Proposed Plan Change 54 (PC 54) and Proposed Plan Modification 13 (PM 13)

Plan Change 54 to the Auckland Unitary Plan (Operative in part) and Plan Modification 13 to the Auckland Council District Plan - Hauraki Gulf Islands Section to enable Rainwater Tank Installation in Residential and Rural zones.

SECTION 32
EVALUATION REPORT

Table of Contents

Executive Summary

1. Current low water levels in Auckland's storage dams pose considerable risk of water shortages in the summer of 2020/21. Climate change weather events involving droughts are also expected to further test the resilience of Auckland's water supply system.

2. Water shortages initially impacted residents in rural areas that use rainwater tanks. However, as the drought has persisted throughout the autumn of 2020, water shortages are now impacting on the municipal network.

3. A number of initiatives are being undertaken to mitigate the impact of water shortages on Auckland's communities, including:

    - The development of a targeted communications and engagement campaign to prepare non-reticulated residents for water shortages;

    - Preparations to start up minimum service programmes of 20L per person per day welfare water stations in target areas; and

    - A rainwater tank programme of works, aimed to enable voluntary rainwater tank installations by removing overly restrictive barriers, improving guidance and exploring incentivisation options and the mandating of rainwater harvesting on new developments.

4. On the 25 June 2020, the Governing body agreed in principle, to remove the current resource consenting requirements for rainwater tanks in residential and rural zones through a plan change

5. On the 1st July 2020, Council temporarily removed resource consent fees for rainwater tank applications in most scenarios, with a goal to encourage rainwater tank installations during Auckland's water crisis, by removing prohibiting resource consent costs. This move has seen a marked increase in rainwater tank consent related enquiries, however, is deemed a short-term solution.

6. There are many ways in which a more permissive regulatory framework for rainwater tanks could be achieved through a Plan Change, and these have been explored, along with cost and benefit analysis.

7. The common reason for a resource consent being triggered, is often related to rainwater tanks over 1m in height being defined as a "building", and consequentially needing to follow development standard rules. With urban sites in particular becoming more space constrained, the options on where to place a rainwater tank can be limiting, often infringing side and rear yard rules and building coverage thresholds.

8. The preferred approach as detailed in this section 32 analysis, is to exclude rainwater tanks from the definition of a "building" in the AUP(OP) for specified zones and Overlays, and introduce a new definition of "rainwater tank".

9. In addition, it is proposed that rainwater tanks be listed in permitted activity tables, with customised standards for Residential and Rural zones, the Special Character Area Overlay – Residential and Business, and Special Purposes Māori zone.

10. With regard to the Auckland District Plan (Hauraki Gulf Islands), the proposed approach is to introduce a new definition of "rainwater tank" and in addition, set thresholds for

rainwater tank height, placement and colouring to maximise on enablement, while also protecting the amenity values of the Islands.

Introduction

This report is prepared as part of the evaluation required by Section 32 of the Resource Management Act 1991 ('**the Act**') for a proposed Plan Change 54 (**PC 54**) to the Auckland Unitary Plan (Operative in Part) (**AUP**) and for proposed Plan Modification 13 (**PM 13**) to the Auckland Council District Plan – Hauraki Gulf Islands Section – Operative 2018 (**HGI**).

Section 32 Evaluation

Section 32 of the Act requires that before adopting any objective, policy, rule or other method, the Council shall carry out an evaluation to examine:

- The extent to which each objective is the most appropriate way to achieve the purpose of the Act, and
- Whether, having regard to their efficiency and effectiveness, the polices, rules or other methods are the most appropriate for achieving the objective.

The evaluation must also take into account:

- The benefits and costs of policies, rules, or other methods; and
- The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

The evaluation approach

This section outlines how the Plan Change has been evaluated. The rest of this report will follow the evaluation approach described in the table below. In accordance with section 32(6) of the RMA and for the purposes of this report:

i. the 'proposal' means the PC 54 and PM 13 to enable rainwater tanks;
ii. the 'objectives' means the desired outcomes of the PC 54 and PM 13; and
iii. the 'provisions' means the suggested amendments to the Unitary Plan and to the Auckland Council District Plan – Hauraki Gulf Islands Section to enable rainwater tank installations while maintaining amenity value.

Table 1: Report Structure

Sections of this report	Evaluation Approach
Section 2: Issues	This part of the report will explain the resource management issues and why there is a need to resolve them.
Section 3: Objectives	This part of the report will outline the purpose of PPC 54 and PM 13.
Section 4: The development and evaluation of options	In accordance with section 32(1)(b) and (2) of the RMA, this section examines whether the options appropriately achieve the objectives of the AUP and the HGI and the sustainable management purpose of the RMA. The options are assessed by their efficiency and effectiveness, costs, benefits and risks to resolve the RMA issue.

Sections of this report	Evaluation Approach
Section 5: Reasons for the proposed Plan Change	In accordance with subsections 32(1)(a) and (1)(b)(iii) of the RMA, this part of the report examines the extent to which the objectives of the proposal (PPC 54 and PM 13) are the most appropriate way to achieve the purpose of the RMA. This section outlines the reasons for PPC 54 and PM 13 and the scope of PPC 54 and PM 13.
Section 6: Statutory evaluation	This part of the report evaluates the relevance of PPC 54 and PM 13 to Part 2 (sections 5-8) and other relevant parts / sections of the RMA.
Section 7: National and local planning context	This part of the report evaluates the relevance of PPC 54 and PM 13 against the national and local planning context.
Section 8: Development of the Plan Change	This part of the report outlines the methodology and development of PPC 54 and PM 13, including the information used and consultation undertaken in preparing PPC 54 and PM 13. This section includes a summary of all advice received from iwi authorities on PPC 54 and PM 13 (as required by section 32(4)(a) of the RMA).
Section 9: Evaluation of provisions	This part of the report outlines the evaluation conducted on individual issues contained within PPC 54 and PM 13.
Section 10: Conclusion	This part of the report concludes that PPC 54 and PM 13 are the most efficient, effective and appropriate means of addressing the resource management issues identified.

This section 32 evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Issues

Auckland Unitary Plan (Operative in Part)

1. The Auckland Unitary Plan ('Unitary Plan') became operative on 15 November 2016. The Auckland District Plan - Hauraki Gulf Islands section (HGI plan) became operative on 22 March 2018. There is evidence to suggest that there are current issues or gaps within both plans which are leading to outcomes that do not align with the council's sustainable management policy directions. Planning provisions and definitions in both plans may be contributing to:

    i. Unintended discouragement of voluntary domestic rainwater tank installations (particularly in urban zones connected to the mains water supply):

- Under AUP Chapter J1.4.1 "Tanks including retention tanks" are currently defined as being a "building" if they are "over 1m in height from ground level, inclusive of the height of any supporting structure, or more than 25,000L capacity, where any part of the tank is more than 1m above ground level." Furthermore, under the current AUP definitions, there is no distinction between "retention tanks" (used for rainwater harvesting/ household use) and "detention tanks" (used for stormwater management).

- Under the HGI Plan the definition of building refers to "any structure or part of a structure" unless listed in the definition as exempt. Currently, rainwater tanks are not included in the list of exemptions.

- In both the AUP and HGI Plan buildings located in a yard (front/ side/ rear) are not a permitted activity and trigger requirement for resource consent.

- "Slimline" rainwater tanks (generally used for "retention"/ household use) are better suited to space constrained, urban residential zones due to their design taking up less ground area compared to traditional/classic round tanks. The placement near downpipes and the use of otherwise underutilised side and rear yard spaces is a beneficial outcome, but currently an outcome that requires resource consent on the basis of the height of tanks as they are frequently defined as a "building". Due to this, a number of development standards must be followed and if infringed can result in resource consent complexities and costs to the homeowner. In many cases the cost of a resource consent can equal or extend beyond the value of the rainwater tank purchase and installation.

- Since 1 July 2020, Auckland Council temporarily implemented removing resource consent fees for rainwater tank applications in most scenarios. A dedicated rainwater tank inbox was set up to help service these enquiries. Over the first two months of the "free resource consent fee" period there were approximately 100 enquiries, of which all, with the exception of one, related to rainwater tanks over 1 m in height. Approximately eight of these enquiries

have resulted in resource consents being issued, mainly due to minor side yard infringements or for tanks located on sites in the Special Character Area Overlay.

- BRANZ guidelines[1] indicate that in order to collect enough water to be of practical non-potable use within a residential urban environment (connected to the municipal supply), tanks sized at between 2,000 - 10,000 litres are recommended. Rural areas or areas requiring storage capacity to deliver full potable water supply require increased volumes, with tanks generally ranging between 20,000 - 30,000 litres to meet their needs. Up to 50,000 litres is recommended in rural areas, where rainwater is needed for additional firefighting reserves. Common above ground tank sizes used in urban environments are between 1.85m – 3m high and in rural environments are between 2m – 3.4m high.

- Resource consent fees can range from $500 for a Deemed Permitted Boundary Activity, and in some cases may require a deposit of $4,000 should additional complexity need to be considered. (This deposit may be partly refundable depending on the application's complexity.) This adds considerable additional cost given that depending on size, function and design, above ground, "slimline" rainwater tanks over 2,000 litres suitable for an urban environment can typically cost between $1,300 - $5,500 for the tank alone.

ii. Sub-optimal tank placement outcomes:

- The AUP(OP) and HGI Plan do not require a designated space for the location of service facilities and there are limited opportunities in the current assessment criteria to require developments to provide sufficient space. As a result, the availability of suitable storage space for rainwater tanks is limited.

- This issue is becoming more prevalent in the AUP(OP) Mixed Housing Urban and Terraced Housing and Apartment Building zones which provide for more intensive development, meaning both site sizes and outdoor living space sizes are decreasing and may preclude installation of rainwater tanks.

Auckland Council District Plan – Hauraki Gulf Islands (Operative 2018)

The mostly unreticulated Hauraki Gulf Islands face many of the same issues in terms of water resilience and placement options upon sites as urban Auckland. The role of the HGI District Plan in restricting the ability of the landowners to install rainwater tanks

[1] Cost-effectiveness of water conservation measures and rainwater tanks in New Zealand houses-BRANZ

presents in some cases as an issue. The greater enablement of rainwater tank installations on the islands is considered an appropriate objective for consider through this section 32 report.

Auckland's Water Related Challenges

Auckland Council recognises that multi-tiered solutions and strategic planning are required to ensure Auckland becomes a sustainable, resilient, water sensitive city today and in the future. Whilst rainwater tanks are not the only solution available to address Auckland's water related challenges, increased collection of rainwater across Auckland will result in beneficial contributions to total water supply and stormwater management.

Stormwater management: Challenges exacerbated by development and rainfall

Population growth leads to increased urban intensification and development which changes the state of our natural landscape and how water flows. Development patterns are also changing with larger houses being built on smaller sites and an increase in more intensive developments (for example terraced housing and apartments). These development patterns are resulting in an increase in impervious (sealed) surfaces across Auckland. Increases in imperviousness impact the flow of rainfall that would otherwise infiltrate through soils, be transferred to the atmosphere by vegetation (evapotranspiration), or slowly drain overland. Instead, increasing imperviousness results in rain and stormwater running faster across sealed surfaces, contributing to:

- Increased levels of contaminants (e.g. oil, grease, metals, pollutants) entering streams, rivers and ultimately, the coastal environment.

- Increased velocity of flow during storm events resulting in increased rates of erosion to stream banks, rivers and the coastal environment.

- Increased water load being placed on the combined stormwater and wastewater networks impacting the coastal environment, the health of beaches and harbours, and demands on our piped networks.

- Increased downstream flooding undermining property assets and reducing amenity value.

These impacts continue to be exacerbated by ongoing development across Auckland and the associated increase in impervious area that has occurred both as a result of urban intensification and urban growth. Substantial urban growth is provided for in the AUP(OP), for example, through intensified zoning provisions and eventual expansion into rural areas (i.e. land currently zoned Future Urban). As Auckland's population continues to grow, impervious surfaces will continue to increase. The hydrological impact associated with this requires mitigation. This mitigation will require either on-site measures such as rainwater re-use tanks, or publicly built capital works projects. The

latter is challenging to deliver in the context of existing urban development constraining sites where stormwater physical works could occur.

Of special concern, are the areas of Auckland, mainly between Grey Lynn and the city centre, that currently discharge stormwater to the combined stormwater / wastewater network. A legacy from the early 1900's, this combined network lacks capacity in places and during significant rainfall events, can overflow causing sewer spillage into our waterways and harbours. While Watercare's Central Interceptor project , which runs from Grey Lynn to the Mangere Treatment Centre (due for completion around 2026), will improve this condition, installation of rainwater tanks within the urban, built-up parts of the city could contribute to capturing stormwater that would otherwise flow through the combined network.

The AUP(OP) Chapter E1. Water quality and integrated management, requires measures to be taken to "Avoid as far as practicable, or otherwise minimise or mitigate, adverse effects of stormwater runoff from greenfield development on freshwater systems, freshwater and coastal water" (E1.3 (8)) and to "Minimise or mitigate new adverse effects of stormwater runoff, and where practicable progressively reduce existing adverse effects of stormwater runoff, on freshwater systems, freshwater and coastal waters during intensification and redevelopment of existing urban areas" (E1.3 (9)). Figure B7.4.2.1 (B7. Toitū te whenua, toitū te taiao – Natural resources) identifies the areas of coastal water that have been degraded by human activities.

The HGI Plan Part 2 – Resource Management Overview also identifies water management as a significant resource management issue. The need for sustainable management of development activities with potential impacts on water is identified as a key issue in section 2.5.6 Water – with emphasis placed on appropriately managing runoff from changing volumes of runoff due to an increase in hard surfaces. HGI Objective 2 seeks to ensure that new development uses appropriate sustainable methods to minimise the quantity and quality of runoff requires appropriate management of stormwater gives a clear directive that stormwater is to be appropriately managed.

<u>Water supply resilience: Challenges exacerbated by population growth and prolonged dry periods</u>

Auckland's population is increasing. Studies show that Auckland's population has grown at around double the rate of the national average over the last five years with growth forecasted to increase by an additional 720,000 people by 2048[2].

