apply. A blank in Table D26.4.1 below means that the Auckland-wide subdivision provisions apply.

The National Grid Corridor Overlay rules cease to have effect and the maps can be updated accordingly where:

- (a) a National Grid line or part of a line is dismantled, undergrounded or moved;
or
- (b) a National Grid substation is dismantled, or the site boundary of a National Grid substation reduces in size;

and the following has occurred:

- (c) Transpower New Zealand Limited has advised the Council in writing; and
- (d) The council has advised owners of the property from which the overlay will be removed in writing;

That the National Grid Corridor Overlay provisions are no longer required for that line or part of that line, or for that substation or that part of that substation.

In circumstances where the National Grid Corridor Overlay is proposed to apply to a new area or location, then a plan change under Schedule One of the RMA will be required.

Table D26.4.1 Activity table – within the National Grid

Yard (Compromised and Uncompromised)

Activity		Activity status
(A1)	Establishing activities sensitive to the national grid in an existing building or a new building	NC
(A2)	Any activity including land disturbance that permanently physically impedes existing vehicular access to a national grid support structure	NC
(A3)	Network utilities (excluding buildings and structures for irrigation) and electricity generation that connect to the national grid	P
(A4)	Any storage or use of hazardous substances or hazardous wastes (excluding motor vehicle fuel tanks and the accessory use and storage of hazardous substances in domestic scale quantities)	NC
(A5)	<i>[deleted]</i>	
(A6)	Any permitted activity that does not meet the permitted activity standards	RD
(A7)	Any activity, building or structure that fails to comply with the requirements of NZECP 34:2001	NC
Development		
(A8)	External building extensions for an activity sensitive to the National Grid	NC
(A9)	Any building or structure unless it is otherwise provided for below	NC
(A10)	Fences	P
(A11)	Within the National Grid Yard (Compromised) any new building or structure, and alterations, that is not for activities sensitive to the national grid	P
(A12)	Accessory buildings (excluding buildings containing sleeping areas) for activities sensitive to the national grid	P
(A13)	Alterations to existing buildings that do not increase the building envelope or footprint	P
(A13A)	Within the National Grid Yard (Uncompromised) any structures that do not meet the definition of Building in Chapter J	P
Buildings and structures in addition to the above in rural zones and the Future Urban Zone		
(A14)	Horticultural structures between 8m and 12m from a pole (but not a tower) support structure	P
(A15)	An agricultural or horticultural structure located within 12m of a tower or 8m of a pole support structure that complies with clause 2.4.1 of NZECP34:2001	P

Qualifying Matter as per ~~s771(b)~~ and ~~s771(e)~~ and s770(b) and s770(e) of the RMA within the Business – City Centre Zone

Qualifying Matter as per Schedule 3C cl. 8(1) of the RMA

(A16)	Uninhabited farm buildings and structures, surrounding platforms and stockyards associated with milking sheds, animal feed lots and 3-sided calf rearing sheds, and alterations to these buildings and structures	P
(A17)	Uninhabited horticultural buildings and structures and alterations to these buildings and structures	P
(A18)	Principal buildings for intensive farming activities (excluding animal feed lots), milking shed buildings (excluding the surrounding platform and any stockyards), wintering barns, commercial greenhouses and immoveable protective canopies	NC
Land disturbance		
(A19)	Land disturbance that complies with Standards D26.6.1.1(1)(a), D26.6.1.1(1)(b), D26.6.1.1(1)(c) and D26.6.1.1(1)(d)	P
(A20)	Land disturbance that does not comply with Standards D26.6.1.1(1)(a), D26.6.1.1(1)(b), D26.6.1.1(1)(c) and D26.6.1.1(1)(d)	RD
(A21)	Land disturbance that does not comply with Standard D26.6.1.1(1)(e) – (f)	NC
Subdivision		
(A22)	Creation of lots involving a new building platform in the National Grid Yard for activities sensitive to the National Grid	NC
(A23)	Creation of lots involving a new building platform in the National Grid Yard (Uncompromised)	NC
(A24)	For all other subdivision on land within an urban zone the activity status listed in E38 Subdivision – Urban under Tables E38.4.1 to E38.4.5 will apply	
(A25)	For all other subdivision on land within a rural zone the activity status listed in E39 Subdivision – Rural under Tables E39.4.1 to E39.4.5 will apply	
(A26)	Subdivision for controlled activities in E38 Subdivision – Urban and E39 Subdivision – Rural that do not comply with Standards D26.6.2.1(1) and D26.6.2.1(2)	NC