This increase in population, increases the demands placed on reticulated water supplies. For example, during April 2020, the average storage levels of dams used for Auckland's reticulated supply was approximately 47%, compared with a historical average of 76%. Some of the dams were approximately 30% full. Demands are also placed on non-reticulated rural areas and the Hauraki Gulf Islands. In non-reticulated

[2] Auckland's Land Use Scenario i11

areas, particularly isolated areas, there is a need for increased water storage capacity to develop resilience, self-reliance and to avoid demand on external emergency supplies such as water tanker deliveries.

Rainfall Patterns

Demands on Auckland's dams were intensified in early 2020 due to a prolonged dry period. Auckland's climate is changing - rising average temperatures and weather patterns are becoming more extreme. Auckland is experiencing some of the driest months on record, receiving less than 10% of the normal rainfall, along with above average temperatures during January and February (NIWA 2020) with some streams in Auckland being at their lowest ever recorded level.

The number of rain days (i.e. >1mm of rain) is projected to decline across the Auckland region (NIWA, 2019)[3]. Seasonal rainfall patterns will also change, with the largest decreases in rain days in spring. This is likely to prolong the dry season across spring and through summer. The largest decreases in rain days will occur in the north of the region.

At the same time, the number of heavy rain days (i.e. >25mm of rain) is likely to increase across the west, centre and south of Auckland. This suggests shorter, intense rainfall events that will punctuate long dry episodes.

Overall, there is likely to be more disruption to water supply through prolonged drought days, and intense storm events that stress our infrastructure systems.

In non-reticulated areas rainwater harvest is the principle supply of potable water. In non-reticulated and reticulated areas alike, rainwater tanks provide homes and businesses with resilience, as they are not dependent on a centralised supply of potable water. If a household's non-potable needs (i.e. greywater and gardening etc.) can be met through water supply in rain tanks; this will ease the burden on a centralised supply of potable water including water reservoirs and reduce the vulnerability of households to these climatic disruptions.

Notes:

- *Most parts of the Auckland region currently experience around 130-150 rain days per year. Most rain days occur in winter and the least occur in summer.*
- *The annual number of rain days is projected to decline across the Auckland region.*
- *Under a business as usual emissions scenario (RCP 8.5) spring is the season projected to experience the largest decrease in rain days. Also, we can expect around 10 fewer rain days across the region, with the largest decreases in the north of the region.*
- *At the same time, the number of future heavy rain days is projected to increase by 0-5 days per year for the west, centre, and south of the Auckland Region (under a business as usual scenario). The*

[3] NIWA, 2018, *Auckland region climate change projections and impacts,* pages 94 to 132 & page 318. *https://knowledgeauckland.org.nz/media/1170/tr2017-030-2-auckland-region-climate-change-projections-and-impacts-revised-jan-2018.pdf.*

northeast of the region is projected to experience a decrease in the number of heavy rain days per year by 0-5 days per year for both RCPs at all time slices.

- *Rainwater tanks may be able to contribute to household and business water resilience (depending on the size of the tank, its use, occupancy numbers and seasonal rainfall), as well as contributing to reducing the demand on the centralised potable water supply.*

Figure 1: Projected Decrease in Annual Rainfall for the Auckland Region (2031 to 2050)

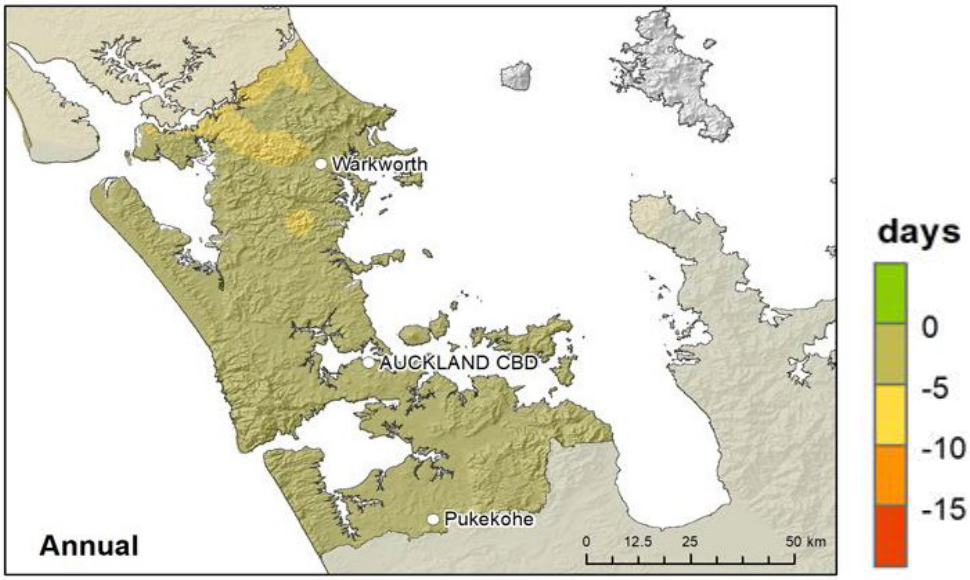


Figure 1 outlines the estimated decrease in rainfall across the region for 2031 to 2050. Figure 2 below outlines the seasonal and geographic distribution. Overall is shows a prolonged “drought” season over spring and summer, with rainfall expected in winter and autumn months. Although, rainfall over autumn and winter might not provide sufficient drought relief, as the number of rain days is expected to decrease overall, particularly over the north of the region.

Figure 2: Projected Seasonal Rainfall Distribution for the Auckland Region (2031 to 2050)

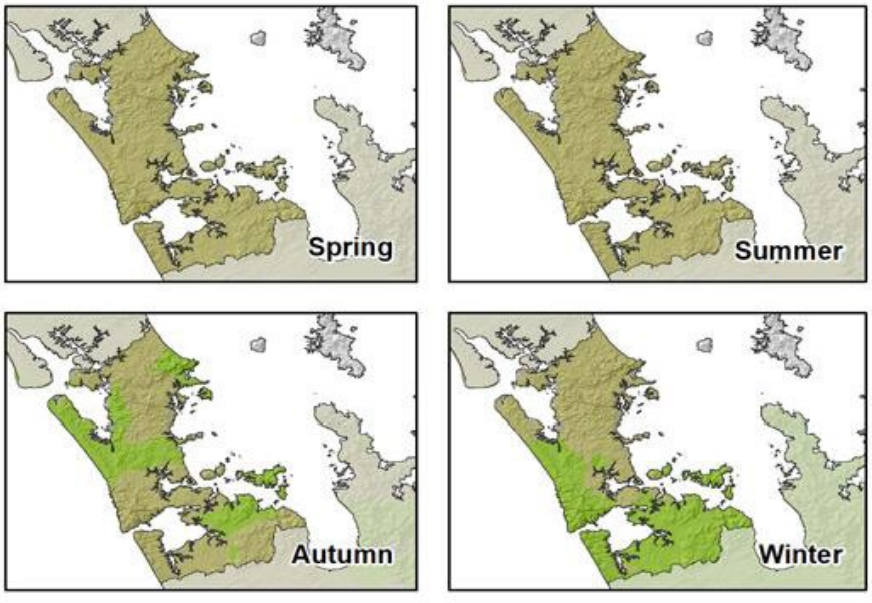


Figure 2 shows the changing seasonal rain patterns. Under a business as usual emissions trajectory (i.e. RCP 8.5) there is greater volatility in the rainfall trends.

In early 2020, vulnerabilities relating to supply were particularly prevalent for properties not connected to the main network and who rely on rainwater as their main supply source. This summer (2020), Auckland Council hired water delivery companies to deliver over 1,000,000 litres of water to parched rural communities across the region. As their rainwater tanks ran dry, one of the questions posed was whether individual household storage capacities should be reviewed at these properties, and that better preparation is required to minimise the social impact of prolonged dry periods predicted in the future.

Properties connected to the main water supply network are being looked at with more scrutiny regarding their role in contributing to the resourceful use of rainfall, particularly for low risk activities such as garden watering, car washing and toilet flushing. Rainwater tanks may help to instil positive behaviour changes on how water is used as they are a method whereby community members can contribute to resourceful water use and stormwater management.

The AUP specifically requires measures to be taken to “Mitigate the adverse environmental effects of subdivision, use and development through appropriate design including water efficiency.”; maximise resource and infrastructure efficiency; and respond and adapt to the effects of climate change” within “B2.3. A quality-built environment”.

The HGI requires the sustainable use and management of water by supporting the proposed Auckland Regional Plan; Air, Land and Water (ARP:ALW Plan) hierarchy of water use within the islands. These provisions encourage rainfall use over borewater use and borewater use over extraction from streams and rivers. Within “Section 2.5.6 Objective 3”.

In order to support the water challenges Auckland faces as a result of population growth (increased supply demands) and increasing development (contributing to an increase in impervious surface area and consequential environmental degradation), coupled with predicted more extreme weather patterns, a number of solutions need to be considered for best overall outcomes.

Stormwater management: The benefits of rainwater tanks on stormwater management are likely to be more strongly realised where urban intensification is higher as these areas possess a greater footprint of sealed surfaces. However, more research and analysis would be required to understand which specific catchment areas within Auckland would benefit from a targeted rainwater tank installation approach.

Increased water supply resilience: It is anticipated that a small number of tank installations would provide minimal impact on reducing the demands on Auckland’s dams (reticulated network). To maximise the volume of stormwater runoff properties can capture, a large majority of households would need to install rainwater tanks to provide meaningful environmental and resilience outcomes. For more properties to consider

installing a tank, the barriers that discourage voluntary uptakes must be reduced or removed.

Challenge 1: Unintentional discouragement of voluntary rainwater tank installation by making the process to install one difficult, confusing, limiting, or costly does not support outcomes reflected in the AUP and ARP: ALW Plan as discussed above.

Challenge 2: Plan provisions that are resulting in poor built form and sub-optimal tank placement outcomes in outdoor living and garden spaces, and do not support the council's policy directions for sustainable development. Rainwater tanks have historically had a reputation for creating undesirable built form/ visual outcomes, however, rainwater tanks have evolved significantly from a design perspective over many years and continue to do so. Any perceived visual concerns could be managed and mitigated with clear design and placement guidance.

This Plan Change and Plan Modification aims to analyse these two challenges and to explore potential ways to improve the performance of the AUP and the HGI Plan through strengthening or adding provisions that compliment related policy directions and encourage rainwater tank installations.

Scale and Breadth of the Plan Change and Plan Modification

The Plan Change and Plan Modification will impact a number of residential and rural zones of the Auckland region. It will result in changes that are more enabling for rain tanks.

On the 25 June 2020 the Governing Body of Auckland Council resolved that it:

a) *Note the different roles and responsibilities of Watercare and Council with respect to water across Auckland;*

b) *Agree in principle, to remove the current consenting requirements for rain tanks in residential zones and rural zones through a change to the Auckland Unitary Plan;*

c) *Direct staff to explore options under current legal frameworks to enable the council to make rain tanks for water supply mandatory in certain situations e.g. new buildings;*

d) *Note, that the planning committee will approve the public notification of any Plan Change to the Auckland Unitary Plan*[4]*.*

Development of Options

Description of options

1. A number of obstacles were identified as inhibiting the ease of the rainwater tank installation process for interested Aucklanders. Obstacles included: a lack of easily

[4] See GB/2020/56, Governing Body, 25 June 2020, Auckland Council

accessible information, confusion with what triggered the need for a resource consent and/or building consent, high resource and building consent fees (relative to typical tank costs), metering confusion and lack of incentivisation initiatives.

2. As one of the initial steps on the pathway to installing a rainwater tank, the need to obtain a resource consent was identified as an important barrier to be addressed. Restrictive provisions within the AUP and HGI were identified as playing a key part in determining whether a resource consent was needed in many typical tank dimension and placement scenarios.
3. In identifying the need for a resource consent as an obstacle to rainwater tank installation, the options emerged from considering the range of rules that were triggers for a resource consent associated with rain tank installation.

Option 1: Do nothing (Status quo)

Under Option 1, Auckland Council would not remove any AUP or HGI Plan related barriers (perceived or otherwise) to encourage the uptake of rainwater tanks across Auckland.

This option disregards removing barriers to support the increase of voluntary rainwater tank installations to contribute to the solution of two of Auckland's main water challenges:

- Stormwater management (exacerbated by increasing development and rainfall); and
- Household water supply resilience exacerbated by population growth and prolonged dry periods.

Option 1 also disregards exploring options to improve provisions within the AUP and HGI Plan that do not currently support policy directions related to rainwater tanks. For example:

- Challenge 1: Unintentional discouragement of voluntary rainwater tank installation by making the process to install one difficult, confusing, limiting, or costly.
- Challenge 2: AUP provisions that are resulting in poor built form and sub-optimal tank placement outcomes in outdoor living and garden spaces.

Option 2: Regulatory amendments to the Auckland Unitary Plan through Definitions or Rules

Sub-option (a) Amend the definition of "Building"

For the AUP this option involves amending the definition of "tanks including retention tanks" within Table J1.4.1 "Buildings" of the Unitary Plan definitions Chapter.

Currently, "tanks including retention tanks" are defined as being a "building" if they are: *"Over 1m in height from ground level, inclusive of the height of any supporting structure or more than 25,000l capacity, where any part of the tank is more than 1m above ground level."*

Tanks that are more than 1 metre in height or more than 25,000L capacity where any part of the tank is more than 1 metre above ground level are subject to building "development standards". These include building height, height in relation to boundary, building coverage, and yard controls. Depending on the desired placement of a rainwater tank (over 1 metre in height) and the area space it takes up, it may be subject to a resource consent.

Amending the definition of "building" would remove the requirement for a resource consent in deemed appropriate situations. This would be achieved by excluding rainwater tanks from being classified as a "building" if they fell within threshold criteria which could include such matters as:

- not located in any designated outlook or outdoor living space;
- not located in front of any part of a street facing building façade.

For the HGI Plan this option involves amending the definition of building within part 14 – Definitions.

The current definition defines 'building' as *"any structure or part of a structure. It also includes any fixed or moveable structure (including caravans) used for residential purposes, assembly or storage"* The definition includes a list of exemptions. This option involves expanding the list to include rainwater tanks. A consequential amendment would be to add a definition of rainwater tank . this would take the form of the following:

> 'Rainwater tank: Tanks used for collecting and storing rainwater, or for stormwater management'.

Sub-option (b)Exempt Rainwater Tanks from Standards / Development controls

This involves inserting an exemption in the applicable AUP zone rules for "rainwater tanks".

In the Long Bay precinct[5], a rule has been inserted to provide for rainwater tanks by way of an exemption to yard standards. In this precinct both underground and above tanks are permitted within specified yards subject to location, height and bulk standards. The framework of how this is achieved is detailed below:

> *"Rain tanks may be situated within any side and rear yard provided that they do not exceed 2.5m in diameter and are no more than 1.8m in height.*
>
> *Rain tanks may be situated within any required front yard provided they are at least 1.5m from the front boundary and are located below finished ground level."*

Sub-option (c) Make Rainwater Tanks a Permitted Activity and Develop Standards

For the AUP this involves:

i. Removing "tanks" including "retention tanks" that serve a rainwater collection function from the definition of "Building" and "Structure" within the Unitary Plan definitions chapter;
ii. Including a new definition for "rainwater tanks" within the Unitary Plan definitions chapter;
iii. Identifying rainwater tanks as a permitted activity in the land use section of activity tables; and
iv. Including specific "rainwater tank" standards within each zone.

This option could be applied to the following zones and overlays where permitted activities for rainwater tanks would be laid out:

i. Residential zones
ii. Rural zones
iii. Special Character Overlay - Residential and Business
iv. Special Purposes Māori zone.

For the HGI Plan this involves:

i. Amending the definition of 'building to exempt rainwater tanks in the list of exemptions (as outlined in option 2(a))

[5] See Auckland Unitary Plan, Long Bay Precinct, I519.6.3 Yards (4) and (5.

ii. In contrast to option 2(a) the ‘exemption’ would be subject to specified standards with which it must be compliant with in order to qualify as ‘exempt’.
iii. Adding a definition of ‘rainwater tank’ (as outlined in Option 2(a))

Sub-option (d) Auckland Wide Rule

This approach would facilitate the use of rainwater tanks in the residential urban and rural areas of Auckland through an Auckland Wide rule, by establishing a permitted activity status for rainwater tanks.

This would be achieved by amending the definition of “building” so that rainwater tanks were excluded from this definition. It would also mean introducing a new definition for “rainwater tanks”.

A new rule including a table of standards specifying bulk and location requirements for all zones would be included in Chapter E Auckland Wide Rules “Section E2 Water Quantity, Allocation and Use”, indicating that rainwater tanks that meet certain requirements would be a permitted activity.

To support the above referred new Auckland Wide rule, a policy would be introduced into Chapter E, Auckland Wide Rules “Section E2 Water Quantity, Allocation and Use” designed to facilitate the use of rainwater tanks for water capture and reuse in urban areas.

Option 3: Bylaw approach

This option involves the creation of a Bylaw specific to rainwater tanks.

Under this option a bylaw would be promulgated to control the bulk and location of rainwater tanks on generally private property although it could also extend to public land.

Rainwater tanks could be subject to a permit requirement so that records were able to be kept for monitoring and ensuring maintenance and management of tanks .

An example of this approach can be found under E23.4 Activity table, where signs that are permitted by, or approved pursuant to the Auckland Transport/Auckland Council Signage Bylaw 2015, or the Auckland Transport Elections Signs Bylaw 2013 are not subject to the provisions of the Unitary Plan.

Evaluation of options

1. **Criteria**
   The criteria used to evaluate the options include appropriateness, effectiveness, efficiency, economic growth and employment and costs. These are detailed in the table below (Table 2).

Table 2: Evaluation of Options

	Status Quo **(Do nothing)**	**Option 2** **(Regulatory amendment to both the AUP and HGI Plan)**	**Option 3** **(Bylaw)**
Appropriateness	✗	✔	✗
Effectiveness	✗	✔	✔
Efficiency	✗	✔	✗
Economic Growth & Employment	✗	✔	✔
Costs	✗	✔	-
Benefits	✗	✔	-
Risks	✗	✔	✗

2. **Summary of analysis**

Option 1: Status quo - Do Nothing

Doing nothing is not an appropriate solution as it perpetuates the situation where a resource consent is required for rainwater tanks in many typical situations.

It is not an effective response as it does not contribute to enabling rainwater tank installation.

In terms of efficiency, it continues to impose unnecessary costs on the community where unnecessary regulation is created around rainwater tank installations.

The benefit of doing nothing, is that greater regulation is in place to manage and control rainwater tank installation. Control would continue to be exercised around the bulk and location of rainwater tanks and maintaining amenity.

The costs of doing nothing, include that the resilience of the community is not enhanced in water shortage situations, where the cost of a resource consent has acted as a barrier to rainwater tank installations.

The risk of doing nothing includes, in the face of ongoing climate change and sustained periods of water shortages (where water network demand exceeds supply), a low community resilience to cope through not maximising the opportunity to harvest rainwater and store it on site. The risk of being in this situation is that sections of the community may not have a water supply available to them through the network.

Furthermore, it is unlikely to increase employment or economic growth as rainwater tank installation is not encouraged.

Option 2: Regulatory amendment to the Auckland Unitary Plan and to the Auckland Council District Plan – Hauraki Gulf Islands Section

An amendment to the Auckland Unitary Plan and to the Auckland Council District Plan would be an appropriate method to enable rainwater tanks. Under the Resource Management Act rainwater tanks would be considered a physical resource. Tanks are currently controlled through the definition of "building" in the Auckland Unitary plan and in the Auckland Council District Plan.

The method would be effective in that once the Auckland Unitary Plan and the Auckland Council District Plan was amended there would be a greater likelihood that rainwater tanks could be placed on land without the need for resource consent.

This method would promote efficiency by avoiding any unnecessary costs and processing times associated with many resource consent applications.

The benefits of the approach would include increased potential for resilience for communities facing water shortages in the future. An increase in rainwater tank uptakes would also assist in capturing rainwater in urban locations that might otherwise be diverted into the stormwater network and Auckland's waterways.

The costs could include reduced open space on sites, effects on onsite amenity, poorly managed tanks and associated leaks, and noise from pumps where in use. It is possible to see these costs as risks associated with deregulating rainwater tank installations.

However, it is also possible to mitigate the costs and/or risks identified above. Standards associated with location and screening could address amenity concerns. Random inspection of tanks could assist to ensure tanks are maintained. Pump noise would be subject to Auckland Unitary Plan and to the Auckland Council District Plan noise standards.

This approach has a higher likelihood of increasing employment and economic growth as it encourages the installation of rainwater tanks across the Auckland region, through removing an initial regulatory obstacle.

The following part of this report identifies how the Auckland Unitary Plan could be amended and the relative benefits and costs of each approach. A preferred option is then identified.

<u>Sub-option (a): Amend the definition of "Building" in regard to "Tanks"</u>

This option would require an amendment to the definition of "Building" and "Structure" in the Auckland Unitary Plan so that tanks including rainwater tanks would not be considered a "building" or "structure". Consequentially, rainwater tanks not considered a "building" or "structure" would not trigger the need for a resource consent.

This is a simple technical fix, but it has the major consequential effect of removing any control over the location of rainwater tanks (not considered a "building" or "structure") in any zone. It also works to permit the wider installations of tanks up to the imposed thresholds which may not be rainwater tanks, but other forms of tank (for example, septic

tanks, oil tanks etc.) which may not possess desirable characteristics appropriate to all zones.

This option does not specifically signal that “Rainwater Tanks” are a permitted activity and relies on interpretation through definitions. Consequentially, it may not provide the desirable degree of clarity and transparency.

Sub-option B: Exempt Rainwater Tanks from Yard Standards

This option involves exempting rainwater tanks up to a certain height from yard standards thereby addressing the issue of height and distance from boundaries in one step. This approach is currently in use for the Long Bay precinct.

The limitation of this approach is that although customised for use in the Long Bay precinct its universal application through the Unitary Plan may not produce the desired result. Firstly, some standards such as site coverage would still be capable of triggering the need for resource consent. Furthermore, this approach does not address all locational concerns as it focusses solely on yard space. Other considerations include the need to preserve outdoor and outlook spaces to maintain onsite amenity.

Sub-option C: Make Rainwater Tanks a Permitted Activity and Develop Standards

This option would require rainwater tanks being removed from the Unitary Plan definition of “Building” or “Structure” for a range of residential and rural zones, and those that sit within residential Special Character Area Overlays.

A new definition of “Rainwater Tank” would be developed. “Rainwater tanks” would be listed in activity tables in residential and rural zones as a permitted land use activity. Standards would be customised for the permitted land use activity of “Rainwater Tanks”.

Option C meets the requirements necessary to enable rainwater tanks. It also works to ensure outdoor and outlook courts are not compromised, and that bulk and location does not become objectionable. Furthermore, as an option, it has the benefit of being able to: manage the height of tanks adjoining boundaries; striking a balance between enablement and maintaining the values associated with the Special Character – Residential area of Auckland; and ensuring that the costs of obtrusive structures within front yard areas are avoided or effectively managed.

As a method, it can ensure that the installation of a rainwater tank is not caught in activity table rules under more than one activity status, thereby requiring resource consent.

Sub-option D: An Auckland Wide Rule

This option would facilitate the use of rainwater tanks in the Auckland region by creating an Auckland Wide rule which establishes a permitted activity status for rainwater tanks based on standards which were customised for zones within the Auckland region. The standards would be included in a table in "Chapter E Auckland Wide Rules section E2 Water Quantity, Allocation and Use".

This option would amend the definition of "building" in Chapter J of the Auckland Unitary Plan and introduce a new definition for "rainwater tank".

To support the above referred new Auckland Wide rule, a policy would also be introduced into "Chapter E Auckland Wide Rules section E2 Water Quantity, Allocation and Use" designed to facilitate the use of rainwater tanks for water capture and reuse in specific urban and rural areas.

3. Costs and benefits

Table 3 below outlines the relative merits in terms of benefits and costs associated with sub-options (a) to (d) of amending the Auckland Unitary Plan and HGI Plan to enable rainwater tank installations.

Table 3: Options Analysis

Option	Benefits	Costs
Option A: Amend the definition of "Building" in regard to "Tanks"	• A technical fix.	• Difficult to customize for locational and amenity characteristics of different zones and site characteristics (e.g. need for screening at entrances, small outdoor spaces and shared driveway situations) • Difficult to respond to requests through submissions as scope will be largely limited to definition changes. • Not high transparency around the rules developed and links to policy • May still require comprehensive rule changes throughout zones, precincts and overlays to confirm permitted activity status for rainwater tanks. • The Historic Heritage Area Overlay may require a customized approach. • A change to the definition of outdoor living space may be desirable.
Option B: Exempt Rainwater Tanks from Yard Standards	• Simple technical fix.	• Sole focus on yard space, other standards may trigger the need for a resource consent.
Option C: Make Rainwater Tanks a Permitted Activity and Develop Standards	• Allows for a targeted approach considering location and amenity issues	• Requires a comprehensive customization of standards to specific zones.
Option D: An Auckland Wide Rule	• Allows for targeted approach considering location and amenity issues. • Can be applied across the entire Auckland region (Urban and Rural) without having to significantly amend other parts of the Unitary Plan. • Promotes integrated resource management by inclusion of policy and rules in Chapter E Auckland Wide Rules section E2 Water Quantity, Allocation	• Would require a new definition for rainwater tank. • May not avoid the need for resource consent, if other zone rules trigger the need for resource consent.

	and Use which has an existing focus on efficient use of water resources.	

Option 3: Bylaw

A bylaw may not be the most appropriate method to enable rainwater tank installation. Usually bylaws are used to protect things, ensure public health and safety and avoid nuisances and/or offensive behaviours. They can also be used to protect public infrastructure.

In terms of enabling rainwater tank installation a bylaw could be effective to control the location, design and aesthetics of rain tank placement. However, a bylaw may be more effective in mandating a requirement than enabling action to happen.

In terms of efficiency the powers of bylaws are weaker than those under the Resource Management Act. However, there is less challenge possible to a bylaw and generally the only means of challenge is by way of judicial review. It is not common practice to regulate private spaces for public good by way of a bylaw so it may prove less efficient than other mechanisms.

In general, the benefit of a bylaw is simplicity, but the costs and risks could be in terms of enforcement as there are no infringements possible that exist under the Resource Management Act.

Economic Considerations

- A Plan Change and a Plan Modification to enable the use of rainwater tanks across Auckland has far reaching benefits beyond those directly related to resourceful use of rainwater and stormwater management. Internet based research of tank suppliers available to the Auckland market indicate there are approximately 30 known suppliers available. This does not include suppliers that provide rainwater tank accessories (for example, pumps, filters, back-flow prevention devices). The process to install a rainwater tank benefits a number of different professions, directly impacting employment outcomes for local people. Products and services include, designers, engineers, tank suppliers, tank accessory suppliers, Certifying Plumbers and Drainlayers, and building inspectors.

- Increased prolonged dry periods, increased awareness of Auckland's municipal supply dam levels, coupled with the demand of a growing population, means rainwater tanks are being looked at with increased interest as part of the solution. By removing restrictive Auckland Unitary Plan Change barriers, our economy could benefit from increased consumer demand of rainwater tanks. Notably, removing potential resource consent barriers through a Plan Change, is one contributing factor to positively influence consumer choices. As one of the first steps in the process of choosing to install a tank, it is a logical place to start.

- A dedicated Council rainwater tank web page[6] has seen an increased interest post the recent dry summer and Auckland-wide water restrictions. Auckland Council's Emergency Committee introduced mandatory Stage 1 water restrictions on 16 May

[6] https://www.aucklandcouncil.govt.nz/environment/looking-after-aucklands-water/rainwater-tanks/Pages/rainwater-tank-installation-maintenance.aspx

2020 and since then Watercare has warned Stage 2 restrictions could be introduced if Auckland's water storage levels continue to decline. Traffic to the website between December 2019 (when the site went live) to July 2020 is summarised below:

Table 4: Website Traffic

Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20
25	185	489	366	397	2192	2922	2536

- The total number of reticulated households (households connected to the municipal/main water supply network) in Auckland was estimated at 522,222 in 2015[7]. The average Auckland household uses approximately 46-56% of their total water usage for outdoor, toilet and laundry use[8]. Based on these figures, if 1% of Auckland's reticulated households were to use a rainwater tank to cover their entire non-potable requirements, this could equate to approximately 1 million litres of water per day being served by rain tanks instead of Auckland's dams across 5,222 dwellings.