Table D26.4.2 Activity table – within the National Grid Substation Corridor

Activity		Activity status
(A27)	Network utilities and electricity generation that connects to the National Grid	P
(A28)	Roading activities, and network utilities or electricity generation that connects to the National Grid that are above ground or comply with Standard D26.6.1.2(1), and electricity transmission infrastructure in a road carriageway	P

(A29)	New underground network utilities (except for electricity generation that connects to the National Grid) in a road carriageway identified in Table D26.6.1.2.1 that do not comply with Standard D26.6.1.2(1)	RD
Buildings and structures		
(A30)	New buildings for activities sensitive to the National Grid	RD

Subdivision		
(A31)	Subdivision for activities sensitive to the National Grid which are listed as permitted or controlled in E38 Subdivision – Urban under Tables E38.4.1 to E38.4.5	RD
(A32)	Subdivision for activities sensitive to the National Grid which are listed as permitted or controlled in E39 Subdivision – Rural under Tables E39.4.1 to E39.4.5	RD

Table D26.4.3 Activity table – within the National Grid Subdivision Corridor

Activity		Activity status
Subdivision		
(A34)	Subdivision within the National Grid Subdivision Corridor	RD

D26.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table D26.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table D26.4.1 or Table D26.4.2 and which is not listed in D26.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) 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\(4\)](#).

D26.6. Standards

D26.6.1. Permitted activity standards

All activities listed as permitted in Tables D26.4.1 or D26.4.2 must comply with the following permitted activity standards.

D26.6.1.1. Land disturbance within the National Grid Yard

- (1) Land disturbance must:

- (a) be no deeper than 300mm within 6m of the outer visible edge of the foundations of a national grid tower support structure;

- (b) be no deeper than 300mm within 2.2m of a national grid pole support

structure or stay wire;

- (c) be no deeper than 3m between 6 to 12m from the outer edge of the visible foundation of a national grid tower support structure;
- (d) be no deeper than 750mm within 2.2 to 5m of a National Grid pole support structure; except that vertical holes not exceeding 500mm in diameter beyond 1.5 from the outer edge of pole support structure or stay wire are exempt;
- (e) not create an unstable batter that will affect a National Grid support structure; and
- (f) not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34:2001.

(2) Standards D26.6.1.1(1)(a) – (d) do not apply to:

- (a) land disturbance for a network utility (excluding buildings and structures for irrigation), as part of an electricity transmission activity, or for electricity infrastructure;
- (b) land disturbance undertaken as part of agricultural, horticultural or domestic cultivation, or repair, sealing or resealing of a road, footpath or driveway (including a farm track); and
- (c) land disturbance for a network utility (excluding buildings and structures for irrigation).

D26.6.1.2. Underground network utilities in the road carriageways

(1) All network utilities within the road carriageways identified in Table D26.6.1.2.1 must comply with the following standards:

- (a) the network utility is an electrical cable that has a maximum continuous current carrying capability of 250A or less, a telecommunication cable, or a gas, water supply or sewer pipe connection to one or more properties; and
- (b) the pipe or cable is buried to a depth no greater than 1.2m below the surface of the road.

(2) Except that:

- (a) underground telecommunications fibre cables need not comply with Standard D26.6.1.2.1(a) and (b) if they are located in an area no deeper than 1.5m below the surface and no wider than 500mm inside the underground National Grid Substation Corridor; and
- (b) underground electricity cables need not comply with Standards D26.6.1.2.1(a) and (b) if a suitably qualified expert, commissioned by both the owner of the National Grid and the local distribution lines company supplied by the particular substation, certifies that any such cable does not foreclose (physically or due to heat transfer

of the transmission cable) the ability to install other underground electricity transmission cables to the substation.