  Some 5,222 rainwater tank sales alone could equate to between $6 million - $28 million being spent in the local economy and supporting businesses. Installation costs are additional and not included in the tank purchase figures above. A Certifying Plumber would be required if the tank is plumbed to a property's internal plumbing, lending further financial investment into the primary trades.

4. Recommendation

Option 2, Sub-Option C: Make Rainwater Tanks a Permitted Activity and Develop Standards, is the recommended approach to enable the installation of rainwater tanks by removing the requirement for a resource consent in the majority of typical scenarios (within urban and rural residential zones), while meeting evaluation criteria (appropriateness, effectiveness, efficiency, economic growth and employment and costs).

This option would also allow for some control over built form outcomes, by providing the opportunity to protect amenity values.

Evaluation of the key elements of the Plan Change and the Plan Modification

This section of the report applies the same methodology adopted above to consider the key elements associated with Option 2, Sub-Option C: Make Rainwater Tanks a Permitted Activity and Develop Standards. The focus is solely on the standards which would be applied to rainwater tank installations (see Attachment 1, being the enabling rainwater tank Plan Change and Plan Modification).

[7] Watercare/ C2CHM Beca Report, Impact of Rainwater Tanks on the Level of Service for Water Supply in Auckland, 27th October 2015
[8] Auckland Wateruse Study, SB10 New Zealand, paper 51 BRANZ, page 5

1. Definition Changes: AUP & Auckland District Plan (Hauraki Gulf Islands section)

The changes to definitions are designed to remove rainwater tanks from being considered a "building". Consequently, the rules that apply to "buildings" will not apply to rainwater tanks. Rainwater tanks will have a definition inserted in the Plan and will have a unique set of standards. This is designed to enable rainwater tank installations by avoiding the need for a resource consent in the majority of cases.

This amendment supports the following policy direction contained in the Regional Policy Statement (Chapter B of the AUP)

B7. Toitū te whenua, toitū te taiao – Natural resources

B7.4. Coastal water, freshwater and geothermal water

B7.4.1. Objectives

(3) Freshwater and geothermal water is allocated efficiently to provide for social, economic and cultural purposes.

B7.4.2. Policies

Freshwater and geothermal water quantity, allocation and use:

(11) Promote the efficient allocation of freshwater and geothermal water by all of the following:
(a) establishing clear limits for water allocation;
(b) avoiding over-allocation of water, including phasing out any existing overallocation;
(c) safeguarding spring flows, surface waterbody base flows, ecosystem processes, life-supporting capacity, the recharge of adjacent aquifers, and geothermal temperature and amenity; and
(d) providing for the reasonable requirements of domestic and municipal water supplies.
(12) Promote the efficient use of freshwater and geothermal water.
(13) Promote the taking of groundwater rather than the taking of water from rivers and streams in areas where groundwater is available for allocation.
(14) Enable the harvesting and storage of freshwater and rainwater to meet increasing demand for water and to manage water scarcity conditions, including those made worse by climate change.

The amendment also supports the following Chapter E-Auckland wide objective and policy

E2.2. Objectives [rp]

(4) Water resources are managed to maximise the efficient allocation and efficient use of available water

E2.3. Policies [rp]

4(e) providing for storage and harvesting of fresh water.

This amendment will also assist in the implementation of policies in the Auckland District Plan (Hauraki Gulf Islands section). In particular, the following policy objectives:

Objectives

3.To encourage the sustainable use and management of water by supporting the proposed Auckland Regional Plan; Air, Land and Water hierarchy of water use within the islands. These provisions encourage rainfall use over bore water use and bore water use over extraction from streams and rivers.

4.To recognise that Waiheke is a High Use Aquifer Management Area under the proposed Auckland Regional Plan; Air, Land and Water which has a potential influence on growth for Waiheke.

The removal of rainwater tanks from the definition of “building” in the AUP and HGI Plan is appropriate in terms of being “effective” because it:

- enables the installation of rainwater tanks;
- eliminates overly restrictive regulation in the AUP and HGI Plan; and
- provides increased opportunity to avoid the need for a resource consent, thereby avoiding associated costs and processing times.

The removal of rainwater tanks from the definition of “building” in the AUP and HGI Plan is appropriate in terms of being “efficient” because it:

- is accompanied by a specific definition of “rainwater tank” and associated standards which have been customised, meaning a number of other planning standards do not need to be applied;
- ensures that costs associated with any resource consent required for a rainwater tank are limited to only the critical issues relevant to this specific structure.

The approach proposed is in accordance with Part II of the Act. It promotes sustainable resource management (section 5). It allows people to provide for their needs and health, and safeguards the life supporting capacity of water through promoting the efficient use of the water resource. It also supports section 6 (h) which has the requirement to take into account the management of significant risks from natural hazards (climate change), and section 7 (i) and (g) respectively which have the requirement to have regard to the effects of climate change and any finite characteristics of natural and physical resources.

2. Exclusions – Riparian, coastal, lakeside yards

Excluding rainwater tanks from being a permitted activity in riparian, coastal and lakeside yards, or locations in proximity to MHWS (mean high water springs) and requiring resource consent in these locations in the zones for which the Plan Change has effect, is consistent with policies of the AUP (Auckland wide) and HGI Plan relating to the management of risk to people, property and infrastructure from natural hazards. Those most relevant are outlined below.

Objectives in Chapter 36 AUP i.e. E36.2 (1) and (2) place considerable emphasis on the management, assessment and mitigation of risk to property from natural hazards.

> *(1) Subdivision, use and development outside urban areas does not occur unless the risk of adverse effects to people, property, infrastructure and the environment from natural hazards has been assessed and significant adverse effects are avoided, taking into account the likely long-term effects of climate change.*
> *(2) Subdivision, use and development, including redevelopment in urban areas, only occurs where the risks of adverse effects from natural hazards to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced, taking into account the likely long-term effects*

of climate change[9]*.*

In terms of the Auckland District Plan (Hauraki Gulf Islands section) the proposed Plan Change and Plan Modification supports the following policy:

> ***2.5.4 Coastal Issues***
>
> *The significant resource management issues which need to be addressed in the Plan are:*
>
> *1.How to encourage sustainable management of the natural and physical resources of coastal environments.*
>
> *2.How to manage the hazards posed to people, property, and the natural environment by the potential impacts of climate change and climate variability. These hazards may include, but are not limited to:*
>
> - *inundation by the sea*
> - *change in rainfall patterns*
> - *change in frequency and intensity of extreme weather events*
> - *high wind areas.*

The proposed requirement for resource consent for rainwater tanks in riparian, coastal and lakeside yards is also in accordance with the AUP (Regional Policy Statement).

> ***B10.2. Natural hazards and climate change***
> ***B10.2.1. Objectives***
> *(1) Communities are more resilient to natural hazards and the effects of climate change.*
> *(2) The risks to people, property, infrastructure and the environment from natural hazards are not increased in existing developed areas.*
> *(3) New subdivision, use and development avoid the creation of new risks to people, property and infrastructure.*
> *(4) The effects of climate change on natural hazards, including effects on sea level rise and on the frequency and severity of storm events, is recognised and provided for.*
> *(5) The functions of natural systems, including floodplains, are protected from inappropriate subdivision use and development.*
> *(6) The conveyance function of overland flow paths is maintained.*

The AUP (Regional Policy Statement) contains a number of objectives designed to manage the risk associated with natural hazards and climate change. By requiring a resource consent for rainwater tanks in locations susceptible to natural hazards such risks can be managed. In the absence of such an approach, rainwater tanks could be located in areas subject to flooding and inundation. This could produce adverse effects on property, people and the environment.

By requiring resource consent for rainwater tanks in riparian, coastal and lakeside yards, an assessment can be made of the risk from natural hazards which allows better decision-making around the appropriate location and setback for any rainwater tank from a water feature. It is considered that this is an *effective* way to provide for rainwater tanks in such yards, while also managing potential adverse effects.

Analysis undertaken in relation to AUP zones [subject to the plan change] indicates that the percentage of properties with a riparian, lakeside protection or coastal protection yard that

[9] Chapter E36 Natural hazards and flooding, Auckland Wide Policy, Auckland Unitary Plan

could be caught by the need for resource consent in conjunction with rainwater tank installation is very low. The range in regard to each type of yard is as follows (see Attachment 4 Yard Analysis):

Riparian yard 0.02% - 1.87%
Lakeside Protection yard 0% - 0.18%
Coastal Protection yard 0% - 0.18%

In the case of the Auckland District Plan (Hauraki Gulf Islands section) graphic analysis was undertaken (see Attachment 4) to identify the frequency at which properties would be caught by the need for resource consent for a rainwater tank whereby the following parameters were observed:

- An elevation of smaller than or equal to 1 metre above (MHWS) being a datum height of 2.56m within a 100m distance inland of Mean High Water Springs (MHWS); and
- Removal of flood prone and erosion risk areas.

While the process of resource consent for rainwater tanks being placed in riparian, coastal and lakeside yards will impose costs, it is considered that the benefits will exceed the costs by way of ensuring that the location for such rainwater tanks will not be subject to flooding, coastal erosion or inundation. This is considered to be an *efficient* outcome as it ensures that the benefits are realised from the rainwater tank not being placed in a location of high risk.

The approach proposed is in accordance with Part II of the Act, namely section 5. It also aligns to section 6 (h) which has the requirement to take into account the management of significant risks from natural hazards, and section 7 (i) which has the requirement to have regard to the effects of climate change.

3. Controls on front yard and forward of building façade

The required controls in the proposed PC54 and PM 13 on the placement of rainwater tanks in front yards and forward of building facades, particularly in the Special Character Area Overlay- Residential, assists to implement the below identified AUP and HGI Plan policies.

Rainwater tanks located on front yards along residential and rural roads have the potential to result in adverse cumulative effects, reduce visibility, and may present adverse effects on rural and residential amenity and character. The potential for adverse cumulative visual effects is especially pronounced in high density urban environments and where units, apartments and townhouses all display a rainwater tank to the front of buildings, and which is visible from private ways and public streets.

For the HGI Plan, rainwater tanks must be underground if located in the front yard and will therefore present no adverse effect to landscape values of the Hauraki Gulf Islands. For the AUP, rainwater tanks located 1.5 metres from the front boundary and no greater than 1 metre in height are unlikely to be visually obstructive or produce adverse effects on streetscape, as at 1.5 metres in height they are no taller than a typical low-lying front yard fence.

AUP objectives and policies

B2.2. Urban growth and form
B2.2.1. Objectives
(1) A quality compact urban form that enables all of the following:

(a) a higher-quality urban environment;

B2.2.2. Policies

B2.3. A quality built environment

B2.3.1. Objectives

(1) 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;

(f) respond and adapt to the effects of climate change

B2.3.2. Policies

(1) Manage the form and design of subdivision, use and development so that it 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; and

(f) allows for change and enables innovative design and adaptive re-use.

B5.3. Special character

B5.3.1. Objectives

(1) [Deleted]

(2) The character and amenity values of identified special character areas are maintained and enhanced.

B5.3.2. Policies

(1) Identify special character areas to maintain and enhance the character and amenity values of places that reflect patterns of settlement, development, building style and/or streetscape quality over time.

(2) Identify and evaluate special character areas considering the following factors:

(a) physical and visual qualities: groups of buildings, or the area, collectively reflect important or representative aspects of architecture or design (building types or styles), and/or landscape or streetscape and urban patterns, or are distinctive for their aesthetic quality; and

(b) legacy including historical: the area collectively reflects an important aspect, or is representative, of a significant period and pattern of community development within the region or locality.

(3) Include an area with special character in Schedule 15 Special Character Schedule, Statements and Maps.

(4) Maintain and enhance the character and amenity values of identified special character areas by all of the following:

(a) requiring new buildings and additions and modifications to existing buildings to maintain and enhance the special character of the area;

(b) restricting the demolition of buildings and destruction of features that define, add to or support the special character of the area;

(c) maintaining and enhancing the relationship between the built form, streetscape, vegetation, landscape and open space that define, add to or support the character of the area; and

(d) avoiding, remedying or mitigating the cumulative effect of the loss or degradation of identified special character values.

HGI Plan
Part 2 - Resource Management Objectives:

section 2.5.3 Environment:
Objective 1:. To protect the significant elements of the natural landscape

section 2.5.5 Landscape:
Objective1: To ensure that buildings and structures in areas of high natural character and/or significant landscape value are sited and designed in a manner that maintains the dominance of the natural environment

section 2.5.7 Community:
Objective 1: To ensure that residential development is undertaken in a manner which respects the character and amenity of the islands while allowing for a variety of lifestyle choices

The requirement that rainwater tanks not be located in front yards and in some cases front of the façade of a building unless 1.5 metres back from the front boundary, and no greater than 1 metre in height, is appropriate in terms of being "effective" because it:

- Protects Special Character Area Overlays with unique values;
- Protects landscape and amenity values of the Hauraki Gulf Islands
- Mitigates adverse cumulative effects on character and amenity;
- Maintains streetscapes; and
- Maintains visibility from driveways and access points.

The requirement that rainwater tanks not be located in front yards and in some cases front of the façade of a building unless 1.5 metres back from the front boundary and no greater than 1 metre in height, is appropriate in terms of being "efficient" because it:

- Allows rainwater tanks with minor effects on the environment to be established on front yards and forward of building façades without a resource consent;
- Avoids the intangible and public costs (negative externality) associated with degraded streetscapes and loss of rural and urban residential character and amenity.

The approach proposed is in accordance with Part II of the Act, namely section 5. It promotes sustainable resource management (section 5) and also aligns to sections 6(f) and 7 (c), (f) and (g) respectively which require regard to be had to: historic heritage, the maintenance and enhancement of amenity values; maintenance and enhancement of the quality of the environment; and any finite characteristics of natural and physical resources.

4) Maximum Height Control

The required maximum height control in the proposed PC54 assists to implement the below identified Regional Policy Statement content in the AUP:

B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form
B2.2. Urban growth and form
B2.2.1. Objectives
(1) A quality compact urban form that enables all of the following:
(a) a higher-quality urban environment;
(f) better maintenance of rural character and rural productivity; and

(g) reduced adverse environmental effects.

B2.2.2. Policies

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 placed-based plan provisions.

B5.2. Historic heritage
B5.2.1. Objectives
(1) Significant historic heritage places are identified and protected from inappropriate subdivision use and development.
(2) Significant historic heritage places are used appropriately and their protection, management and conservation are encouraged, including retention, maintenance and adaptation.

B5.3. Special character
B5.3.1. Objectives
(2) The character and amenity values of identified special character areas are maintained and enhanced.
B5.3.2. Policies
(1) Identify special character areas to maintain and enhance the character and amenity values of places that reflect patterns of settlement, development, building style and/or streetscape quality over time.
(4) Maintain and enhance the character and amenity values of identified special character areas by all of the following:
(a) requiring new buildings and additions and modifications to existing buildings to maintain and enhance the special character of the area;
(c) maintaining and enhancing the relationship between the built form, streetscape, vegetation, landscape and open space that define, add to or support the character of the area; and
(d) avoiding, remedying or mitigating the cumulative effect of the loss or degradation of identified special character values.

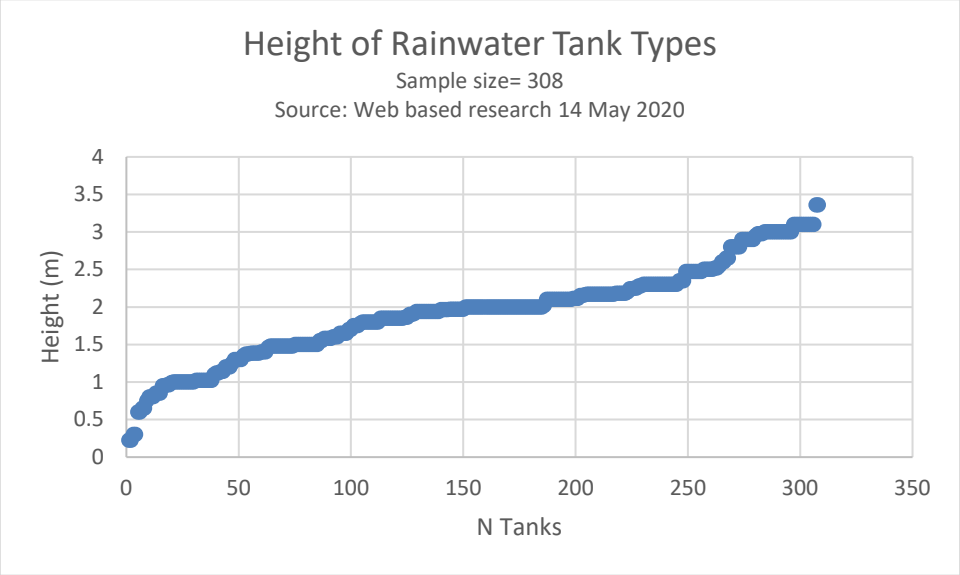
The requirement that rainwater tanks not be greater than 3 metres in height in all zones subject to the Plan Change (with the exception of the THAB and rural zones), is appropriate in terms of being “effective” because it:

- Maintains the character of the zone where required;
- Mitigates loss of views, shading and site amenity where necessary;
- Sets a benchmark for such structures that is considered appropriate from a design perspective in more sensitive built environments; and
- Manages expectations and provides certainty of the built form for rainwater tanks on legal boundaries between properties.

The requirement that rainwater tanks not be greater than 3 metres in height in all zones subject to the Plan Change (with the exception of the THAB and rural zones), is appropriate in terms of being “efficient” because:

- The majority of rainwater tanks will be able to be accommodated within the maximum height envelope without the need for a resource consent, thereby eliminating the costs and processing time associated with a resource consent (see graph below, Figure 3).

Figure 3: Typical Heights of above ground Rainwater Tanks



- In the THAB and rural zones there is no maximum height requirement proposed as:
  - Rural zones typically have sufficient land area to accommodate these structures, and historically they are associated with rural land use due to many of these properties being reliant on rainwater harvesting for water supply;
  - In the THAB zone the maximum height and intensity of built form are such that setting a maximum height requirement is considered unnecessary;
  - Resources are not wasted processing resource consents for minor height breaches on structures that are generally ancillary to the predominant land use and comparatively occupy a very small built envelope;
  - Allows greater freedom for household's dependent on tank collected water to harvest and supplement their needs for water, given the impact that climate change is likely to have on the availability of water.

The approach proposed is in accordance with Part II of the Act, namely section 5. It promotes sustainable resource management (section 5) and also aligns to sections 6(f) and 7 (b), (c), (f), (g) and (i) respectively which require regard to be had to: historic heritage, efficient use of physical resources, the maintenance and enhancement of amenity values; maintenance and enhancement of the quality of the environment; any finite characteristics of natural and physical resources and climate change.

5. <u>Control of nuisance discharges and control over placement on or discharge to effluent disposal areas</u>

The standards in the proposed Plan Change and Plan Modification requiring that rainwater tanks do not discharge overflows into adjacent properties or onto effluent disposal areas, assists to implement the identified Regional Policy Statement content in the AUP that is discussed above in the context of the matter of height.

Rainwater tanks which discharge overflows into neighbouring properties have the potential to cause a nuisance, and those that discharge onto effluent disposal areas, also have the potential to cause effluent fields to become saturated, disabling these same fields and creating a nuisance.

The requirement that rainwater tanks do not discharge overflows into adjacent properties or onto effluent disposal areas, is appropriate in terms of being "effective" because it:

- Avoids the creation of potential nuisance;
- Mitigates potential adverse effects on amenity.

The requirement that rainwater tanks do not discharge overflows into adjacent properties or onto effluent disposal areas, is appropriate in terms of being "efficient" because it:

- Avoids costs associated with resolving nuisances with potential adverse effects on health and amenity.

The approach proposed is in accordance with Part II of the Act, namely section 5. It promotes sustainable resource management (section 5) and also aligns to sections 7 (c) and (g) respectively which require regard to be had to: the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment.

6. Control on colour in certain zones

The requirement for rainwater tanks to be a recessive colour only applies to the Waitakere ranges zones and Hauraki Gulf Islands. These localities have special characteristics which make them more sensitive to development which has the potential to produce adverse visual effects.

The standards in the proposed Plan Change / Plan Modification requiring rainwater tanks to be recessive in colour assists to implement the identified Regional Policy Statement content in the AUP that is discussed above in the context of the matter of height, and controls on front yard and forward of building façades.

Auckland Unitary Plan (Waitakere Foothills zone)

H20.2 Objectives
(1) Activities, development, and subdivision in this zone achieve the objectives of the Waitākere Ranges Heritage Area Overlay in D12.2.
(2) Land is used and developed to achieve the objectives of the Rural – Countryside Living Zone unless otherwise specified in objectives H20.2(1), (3) and (4).
(3) The Rural – Waitākere Foothills Zone retains a rural character with low-density settlement and few urban-scale activities.
(4) The Rural – Waitākere Foothills Zone provides a rural and visual buffer between urban Auckland and the forested ranges and coasts.
H20.3 Policies
(1) Require subdivision, use and development to achieve the policies of the Waitākere Ranges Heritage Area Overlay in D12.3.
(2) Provide for use and development which supports the policies of the Rural – Countryside Living Zone unless otherwise specified in policies H20.3(3) to (11).
(3) Provide for buildings and activities that:
(a) avoid, remedy or mitigate adverse effects on views to the Waitākere Ranges,

the rural foothills and the western skyline of Auckland;
(b) are compatible with the amenity values, rural character and the natural landscape;
(c) retain a rural buffer between the bush-clad and urban parts of the city;
(d) avoid, remedy or mitigate effects on ecosystems, including native vegetation and habitats of native fauna;

H21.6.9 Dwellings
(5) water tanks must be buried or be screened from views

Auckland Council District Plan (Hauraki Gulf and Islands Section)

Part 2 Resource Management Overview
2.5 Resource Management Issues and Objectives
2.5.5 Landscape
Issues
The significant resource management issues which need to be addressed in the Plan are:
1.How to enable sustainable use of natural features and landscapes.
2.How to ensure that outstanding natural features and landscapes are recognised and protected from inappropriate subdivision, use and development.
3.How to maintain the dominance of natural features over built features in areas which are valued for their natural landscapes.
Objectives
1.To ensure that buildings and structures in areas of high natural character and/or significant landscape value are sited and designed in a manner that maintains the dominance of the natural environment.

The requirement that rainwater tanks be a recessive colour in the Waitakere Ranges zones and Hauraki Gulf Islands, is appropriate in terms of being “effective” because it assists to:

- avoid adverse visual effects on these sensitive locations;
- maintains natural character;
- maintains amenity values;
- maintains the current position and rationale in the AUP that any rainwater tanks be buried or screened in the Waitakere Ranges zones
- maintains the current position in the Auckland District Plan (Hauraki and Gulf Islands sections) that the dominance of natural features presides over built features in areas which are valued for their natural landscapes).

The requirement that rainwater tanks be a recessive colour in the Waitakere Ranges zones and Hauraki Gulf Islands, is appropriate in terms of being “efficient” because it assists to:

- allow the location of rainwater tanks in sensitive locations by controlling one factor, which in itself does not increase additional costs;
- avoid the cost of a resource consent by way of colour selection;

Furthermore, colour is not a limitation on the ability to locate a rainwater tank which could well be the case in terms of other existing site constraints.

The approach proposed is in accordance with Part II of the Act, namely section 5. It promotes sustainable resource management (section 5) and also aligns to sections 6(a), (b) and 7 (c), (f) and (g) respectively which require regard to be had to: natural character of the coast, natural

features and landscapes; and the maintenance and enhancement of amenity values, maintenance and enhancement of the quality of the environment, any finite characteristics of natural and physical resources.

7. Controls on rainwater tanks in outdoor living spaces

The required controls in the proposed Plan Change 54 on the placement of rainwater tanks outside of the minimum required outdoor living courts, assists to implement the objectives and policies listed below from the Regional Policy Statement and the relevant residential zones.

The purpose of the outdoor living space standard within the MHS, MHU and THAB zones is to "*provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is accessible from the dwelling*."

The location, design and function of outdoor living spaces are critical to people's health and enjoyment of the outside environment. Outdoor space can offset the effects of living in smaller dwellings and improves the overall liveability of a home and wellbeing of occupants. One of the purposes of the outdoor living space standard is to provide a space that is of a functional size and dimension. Those dimensions are a minimum of 4m and 16m2 for ground level spaces and 1.8m and 5m2 for balconies, with a total minimum area of 20m2 to be provided.

Monitoring of recently constructed developments indicates that outdoor living spaces are increasingly being used to accommodate permanent site facilities, including rainwater tanks, as well as storage sheds; washing lines; hot water cylinders; heat pump units; refuse and recycling bins. As site sizes and outdoor living spaces become smaller so does the space for site facilities, particularly where no garaging is provided. The placement of these site facilities within outdoor living spaces significantly impacts on their functionality, usability, and amenity as an outdoor recreation space. Current practice also indicates that some of these site facilities are not sufficiently considered at the site planning and resource consent stages, and can often result in no other alternative locations being available when it is later determined (such as at building consent stage) that a rainwater tank is required or desired.

Auckland Regional Policy Statement
B2.2. Urban growth and form
B2.2.1. Objectives

(1) A quality compact urban form that enables all of the following:
(a) a higher-quality urban environment;

B2.3. A quality built environment

B2.3.1. Objectives
(1) 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) respond and adapt to the effects of climate change.

(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 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; and
f) allows for change and enables innovative design and adaptive re-use.

B2.4. Residential growth

B2.4.1. Objectives

(1) Residential intensification supports a quality compact urban form.

(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.

B2.4.2. Policies

Residential neighbourhood and character

(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 placed-based plan provisions.

Mixed Housing Suburban, Mixed Housing Urban, Terraced Housing and Apartment Building Zones:

Objectives H4.2 (3), H5.2 (3), and H6.2 (3):

Development provides quality on-site residential amenity for residents and adjoining sites and the street.

Policies H4.3 (6), H5.3 (6), and H6.3 (7):

Encourage accommodation to have useable and accessible outdoor living space.

The use of outdoor living space for servicing and storage can result in outdoor living spaces that are smaller than the minimum requirements under the AUP(OP). If all of the site facilities commonly found across intensive residential developments were to be located within an outdoor living space, this could equate to approximately 8.6m^2, or a reduction of 43% in the usable outdoor living space, based on a minimum 20m^2 area (refer Attachment 2). This reduces on-site amenity for residents and the ability to meet the functional and operational needs intended by outdoor living spaces.

The proposed approach will enable tanks to be placed in outdoor living courts, where the minimum 20m^2 area and 4m dimension is maintained. This means that for larger sites with more generous outdoor living areas (e.g. dwellings established under legacy district plan provisions that required larger outdoor living areas), that tanks can be located within those outdoor living spaces as long as the minimum plan area of 20m^2 and 4m dimension is

maintained. This is illustrated in Scenarios 1 and 2 of the Rainwater Tank Placement Scenarios (refer Attachment 3).

The requirement that rainwater tanks not be located within the minimum required outdoor living court (20m^2 area and 4m minimum dimension) is appropriate in terms of being "effective" because it:

- Protects residents' onsite amenity by preserving a minimum outdoor living space for its intended purpose – an "*outdoor room which is suitable for passive activity such as a group sitting around a large table with barbeque or a similar activity*"[10];
- Protects the functionality of the outdoor living space by maintaining a minimum size (20m^2) and dimension (4m), noting that there is no maximum plan area (m^2) or limit on the number of tanks enabled by the proposed rainwater tanks standard;
- Enables tanks within larger outdoor living spaces where the minimum plan area and dimension can be met;
- Encourages early consideration of stormwater management and water reuse at site planning stages.

The requirement that rainwater tanks not be located in the minimum required outdoor living space, is appropriate in terms of being "efficient" because it:

- Allows rainwater tanks to be established in other less sensitive parts of a site that will not detract from onsite amenity values. Attachment 3 identifies those locations within a site where rainwater tanks are enabled as a permitted activity, whilst maintaining minimum levels of onsite amenity;
- Avoids delayed consideration of stormwater management and water reuse that can result in poor site planning and retrospective placement of tanks which adversely affects onsite amenity values;

- Avoids the less quantifiable impacts on the liveability, health and wellbeing outcomes associated with poor quality living environments, should outdoor living spaces be used as service courtyards.