Table D26.6.1.2.1 Underground network utilities in the road carriageways

Substation	Road	Distance
Henderson	Lincoln Park Avenue, Triangle Road, Cartmel Avenue	250m
Hepburn Road	Hepburn Road, Akatea Road, Bancroft Crescent	250m
Mangere	Tennessee Avenue, Massey Road, Ferguson Street, Driver Road	250m
Mt Roskill	May Road, Richardson Road, Nirvana Way, Ellis Avenue, Jana Place, Subritzky Avenue, White Swan Road	500m
Otahuhu	Bairds Road, Hellabys Road, Gilbert Road, Kaitawa Street	250m
Pakuranga	Golfland Drive, Nandina Avenue, Ti Rakau Drive, Greenmount Drive	500m
Penrose	Gavin Street	500m
Wairau Road	Wairau Road	250m
Wiri	Te Irirangi Drive, Great South Road	500m

D26.6.1.3. Fences

(1) Fences must:

- (a) be located at least 5m from a National Grid support structure; and
- (b) be no more than 2.5m in height.

D26.6.1.4. Buildings and structures

(1) Buildings, structures and alterations including uninhabited horticultural buildings and structures (except those subject to Standard D26.6.1.6) and uninhabited farming buildings, structures and surrounding platforms and stockyards must be located at least 12m from a National Grid support structure.

Qualifying Matter as per s77I(b) and s77I(e) and s77O(b) and s77O(e) of the RMA

D26.6.1.5. Accessory buildings

(1) Accessory buildings must:

- (a) be located at least 12m from a National Grid support structure;
- (b) be no more than 2.5m in height; and
- (c) have a floor area of no more than 10m².

Qualifying Matter as Schedule 3C cl.8(1)] of the RMA

D26.6.1.6. Horticultural structures between 8m and 12m from a pole support structure

(1) Horticultural structures between 8m and 12m from a pole (but not a tower) support structure must:

- (a) be no more than 2.5m in height;
- (b) be removable or temporary, to allow a clear working space 12m from the pole where necessary for maintenance purposes; and
- (c) allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.

D26.6.2. Controlled activity standards

All controlled activities must comply with the following controlled activity standards.

D26.6.2.1. Subdivision

- (1) The design and construction of subdivision including land disturbance and the location of buildings and structures must comply with NZECP34:2001.
- (2) The design and construction of subdivision must maintain vehicular access to any National Grid support structure.

D26.7. Assessment – controlled activities

The council will consider the relevant assessment criteria for controlled activities contained in [E38.11](#) and [E39.7](#).

D26.8. Assessment – restricted discretionary activities

D26.8.1. Matters of discretion

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

- (1) Subdivision within the National Grid yard and the National Grid Substation Corridor:
 - (a) effects of the subdivision on the efficient operation, maintenance, upgrade and development of the national grid;
 - (b) risk of electrical hazards affecting public or individual safety, and the risk of property damage;
 - (c) the ability to provide a complying building platform;
 - (d) location, design and use of the proposed building platform or structure as it relates to the national grid;
 - (e) the nature and location of any vegetation associated with the subdivision to be planted in the vicinity of the national grid;
 - (f) where the proposed subdivision is part of a more extensive greenfields development, consistency with the planned future form and character of the area or zone, and the potential impacts on the National Grid, including reverse sensitivity effects and potential effects on the operation, maintenance, development and upgrade of the affected part of the National Grid; and

the National Grid operator.

- (h) the matters for discretion set out in [E38 Subdivision – Urban](#) under [E38.12.1](#), where the land under subdivision is within an urban zone, and provided the matters are not inconsistent with matters listed as (a) to (g) above; and
- (i) the matters for discretion set out in [E39 Subdivision – Rural](#) under [E39.8.1](#) where the land under subdivision is within a rural zone, and provided the matters are not inconsistent with matters listed as (a) to (g) above.

(1A) subdivision within the National Grid Subdivision Corridor:

- (a) vehicular access to a National Grid support structure;
- (b) risk of electrical hazards affecting public or individual safety, and the risk of property damage;
- (c) potential impacts on the operation of the National Grid from reverse sensitivity relating to visual amenity; and
- (d) The nature and location of any proposed vegetation.

(2) land disturbance that does not comply with Standard D26.6.1(1)(a) – (d):

- (a) the degree of non-compliance with the standard(s) and the effects on the efficient operation, maintenance, upgrade and development of the national grid;
- (b) risk of electrical hazards affecting public or individual safety, and the risk of property damage;
- (c) the risk to the structural integrity of the National Grid; and
- (d) technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.