The approach proposed is in accordance with Part II of the Act, namely section 5. It promotes sustainable resource management (section 5) whilst providing for peoples and communities social well-being, health and safety. It also aligns to sections 7 (c), (f) and (g) respectively which require regard to be had to: the maintenance and enhancement of amenity values; maintenance and enhancement of the quality of the environment; and any finite characteristics of natural and physical resources.

8. Controls on rainwater tanks in outlook space

The required controls in the proposed Plan Change 54 on the placement of rainwater tanks outside of any required outlook spaces from the glazing of habitable rooms (comprising living

[10] Proposed Auckland Unitary Plan Statement of Evidence of Graeme Robert McIndoe on behalf of Auckland Council. Architecture and Urban Design. 9 September 2015.

rooms, bedrooms and any other habitable rooms[11]), assists to implement the objectives and policies listed below from the Regional Policy Statement and the relevant residential zones.

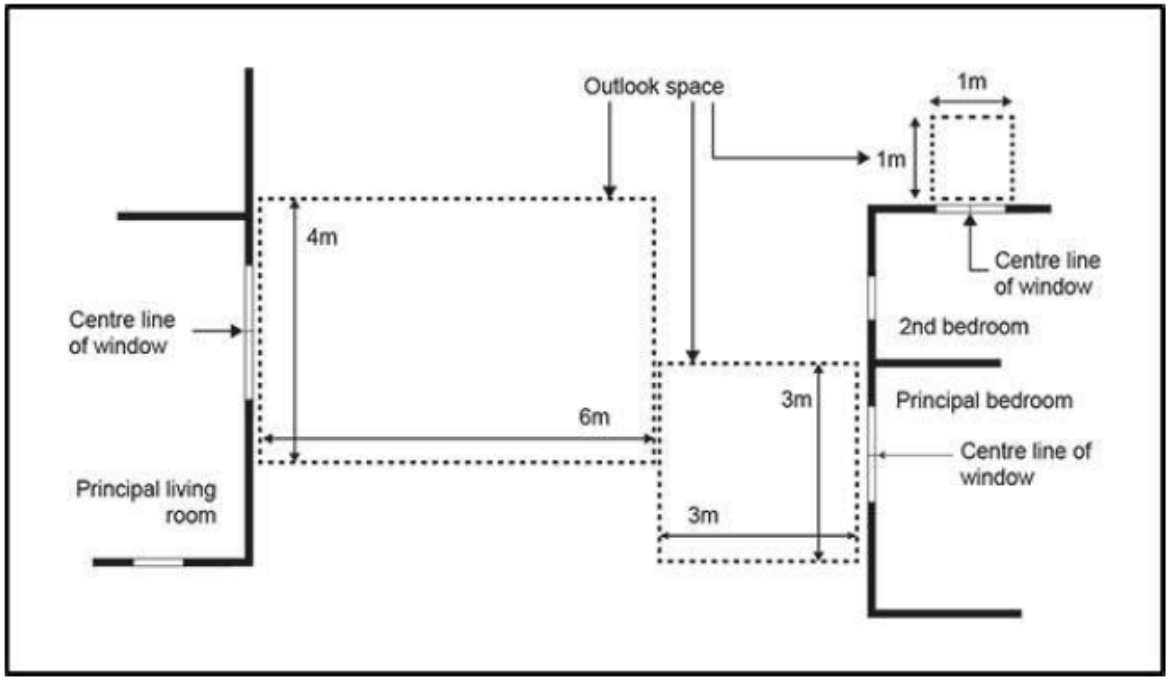
The purpose of the outlook space standard within the MHS, MHU and THAB zones is:

- *to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites;*
- *in combination with the daylight control, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.*

The design logic for the outlook control is to address privacy; visual dominance of the spaces between and around buildings; and to provide a sense of space of the outside environment in views from within each dwelling. Different outlook space widths and depths apply depending on the use of the room. Outlook spaces must be clear and unobstructed by buildings, and not extend over adjacent sites, or an outlook space or outdoor living space required by another dwelling.

The required outlook space varies depending on the room use, with the relevant standard requiring outlook depths as shown in Figure 4 below.

Figure 4: Required Outlook Spaces



Auckland Regional Policy Statement
B2.2. Urban growth and form
B2.2.1. Objectives

(1) A quality compact urban form that enables all of the following:
(b) a higher-quality urban environment;

[11] Habitable room is defined as "*Any room in a building used for a residential nesting table activity and in a care centre or healthcare facility with an overnight stay facility, excluding a laundry, bathroom, toilet or any room used solely as an entrance hall, passageway, garage, or other space of a specialised nature occupied neither frequently nor for extended periods.*"

B2.3. A quality built environment

B2.3.1. Objectives

(1) A quality built environment where subdivision, use and development do all of the following:

- *g) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;*
- *h) reinforce the hierarchy of centres and corridors;*
- *i) contribute to a diverse mix of choice and opportunity for people and communities;*
- *j) maximise resource and infrastructure efficiency;*
- *k) are capable of adapting to changing needs; and*
- *l) respond and adapt to the effects of climate change.*

(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 does all of the following:

- *g) supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;*
- *h) contributes to the safety of the site, street and neighbourhood;*
- *i) develops street networks and block patterns that provide good access and enable a range of travel options;*
- *j) achieves a high level of amenity and safety for pedestrians and cyclists;*
- *k) meets the functional, and operational needs of the intended use; and*
- *l) allows for change and enables innovative design and adaptive re-use.*

B2.4. Residential growth

B2.4.1. Objectives

(1) Residential intensification supports a quality compact urban form.

(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.

B2.4.2. Policies

Residential neighbourhood and character

(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 placed-based plan provisions.

Mixed Housing Suburban, Mixed Housing Urban, Terraced Housing and Apartment Zones:

Objectives H4.2 (3), H5.2 (3), and H6.2 (3):

Development provides quality on-site residential amenity for residents and adjoining sites and the street.

Policies H4.3 (5), H5.3 (5), and H6.3 (6):

Require accommodation to be designed to meet the day to day needs of residents by:

- *(a) providing privacy and outlook;*
- *(b) and providing access to daylight and sunlight and providing the amenities necessary for those residents.*

The requirement that rainwater tanks not be located within an outlook space associated with the glazing of a living room, bedroom or other habitable room is appropriate in terms of being "effective" because it:

- Protects residents' onsite amenity by preserving a sense of outlook and space from internal spaces which are regularly used by residents;
- Protects daylight access to dwellings by avoiding structures being placed in front of windows that could prevent daylight access;
- Protects solar/thermal efficiency by maintaining sunlight access to the glazing of habitable rooms and maintains the opportunity for ventilation of rooms by avoiding windows being blocked from opening;
- Encourages early consideration of stormwater management and water reuse at site planning stages.

The requirement that rainwater tanks are not located within any required outlook space associated with the glazing of a living room, bedroom or other habitable room is appropriate in terms of being "efficient" because it:

- Allows rainwater tanks to be established in other less sensitive parts of a site that will not detract from onsite amenity values. Attachment 3 identifies a range of examples showing locations within a site where rainwater tanks are enabled as a permitted activity, whilst maintaining minimum levels of onsite amenity;
- Avoids delayed consideration of stormwater management and water reuse that can result in poor site planning and retrospective placement of tanks which adversely affect onsite amenity values;
- Avoids the less quantifiable impacts on the liveability, health and wellbeing outcomes associated with poor quality living environments should outlook spaces be blocked with rainwater tanks, preventing views to the outside environment, as well as resulting in poor daylight and sunlight access, and ventilation outcomes.

The approach proposed is in accordance with Part II of the Act, namely section 5. It promotes sustainable resource management (section 5) whilst providing for peoples and communities social well-being, health and safety. It also aligns to sections 7 (c), (f) and (g) respectively which require regard to be had to: the maintenance and enhancement of amenity values; maintenance and enhancement of the quality of the environment; and any finite characteristics of natural and physical resources.

Table 5: Statutory Tests

	Implements policies of plan	Appropriate - Efficiency	Appropriate - Effectiveness	In accordance with Part 2 RMA	Consistent with RPS
Definition change AUP	✔	✔	✔	✔	✔
Definition change Auckland District Plan	✔	✔	✔	✔	✔
Exclusions – Riparian, coastal, lakeside yards	✔	✔	✔	✔	✔
Controls on Front yard and forward of Building Facade	✔	✔	✔	✔	✔
Maximum height control in yards and Waitakere zones	✔	✔	✔	✔	✔

Control of Nuisance discharges and control over placement on or discharge to effluent disposal areas	✔	✔	✔	✔	✔
Control on colour in certain zones	✔	✔	✔	✔	✔
Controls in Outdoor Living Spaces	✔	✔	✔	✔	✔
Controls in Outlook Spaces	✔	✔	✔	✔	✔

Reasons for the proposed Plan Change / Plan Modification

1. The proposed changes to the AUP and HGI Plan would enable rainwater tank installations across the Auckland region by removing the resource consent barrier in many typical placement scenarios.
2. Rationale for the Plan Change and Plan Modification is to create community resilience in terms of the supply of water which is under pressure as a result of climate change, and to reduce demand on the water supply network including water reservoirs. There are also stormwater management benefits that could be realised as a result of increased rainwater tank uptakes, particularly in developed urban areas. Given Auckland's rising development demands and plentiful waterways that are exposed to stormwater runoff, rainwater tanks may be able to contribute to improved environmental outcomes particularly across densely built up areas of Auckland.

Statutory Evaluation under the Resource Management Act (RMA)

1. The proposed Plan Change and Plan Modification have been developed in accordance with the First Schedule procedure in the Resource Management Act 1991.
2. The proposed Plan Change and Plan Modification is strongly aligned to promoting the sustainable management of a natural resource, namely water (section 5(1) RMA). They have been designed to assist the management of a natural resource (i.e. water) in a way, and 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 sustaining the potential of the natural resource (i.e. water) to meet the reasonably foreseeable needs of future generations (section 5(2) RMA).
3. The relevance of the Plan Change and Plan Modification to sections 5, 6,7,8 of the RMA is outlined in Table 6, below.

Table 6: Relevant RMA Sections

RMA 1991	Relevant section	Relevance to Proposed Plan Change
S5 Purpose	5 Purpose (1) The purpose of this Act is to promote the sustainable management of natural and physical resources. (2) In this Act, sustainable management means managing the use, development, and protection of	High The proposed Plan Change and Plan Modification will support the sustainable management of water resources and reduce the

	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— (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.	pressure on natural systems such as waterways.
S7 Other matters	7 Other matters In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—… (b) the efficient use and development of natural and physical resources:… (g) any finite characteristics of natural and physical resources: (i) the effects of climate change:	High The proposed Plan Change and Plan Modification responds to the need to utilise water efficiently, recognising that it is, in an intertemporal sense, a finite resource which is affected by climate change.
S8 Treaty of Waitangi	8 Treaty of Waitangi In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).	High Kaitiakitanga extends to water resources which are seen by Māori to possess a mauri or special life force.

National and Regional Planning Context

1. The National Policy Statement on Urban Development 2020 has relevance to this proposed Plan Change and Plan Modification. The following objectives and policies are considered most relevant:

   2.1 Objective 1 *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and in the future.*

2. Relevance – the preferred option supports people and communities to more easily exercise choice in deciding to install a rainwater tank. This greater enablement (through removing planning restrictions) also assists in the provision of health and safety benefits to both these individuals and the community more generally (through water conservation and resilience).

3. 2.1 Objective 8 *New Zealand's urban environments:*
   a) support reductions in greenhouse gas emissions; and
   b) are resilient to the current and future effects of climate change.

4. Relevance – the preferred option supports the move of urban environments to becoming more resilient to the drought aspects associated with climate change as well

as contributing to stormwater management. (An increase in intense rain periods is an additional impact predicted as a result of anthropogenic climate change).

5. Across other objectives and policies of this national policy statement, it is considered that this Plan Change gives effect to the outcomes sought. The better utilisation of locations such as side yards will not impact upon development intensity outcomes for capacity and will deliver functionality outcomes that support the overall 'well-functioning urban outcomes' basis of this document.

6. The National Policy Statement for Freshwater Management 2020 has relevance to this proposed Plan Change and Plan Modification. It contains the following objectives and policies:

   2.1 Objective
   (1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:
   (a) first, the health and well-being of water bodies and freshwater ecosystems
   (b) second, the health needs of people (such as drinking water)
   (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

   Policy 4: Freshwater is managed as part of New Zealand's integrated response to climate change.

7. Relevance – The wider use of rainwater harvesting across the Auckland region would assist to relieve the existing pressure on water resources and freshwater ecosystems. This would mean that much of household water use could be aided from rainwater tanks supplies rather than the network which draws on water from waterways and lake supplies and dams. (Note, that this desired outcome is dependent on a number of variables including, but not limited to, rainwater tank uptake rates, their purpose (outdoor only, toilet, laundry etc), and seasonal rainfall.)

8. The Auckland Unitary Plan (Operative in Part) has relevance to the proposed Plan Change and Plan Modification as detailed in Table 7.

Table 7: Auckland Unitary Plan Policy

RPS Chapter	Relevant policy	Relevance to Proposed Plan Change
Section B7. Toitū te whenua, toitū te taiao – Natural resources 7.3. Freshwater systems B7.4. Coastal water, freshwater	Freshwater and geothermal water quantity, allocation and use (11) Promote the efficient allocation of freshwater and geothermal water by all of the following: (a) establishing clear limits for water allocation; (b) avoiding over-allocation of water, including phasing out any existing overallocation;	High The proposed Plan Change and Plan Modification seeks to promote more efficient water use, recognising that as Auckland's population grows a diverse range of water sources will need to be relied upon.

RPS Chapter	Relevant policy	Relevance to Proposed Plan Change
and geothermal water B7.4.2. Policies	(c) safeguarding spring flows, surface waterbody base flows, ecosystem processes, life-supporting capacity, the recharge of adjacent aquifers, and geothermal temperature and amenity; and (d) providing for the reasonable requirements of domestic and municipal water supplies. (12) Promote the efficient use of freshwater and geothermal water. (13) Promote the taking of groundwater rather than the taking of water from rivers and streams in areas where groundwater is available for allocation. (14) Enable the harvesting and storage of freshwater and rainwater to meet increasing demand for water and to manage water scarcity conditions, including those made worse by climate change.	Furthermore, the Plan Change and Plan Modification promotes harvesting and storage of rainwater to assist to meet water demand in the face of greater scarcity and climate change.
Section B6.2. Recognition of Treaty of Waitangi/Te Tiriti o Waitangi partnerships and participation	B6.2.1. Objectives (1) The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are recognised and provided for in the sustainable management of natural and physical resources including ancestral lands, water, air, coastal sites, wāhi tapu and other taonga.	High Supports the desire for the mauri of, and the relationship of Mana Whenua with, natural and physical resources including freshwater, to be enhanced.
Section B10.2. Natural hazards and climate change	B10.2.1. Objectives (1) Communities are more resilient to natural hazards and the effects of climate change.	High Auckland faces potential water shortages in the future as a result of climate change and the availability of water regionally. The proposed Plan Change and Plan Modification assist to improve community resilience.
B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form	B2.2. Urban growth and form B2.2.1. Objectives (1) A quality compact urban form that enables all of the following: (a) a higher-quality urban environment; (e) are capable of adapting to changing needs; and (f) respond and adapt to the effects of climate change. B2.3. A quality-built environment B2.3.1. Objectives (1) 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;	Medium The proposed plan Change and Plan Modification whilst responding to the matter of water shortages, also need to balance the need to promote high quality outcomes especially on residential sites where rainwater tanks will be located.

Development of the proposed Plan Change and Plan Modification

Methodology

This proposed Plan Change and Plan Modification began with the writing of a topic paper on the issue of enabling rainwater tank installations. In the topic paper the problem of water shortages in the Auckland region was scoped out along with associated issues. The topic paper discussed rainwater tanks as a "part solution" to the problem. Possible planning and non-planning solutions were developed.

Information Used

The reports, documents, evidence, plan versions et al that were used to help with the development of the proposed Plan Change are listed below in a table form (Refer Table 8).

Table 8: Information Used in this Report

Name of document, report, plan	How did it inform the development of the proposed Plan Change
Report to Residential Issues Quality Control Group, Rachel Devine, Barry Mosley, 20 May 2020, Residential Rainwater Tank Project.	This report defined the challenges for the Auckland region in terms of potential water shortages. It identified the need for a resource consent for rainwater tank installations as one of the obstacles inhibiting greater use of rainwater tanks especially in urban Auckland. It scoped out the possible types of rainwater tanks available in the market for installation. It set out possible planning solutions.
Auckland Unitary Plan (Operative in Part)	The Auckland Unitary Plan provided a means in which to enable rain tank installation.
Auckland Council District Plan (Hauraki Gulf Islands Section)	The Auckland Council District Plan (Hauraki Gulf Islands Section) provided a means in which to enable rain tank installation.

Consultation under Clause 3

1. Consultation must be undertaken with Statutory bodies, such as the Ministry for the Environment, Ministry of Business, Innovation and Employment, Heritage New Zealand Pouhere Taonga, Ministry of Housing and Urban Development, and Department of Conservation, Iwi and Local Boards under clause 3 of the First Schedule of the Resource Management Act 1991. Clause 3 consultation has also been extended to Watercare Services Limited, Kāinga Ora – Homes and Communities, Fire and Emergency New Zealand, and the Plumbers, Gasfitters and Drainlayers Board.
2. A public "Have Your Say" campaign provided the option to submit online comments and views on specific focussing questions. An interactive, online webinar with Council and Watercare representatives was also held to allow interested community members to submit questions in a "live" web-based environment and clarify the key areas of the proposed Plan Change. This video has since been uploaded to the Council site and is accessible to all members of the public.

3. Consultation with Mana whenua / iwi authorities has occurred at the clause 3 stage and included contact with all Iwi Chairs in the Auckland region. At the time of notification no requests were received from any iwi authority to further discuss this Plan Change and Plan Modification

4. A number of subject matter experts were consulted during the proposed Plan Change and Plan Modification development process. This included: Auckland Design Office staff (Urban designers and planners); Resource Management Team within Healthy Waters with expertise in stormwater and water supply issues; iwi liaison personnel and feedback from Resource Consents.

5. An overview of the clause 3 consultation list and feedback status is shown in the table below. (Refer Table 9.) Where feedback has been received, this is expanded upon below.

Table 9: Clause 3 Consultation Overview and Feedback Status

Consultation (per RMA requirements)	Organisation Name	Feedback status
Statutory Body	Department of Conservation	No comment
Statutory Body	Ministry for the Environment	No comment
Statutory Body	Ministry of Business, Employment and Innovation	No comment
Statutory Body	Heritage New Zealand Pouhere Taonga	Feedback received
Iwi / Mana Whenua	Iwi with interest (Details on Iwi are outlined a separate table)	Feedback has been ongoing on the subject of rainwater tank enablement; however, no formal comments have been provided specifically in relation to the proposed Plan Change.
Region wide	Local Boards across Auckland	No formal feedback was received from local boards at the time of notification.
Statutory Body	Ministry of Housing and Urban Development	No comment
Extended consultation	Watercare Services Limited	No comment
Extended consultation	Fire and Emergency New Zealand	Feedback received
Extended consultation	Plumbers, Gasfitters and Drainlayers Board	No comment
Extended consultation	Kāinga Ora – Homes and Communities	Feedback received

Table 10: Iwi list provided with proposed Plan Change information

Iwi mail list in relation to PPC 54
Te Ākitai Waiohua
Ngāi Tai ki Tāmaki
Ngāti Maru
Nga Maunga Whakahii o Kaipara
Ngāti Paoa Iwi
Ngati Paoa Trust Board
Ngāti Rehua
Ngāti Tamaoho
Te Kawerau a Maki
Te Ahiwaru
Te Patukirikiri
Ngāti Te Ata
Ngāti Whātua o Ōrākei
Ngaati Whanaunga
Ngāti Manuhiri
Ngāti Tamaterā
Ngāti Wai
Te Rūnanga o Ngāti Whātua
Te Uri o Hau
Waikato - Tainui
Maunga Authority

Heritage New Zealand Pouhere Taonga (HNZPT)

1. The feedback received from HNZPT was to ensure that the proposed Plan Change protects the Historic Heritage Places and Areas, from any potential negative impact that rainwater tanks may cause to Heritage site characteristics and amenity values. Greater clarity was requested regarding whether there is intention to provide permitted activity standards for Historic Heritage Areas, noting that the Plan Change aims to address the installation of rainwater tanks within rural and residential zones and the Special Character Area Overlay – Residential zones. In order to continue to protect the Historic Heritage Areas, the planning team have proposed that these sites should continue to be assessed on a “site by site” basis through the current resource consent process. This allows for individual assessments across a range of site typologies and outcomes to best maintain the heritage amenity value.

2. There was a further request that any exclusion of rainwater tanks from the definition of “building” not apply for the purpose of Historic Heritage Places and Areas as Scheduled in Appendices 14.1, 14.2 and 14.3 to the Unitary Plan. It was clarified that the exclusion only applied for the zones specified in the plan change and the one overlay identified, and that it did not apply for the purpose of the balance of any other overlays or for that matter zones.

3. A query was also raised in relation to the proposed additional 'Standard for activities buildings in the Special Character Areas Overlay – Residential', D18.6.1.(X) Rainwater tanks:

   (5) 'Rainwater tanks directly adjoining a side façade of a building must match the colour of that façade'.

4. HNZPT suggested that it would be preferential to ensure there is ability to clearly distinguish and identify as a recent addition separate to the original special character building next to which it is located, as opposed to having any tank structure 'blend' in with the character building. The approach to “blend” versus “differentiate” is now a discussion point being worked through with HNZPT and Auckland Council’s Heritage Team.

Mana Whenua/ Iwi engagement and associated feedback

1. During 2018 to 2019, Auckland Council Healthy Waters engaged with mana whenua to develop the “Our Water Future” discussion document, a strategic water framework for Tāmaki Makaurau.
2. Across this engagement, mana whenua has consistently supported the adoption of protecting and enhancing te mauri o te wai as a vision, and the need to recognise water as a taonga that should not be wasted.
3. Support for rainwater tanks was raised multiple times through this engagement, while specific advice from the MWKF notes that the following action should happen:
4. *“Regulatory and financial incentives are designed to encourage and facilitate actions and activities that protect and sustain te mauri o te wai (it should be easier and faster to gain regulatory approvals, use public infrastructure and secure access to public funds if a proposal promotes te mauri o te wai)”.* [quote]
5. An overview of rainwater tank related Mana Whenua consultation in the recent past is outlined as follows:

Table 11: Mana Whenua Consultation

Date	Attendee	Location
5-Jul-18	Mana Whenua Kaitiaki Forum	CBD
9-Aug-18	WaterCare Forum	Mangere
14-Aug-18	Mana Whenua Kaitiaki Forum	CBD
14-Sep-18	Workshop – AWS (operational)	Manukau
30-Oct-18	Workshop - AWS 2 (operational)	CBD
9-Nov-18	Workshop - AWS 3 (operational)	CBD
21-Jan-19	MWKF (Natural Environment Pou)	CBD
8-Feb-19	IES Hui	CBD
13-Mar-19	HYS - AWS Governing Body	CBD
11-Apr-19	WaterCare Forum	Mangere
19-May-20	Healthy Waters project day (Auckland Drought)	Digital
16-Jun-20	Healthy Waters project day (Auckland Drought)	Digital
23- Jul-20	Mana Whenua Kaitiaki Forum	CBD

6. Mana whenua support for rainwater tanks was reiterated at a workshop on the current drought crisis held in June 2020 with operational kaitiaki. Some representatives expressed interest in attending the Planning Committee meeting to

speak in favour of these changes as well, with one iwi scheduled to speak at the August Committee meeting.

7. An update on "The Current Water Shortage and Operational Plans for our Future Water Needs" was provided to all Mana Whenua Kaitiaki Forum attendees on 23 July 2020. During this forum rainwater tanks where again covered on the agenda and continued support was given on their use and removing barriers to installing them. The following points relating to rainwater tanks were also raised at this forum (summarised):

   i. Continued exploration to remove barriers that may inhibit the uptake of rainwater tanks across Auckland, including overly restrictive or disabling processes, costs or rules related to Building Consents and the Building Act.

   ii. Considering barriers to rainwater tank installations on space constrained sites and mitigation/ options to enable water storage.

   iii. Research of an incentive funding scheme to further support the uptake of rainwater tanks, for example, a rebate option to incentivise savings.

   iv. A request for further investment in a rainwater tank programme focussed on Marae infrastructure.

   v. Ensuring te mauri o te wai is at the centre of decision making.

   vi. Ensuring mana whenua are included as partners in the process which shapes Auckland's water future and there are Māori-led campaigns to drive the water message.

   vii. Partnering with Māori to create a Māori-led education response for wai.

   viii. Mana motuhake – autonomy, specifically, iwi's desire to be self-sufficient within their own rohe.

8. As of 24 September 2020, Council has not received any formal feedback from Local Boards in relation to the proposed Plan Change.

9. The Plan Change has included the Maori Special Purpose zone where rainwater tanks have been enabled in a similar way to other zones impacted by the Plan Change.

10. It is considered that Maori land and Treaty acknowledged land will benefit from this enabling Plan Change because all rural zones are enabled and therefore all Maori land or Treaty acknowledged land which has a rural zoning is also enabled for the purposes of installing a rainwater tank. A similar argument applies for urban land which is Maori land or Treaty acknowledged land and located in an urban zone to which the Plan Change has been targeted.

Local Board engagement (Informal comments)

1. A number of Local Boards have provided Auckland Council with feedback regarding overly restrictive barriers to rainwater tank installations and Council doing more to enable rainwater tank uptakes across the region. A Notice of Motion specifically requesting that Council and Watercare take improved actions to enable rainwater harvesting was received from the Kaipatiki Local Board in September 2019.

2. At the Local Board Chairs' Forum on 13 July 2020, an agenda item was dedicated to "Proposed Water Tank Plan Change". Comments and questions post the presentation did not challenge or disagree with a Plan Change and Plan Modification to remove overly restrictive rules within the Unitary Plan and HGI Plan that may trigger development standards and consequential resource consent fees. Questions and comments from the Chairs' specific to rainwater tanks included (summarised):

    a. Whether Council was exploring options to incentivise the use of rainwater tanks;

    b. Council to explore opportunities to remove overly restrictive barriers to tank installations beyond residential alone e.g. commercial, business and industrial use;

    c. A request for improved communications to support the technical requirements of tank installations and set-ups;

    d. Council to explore opportunities to lead by example in this space;

    e. Historical exploration regarding underground tanks and water seepage;

    f. Exploration of mandatory capacity requirements for those not on the mains water supply network; and

    g. How Council will monitor the ongoing performance of rainwater tank installations and whether there needs to be increased vigour regarding maintenance.

3. A Local Board briefing took place on 17 August 2020, where a presentation on the proposed Rainwater Tank Unitary Plan Change took place. The briefing focus was to inform Local Boards about a proposed Plan Change to remove unnecessary controls in regard to the installation of rainwater tanks. A supporting report was also provided in advance of the briefing to all Board members.

    As of 24 September 2020, Council has not received any formal feedback from Local Boards in relation to the proposed Plan Change and Plan Modification.

Fire and Emergency New Zealand

1. Two video conference meetings were held with Fire and Emergency to ensure alignment of understanding related to the proposed Plan Change and to understand

their key areas of interest. The related areas of interest raised were:

- **Proposed Plan Change interface with the "Firefighting Water Supplies Code of Practice" ("FFWCoP").**

  It was relayed that the Fire and Emergency New Zealand Act 2017, section 73 "Duty to develop, consult on, recommend the approval of, and publish and notify code of practice for firefighting water supplies", part (7) states: "*A code of practice is a **disallowable instrument** for the purposes of the Legislation Act 2012 and must, following approval by the Minister under section 72, be presented to the House of Representatives under section 41 of that A*ct."