(3) new buildings for activities sensitive to the National Grid in the National Grid Substation Corridor:

- (a) effects of the development on the efficient operation, maintenance, upgrade and development of the substation;
- (b) risk of electrical hazards affecting public or individual safety, and the risk of property damage; and
- (c) technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.

(4) new underground network utilities (except for electricity generation that connects to the National Grid) in a road carriageway that do not comply with Standards D26.6.1.2(1), (2)(a) and (2)(b):

- (a) the degree of non-compliance with the standard(s);

- (b) the effects on the efficient operation, maintenance, upgrade and development of the national grid, including foreclosing options to install underground cables to the substation; and
 - (c) technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.
- (5) buildings and structures that do not comply with Standards D26.6.1.3, D26.6.1.4, D26.6.1.5 and D26.6.1.6:
- (a) the degree of non-compliance with the standard(s);
 - (b) the effects on the efficient operation, maintenance, upgrade and development of the national grid;
 - (c) risk of electrical hazards affecting public or individual safety, and the risk of property damage; and
 - (d) technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.

D26.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) subdivision within the National Grid Yard and National grid Substation Corridor:
 - (a) whether the requirements of Policy D26.3(1) will be met;
 - (b) whether a building platform complies with national grid corridor overlay rules, including those relating to sensitive activities;
 - (c) the extent to which the location, height, scale, orientation and use of the any proposed building platform, structure or planting will compromise the efficient operation, maintenance, upgrade and development of the National Grid;
 - (d) the extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid;
 - (e) any implications arising from any technical advice from an Electrical Engineer specialising in transmission or the National Grid operator;
- (1A) subdivision within the National Grid Subdivision Corridor:
 - (a) the extent to which the location of any proposed building platform, structure or planting will create a permanent physical impediment to vehicular access to any National Grid support structure;
 - (b) the extent to which the requirements of the New Zealand Electrical Code of Practice for electrical safe Distance (NZECP 34:2001) are able to be met, including whether a building platform can comply;

- (c) the extent to which the use of conductive materials in infrastructure or structures (including fences) in a subdivision will increase the risk associated with earth potential rise;
 - (d) the extent to which the subdivision design and layout manages visual amenity of future residents in order to address, as far as practicable, the potential for reverse sensitivity effects on the operation of the National Grid;
 - (e) the extent to which the mature size of any proposed planting will compromise the efficient operation, maintenance, upgrade and development of the National Grid; and
 - (f) any implications arising from technical advice from an Electrical Engineer specializing in transmission or the National grid operator in relation to clauses (b) and (c) above.
- (2) land disturbance that does not comply with Standards D26.6.1(1)(a) – (d):
- (a) whether the requirements of Policy D26.3(1) will be met;
 - (b) where more than one standard is not complied with, consideration of the cumulative effects of the non-compliances; and
 - (c) any implications arising from any technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.
- (3) new buildings for activities sensitive to the National Grid in the National Grid Substation Corridor:
- (a) whether the requirements of Policy D26.3(1) will be met;
 - (b) the extent to which the location, height, scale, orientation and use of the any development will compromise the efficient operation, maintenance, upgrade and development of the National Grid;
 - (c) the extent to which the development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid; or
 - (d) any implications arising from any technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.
- (4) new underground network utilities (except for electricity generation that connects to the National Grid) in a road carriageway that do not comply with Standard D26.6.1.2(1):
- (a) the implications in terms of the continuing ability to install operate and maintain underground cables to the substation;
 - (b) where more than one standard is not complied with, consideration of the cumulative effects of the non-compliances; and
 - (c) any implications arising from any technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.

D26.6.1.4, D26.6.1.5 and D26.6.1.6:

- (a) whether the requirements of Policy D26.3(1) will be met;
- (b) the extent to which the non-compliance will compromise the efficient operation, maintenance, upgrade and development of the National Grid;
- (c) where more than one standard is not complied with, consideration of the cumulative effects of the non-compliances; and
- (d) any implications arising from any technical advice from an Electrical Engineer specialising in transmission or the National Grid operator.

D26.9. Special information requirements

- (1) An electrical engineering assessment prepared by a suitably qualified person may be required.