  The code of practice change from being an "*engineering standard*" to a "*disallowable instrument*" means that amends to the FFWCoP must follow the formal procedures and approvals stated. It has therefore been raised that Auckland Council and Fire and Emergency New Zealand should consult and interface on any amends to the FFWCoP that relate to rainwater tanks to ensure alignment.

  It was also agreed in the clause 3 consultation phase that a note to the definition of "building" be made that if a rainwater tank is to be used for firefighting then the Firefighting Water Supplies Code of Practice as mandated by the Fire and Emergency New Zealand Act should be considered.

- **Climate change preparedness in relation to tank placements relative to coastlines.**

  Feedback from Fire and Emergency New Zealand has been that tank placements outcomes should consider the impact of climate change and consequential predicted sea level rises.

  FENZ consider in the context of the Auckland District Plan (Hauraki Gulf Islands section) that a requirement that rainwater tanks be located beyond 100m from MHWS is overly restrictive. It favours a requirement that tanks be required to be 1m above the MHWS elevation.

  In response to this request, an amendment to the exclusions for the definition of "building" for the Auckland District Plan (Hauraki Gulf Islands section) is proposed in the plan change which focuses on elevation, and has been modelled (see Attachment 4).

Kāinga Ora – Homes and Communities

Kāinga Ora have indicated that they are supportive of a Plan Change aimed at enabling the use of rainwater tanks across Auckland. However, Kāinga Ora expressed that they believe that the desired outcomes could be achieved through a more simplistic approach.

Community Engagement

1. Community feedback on rainwater tanks has been captured via a variety of avenues since mid-2019.

2. In June 2019, Auckland Council requested public feedback on a framework for a water strategy that protects and enhances Te Mauri o te Wai – it was titled “Our Water Future”. Public feedback on the framework revealed a strong desire to see progress with water quality and supply challenges. It also showed a high level of interest in rainwater collection as a possible solution for water supply and stormwater challenges. More than 30 per cent of respondents requested Auckland Council take action to support rainwater collection, even though there was no specific question posed.

3. A “People’s Panel” rainwater tank specific survey in November 2019 with 4161 responses, identified a strong interest to install a rainwater tank, with 25% stating “yes [interested]” and 39% “maybe [interested]”. However, the following challenges preventing installation were highlighted: 1) Too expensive (72%); 2) Difficult consenting process (60%); and 3) Inadequate space on my property. Feedback indicated there was inadequate guidance available to support voluntary rainwater tank installations and greater clarity and support required from a consenting perspective, with costs of consenting being an additional barrier.

4. A survey was open on the Plumbers, Gasfitters and Drainlayers Board site from January 2020 to February 2020 for those in the industry to provide feedback relating to rainwater tanks and potential areas of improvement that Council could support in this space. The general consensus amongst responses was that the consenting process was overly complicated and expensive. Feedback also indicated that measures should be taken by Council in order that a consent was not necessary to install a rainwater tank in certain low risk scenarios.

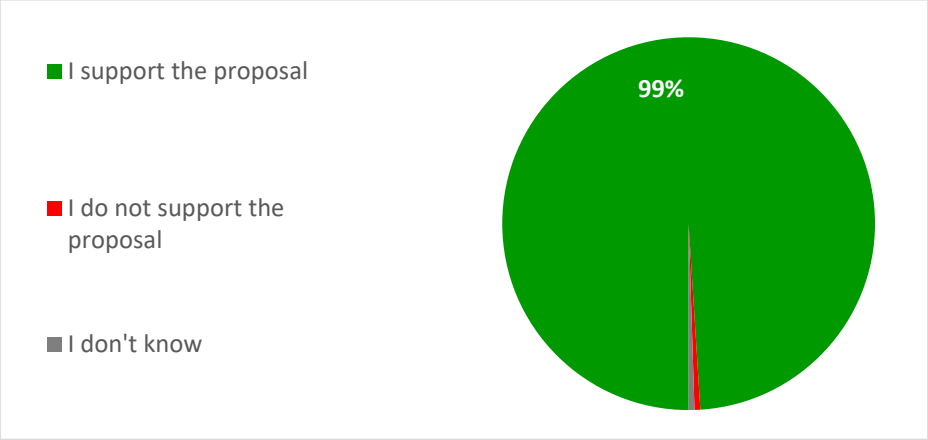
5. In late July 2020, work began internally at Council to prepare a “Have Your Say” campaign on the “Rainwater Tank Unitary Plan Change”. The “Have Your Say” online portal went live on 27 August 2020 and was open for feedback until 23 September 2020.

6. The campaign included the option to submit online comments on the specific focussing questions and a live webinar with Council family panellists available to answer public questions live. The focussing questions were based on whether there was support to remove Unitary Plan restrictions on rainwater tanks and sought feedback on locational and height requirements.

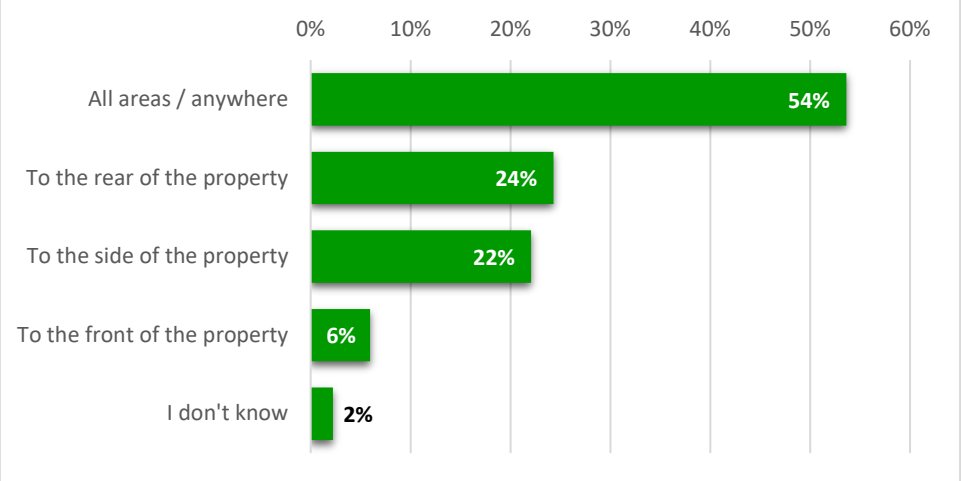
7. This campaign was part of the clause 3 phase of developing the Plan Change to enable rainwater tank installations, and the online method chosen was as a result of the “Covid-19” pandemic and lockdown levels. 399 responses were received as part of the Have Your Say campaign, which in light of Covid-19 dominating public communication avenues, was seen as an adequate data capture to ascertain general public views. The responses are summarised as follows:

   The key summary results of the survey to questions asked are as follows.

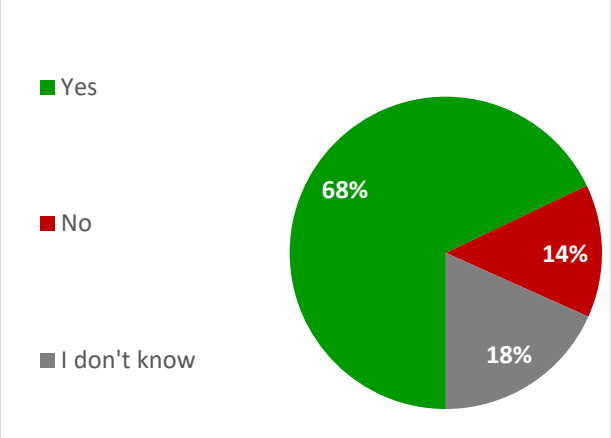
Q1 What do you think about the proposed change to the Auckland Unitary Plan to enable wider use of rainwater tanks?



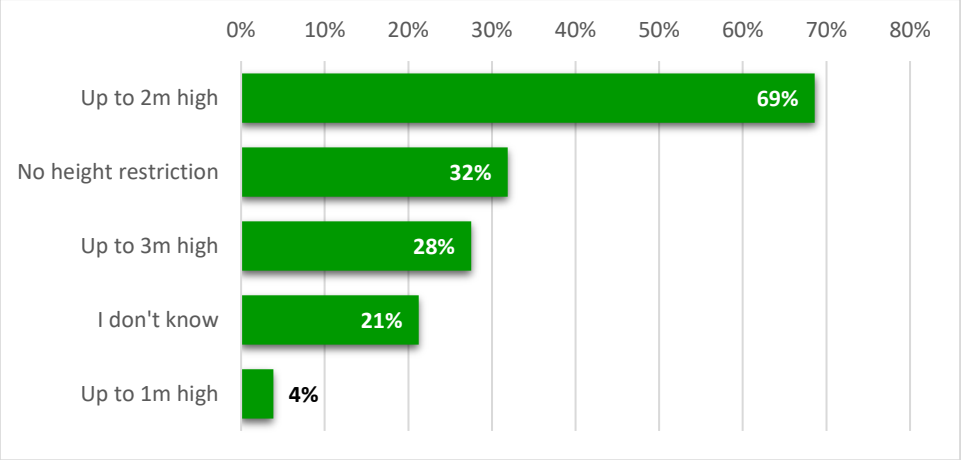
Q2 Where do you think rainwater tanks should be allowed to be positioned on properties? Tick all that apply.



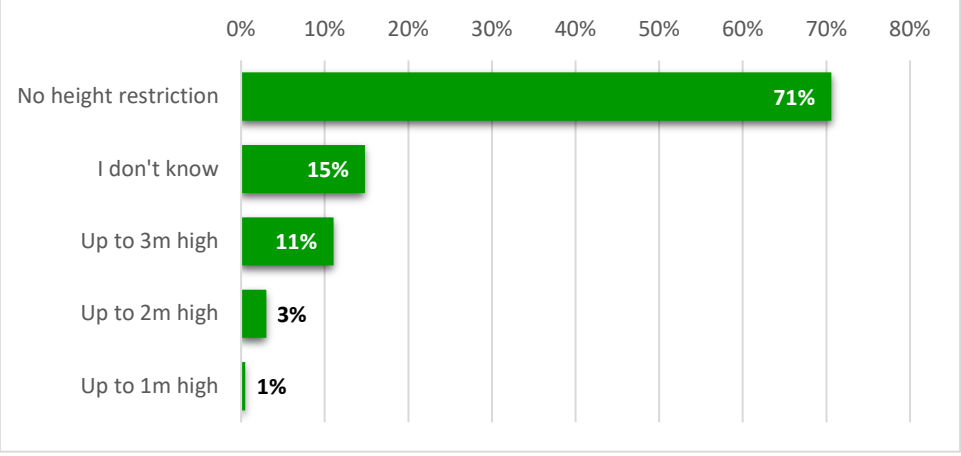
Q3 Do you think rainwater tanks should be allowed to be positioned on a property boundary or fence line?



Q4 What do you think the maximum height of a rainwater tank should be in an urban area?



Q5 What do you think the maximum height of a rainwater tank should be in a rural area?



8. Titirangi Residents and Ratepayers Association

The Titirangi Residents and Ratepayers Association, a non-profit incorporated society formed in 1987 to promote and represent the interests of ratepayers and residents in the Titirangi area wrote a letter of support in the clause 3 phase of the plan change.

The Association can be traced back to the 1920s when an unincorporated society is recorded as lobbying Council regarding roads.

The Association's key points are as follows.

1. The proposal is supported.

2. In addition we believe that Council could be doing proactive education in communities that are currently not served by town supply. We consider that undertaking education on how to save water & how to manage a rainwater tank would be a good thing for Council to do.

3. This should specifically target those people who currently are not on town supply and rely on tank water. New rural home owners are not always aware of how careful they need to be with their water until they run out - and then want to top up from the town supply. In a drought situation this puts additional pressure on already stretched resources from people who are not customers of Watercare.

4. Events in communities that bring together demand management specialists, tank suppliers and water engineers could be very helpful in rural areas and encourage homeowners to increase the size of their storage tanks so they are less likely to run out during a dry summer. This will benefit all Aucklanders by putting less strain on town supplies.

Additional Analysis

Impact of resource consent requirement relative to tank placement in relation to ground level

Analysis was undertaken in relation to how the proposed Plan Change would impact the requirement for a resource consent for underground rainwater tanks, when compared to the status quo (see Attachment 5).

- *Status quo:* As underground rainwater tanks are below the ground level they are not defined as being a "building", and therefore, no development standards are triggered that could result in the need for a resource consent.

  In addition, "land disturbance" rules (E12) are unlikely to be triggered in residential or rural zones, for common large tank sizes (10,000L – 30,000L), as they will typically be far from the limiting square meterage and volume thresholds given their size. For example, the permitted activity threshold in all zones is up to 500m^2 (A3). A large 30,000 litre rainwater tank with diameter of 3.76 metres, would cover total land area of approximately 11m^2, considerably less than the threshold.

Where the reason for installing an underground tank relates to on-site stormwater mitigation, there are three sets of rules that could apply, including: stormwater diversion and discharge rules; stormwater management flow rules; and stormwater management quality rules. However, these could be avoided through ensuring permitted activity controls are met.

- *Proposed Plan Change:* Similarly to above, as underground rainwater tanks are below the ground level, they will remain as not being defined as a "building" in areas not captured by the Plan Change, and in the case of zones and overlays impacted by the Plan Change, it is improbable that an underground tank would exceed the upper 3m height limit. Therefore, as above, a resource consent requirement is improbable.

  Any "land disturbance" rules (E12) related triggers for a resource consent, would remain in place as currently stands in the "status quo" scenario, which is highly enabling from an underground rainwater tank perspective when considering the upper size limits available in the market of many residential rainwater tanks.

  Where an underground tank is installed to achieve on-site stormwater mitigation, the status quo scenarios mentioned above would still apply.

Conclusion

The pathway to enabling rainwater tank installation in response to predicted water shortages must include the removal of regulatory and associated cost barriers. The mechanism to achieve the removal of these barriers includes changes to rules currently in the Auckland Unitary Plan and HGI Plan. It is possible to amend the Auckland Unitary Plan and HGI Plan in such a way to enable rainwater tank installation whilst avoiding objectionable outcomes in terms of residential character and amenity.

Attachments

Attachment 1: Enabling Rainwater Tanks Plan Change

Attachment 2: Site Facilities Table

Attachment 3: Rainwater Tank Placement Scenarios

Attachment 4: Yard Analysis

Attachment 5: Impact of resource consent requirement relative to tank placement in relation to ground level